

COMMISSION  
JOURNAL

SECOND  
PHILIPPINE  
LEGISLATURE  
SPECIAL SESSION, 1910  
AND  
FIRST SESSION

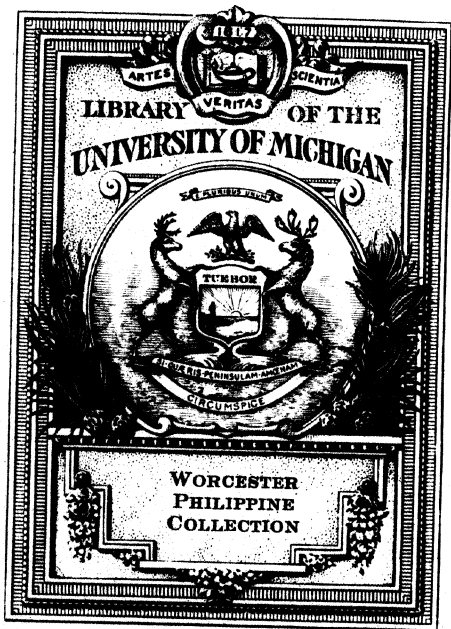
INCLUDING CERTAIN  
PROCEEDINGS  
IN  
EXECUTIVE SESSION  
JANUARY 1, 1910  
TO  
FEBRUARY 3, 1911  
INCLUSIVE

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Philippine Islands. Legislative. Philippine  
Commission

JOURNAL  
OF THE  
PHILIPPINE COMMISSION

BEING  
A SPECIAL SESSION  
MARCH 28, 1910, TO APRIL 19, 1910  
AND  
THE FIRST SESSION  
OCTOBER 17, 1910, TO FEBRUARY 3, 1911

OF THE  
SECOND PHILIPPINE LEGISLATURE

THIS VOLUME ALSO CONTAINS A BRIEF RECORD OF ACTION  
TAKEN BY THE COMMISSION IN EXECUTIVE SESSION  
DURING THE PERIOD JANUARY 1, 1910, TO  
FEBRUARY 3, 1911, INCLUSIVE



MANILA  
BUREAU OF PRINTING  
1911



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JOURNAL  
OF THE  
PHILIPPINE COMMISSION  
BEING  
A SPECIAL SESSION  
OF THE  
SECOND PHILIPPINE LEGISLATURE  
MARCH 28, 1910, TO APRIL 19, 1910

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# Second Philippine Legislature.

## Special Session.

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Begun and held at the city of Baguio, subprovince of Benguet, Mountain Province, on Monday the twenty-eighth day of March, nineteen hundred and ten, being a special session of the Second Philippine Legislature, called by proclamation of the Governor-General, issued at the city of Manila on the twenty-eighth day of February, nineteen hundred and ten, under and by authority of the Act of the Congress of the United States approved July first, nineteen hundred and two.

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### JOURNAL OF THE COMMISSION.

**BAGUIO, BENGUET, MONDAY, MARCH 28, 1910.**

In accordance with proclamations issued by the Governor-General on February 28, 1910, and March 28, 1910, the Commission met and was called to order by the President at 3 o'clock and 30 minutes postmeridian.

Present: Commissioners Gilbert, Worcester, Palma, Branagan, Elliott, and the President.

Absent: Commissioners Luzuriaga and Sumulong (on leave) and Commissioner Araneta (on official business).

#### READING OF PROCLAMATIONS.

At the direction of the President, the Secretary read the following proclamations of the Governor-General:

BY THE GOVERNOR-GENERAL OF THE PHILIPPINE ISLANDS—  
A PROCLAMATION.—No. 1.

Whereas the First Philippine Legislature adjourned setting the date for the next meeting as October sixteenth, nineteen hundred and ten; and

Whereas said Legislature made no provision for the continuance of public works during the fiscal year beginning July first, nineteen hundred and ten, owing to the fact that the anticipated reduction in revenue

made it highly improbable that any money would be available for such objects; and

Whereas the revenues have not as yet shown the anticipated falling off; and

Whereas unless an appropriation for public works is made the present necessary work in connection with the construction of roads and drilling of artesian wells must suffer; and

Whereas the present laws in regard to irrigation are not adequate and the Government is proposing to begin immediately the construction of irrigation systems very necessary for the proper development of the productive capacity of the people; and

Whereas the Governor-General is authorized to limit the subjects to be considered at an extraordinary session of the Legislature:

Now, therefore, I, W. Cameron Forbes, Governor-General of the Philippine Islands, by virtue of the authority vested in me by section seven of the Act of Congress dated July first, nineteen hundred and two, do hereby order that a special session of the Philippine Legislature be convened at the city of Baguio, in the subprovince of Benguet, Mountain Province, on the twenty-eighth day of March, nineteen hundred and ten, said session to endure for a period not exceeding twenty days, exclusive of Sundays, to consider the following subjects only:

1. Organization and election of officers.
2. Current appropriations for the fiscal year, ending June thirtieth, nineteen hundred and eleven.
3. Permanent Appropriation Bill for public works and improvements for the fiscal year ending June thirtieth, nineteen hundred and eleven.
4. A law in regard to irrigation.
5. A law providing for enlistment standing for officers and men of the Government Coast-Guard Fleet and other employees of the Bureau of Navigation.

Also any other matters which may, before the closing of the session, be referred to the Legislature by the undersigned.

Done at the city of Manila this twenty-eighth day of February, nineteen hundred and ten.

[SEAL.]

W. CAMERON FORBES,  
*Governor-General.*

By the Governor-General:

M. DE YRIARTE, *Acting Executive Secretary.*

BY THE GOVERNOR-GENERAL OF THE PHILIPPINE ISLANDS—  
A PROCLAMATION.—No. 3.

Whereas by proclamation Numbered One of the Governor-General, series of nineteen hundred and ten, a special session of the Philippine Legislature was called to convene at Baguio on the twenty-eighth day of March, nineteen hundred and ten; and

Whereas no hour was fixed in said proclamation of the Governor-

General at which such special session of the Philippine Legislature should be inaugurated:

Now, therefore, I, W. Cameron Forbes, Governor-General of the Philippine Islands, do hereby fix three o'clock and thirty minutes postmeridian of Monday, March twenty-eighth, nineteen hundred and ten, for the inauguration of said special session of the Philippine Legislature.

In witness whereof I have hereunto set my hand and caused the seal of the Government of the Philippine Islands to be affixed.

Done at the city of Baguio this twenty-eighth day of March, nineteen hundred and ten.

[SEAL.]

W. CAMERON FORBES,  
Governor-General.

By the Governor-General:

M. DE YRIARTE, *Acting Executive Secretary.*

*Ordered,* That the proclamations be spread upon the Journal.

MOTION TO PROCEED WITH THE REGULAR ORDER OF BUSINESS.

Pending the receipt of a message to the effect that the Assembly had organized and was ready to proceed to business, the Commission, by unanimous consent, proceeded with the regular order of business.

QUESTIONS SUBMITTED BY THE PRESIDENT RELATING TO ACTS PASSED BY THE COMMISSION IN ITS EXCLUSIVE GENERAL LEGISLATIVE JURISDICTION OVER ALL THAT PART OF THE PHILIPPINE ISLANDS INHABITED BY MOROS OR OTHER NON-CHRISTIAN TRIBES.

The President called the attention of the Commission to the provisions of Act of the Philippine Legislature No. 1945, enacted on May 20, 1909, providing that "No Act passed by the Philippine Legislature shall take effect until fifteen days after its promulgation unless otherwise expressly provided," and submitted the question as to whether a similar rule should be provided with reference to Acts passed by the Commission when acting within its exclusive general legislative jurisdiction over all that part of the Philippine Islands inhabited by Moros or other non-Christian tribes.

After discussion,

On motion by Commissioner Gilbert, seconded by Commissioner Palma, it was

*Resolved,* That the President be, and hereby is, requested to prepare and submit to the Commission a bill providing that no Act passed by the Commission shall take effect until fifteen days after its promulgation unless otherwise expressly provided therein.

The President then submitted to the Commission the question of whether Acts passed by the Philippine Legislature, general in character, should not, by a separate Act of the Commission, immediately be made applicable to the territory over which the Commission retains exclusive general legislative jurisdiction.

After discussion,

On motion by Commissioner Elliott, seconded by Commissioner Worcester, it was

*Resolved*, That the provisions of any Act which may be passed by the Philippine Legislature which the Commission may decide should be in force in the territory over which it has exclusive general legislative jurisdiction shall, as soon as practicable after the passage of such Act by the Legislature, be made applicable to said territory by Act of the Commission.

#### RESOLUTION.

Commissioner Worcester introduced the following resolution.

Commission Resolution No. 10. Whereas the Commission, on the third day of January, nineteen hundred and six, did by resolution authorize and request the Governor-General by proclamation to reserve from sale, lease, or other disposition, in accordance with the provisions of section numbered twenty-one of Act Numbered Eleven hundred and twenty, a certain tract of land belonging to the Malinta friar lands estate, in the municipality of Polo, Province of Bulacan, to be known as the Egbert Monument Reserve; and

Whereas the said proclamation established said reserve in such location and form that same is entirely surrounded by lands occupied by tenants of said estate, through which no rights of way have been reserved, thereby rendering said reserve inaccessible to the public; and

Whereas the commander of General Harry C. Egbert Camp, Spanish War Veterans, with the consent of the Secretary of the Interior, has secured through the Bureau of Lands a resurvey and relocation of said reserve, in order that its form and location might be so changed as to establish an easement upon the right of way of the Manila Railway Company, and changing the form of said reserve from a square to a rectangle, one of the shorter sides of which touches and coincides with said right of way of the Manila Railway Company: Now, therefore, be it

*Resolved*, That the Governor-General be, and hereby is, authorized and requested to annul the proclamation establishing said Egbert Monument Reserve in the form and location as at present designated; and

*Resolved further*, That the Governor-General be, and hereby is, authorized and requested to issue another proclamation reserving said tract of

land, for the purpose indicated, in accordance with the following description:

Beginning at corner 1, S.  $71^{\circ} 49'$  E. 456.8 m. from monument 16, thence N.  $61^{\circ} 04'$  E. 46.5 m. to point 1a, thence N.  $61^{\circ} 02'$  E. 86.8 m. to point 2, thence S.  $29^{\circ} 00'$  E. 35.7 m. to point 2a, thence S.  $28^{\circ} 47'$  E. 39.2 m. to point 3, thence S.  $60^{\circ} 53'$  W. 115.3 m. to point 3a, thence S.  $60^{\circ} 23'$  W. 17.6 m. to point 4, thence N.  $31^{\circ} 48'$  W. 15.2 m. to point 5, thence N.  $66^{\circ} 48'$  E. 0.8 m. to point 6, thence N.  $29^{\circ} 14'$  W. 60.4 m. to point 1, the point of beginning; containing an area of 10,003 square meters, and designated as lot No. 1430 of the Malinta friar lands estate. All bearings refer to true meridian.

The resolution was adopted by unanimous vote.

#### MISCELLANEOUS COMMUNICATIONS.

At the direction of the President, the Secretary read the following communications:

(1) A communication signed by Sam Chubb, dated New York City, October 7, 1909, addressed to the Secretary of the Interior of the Philippine Islands and referred by the Secretary of the Interior to the Commission, requesting in behalf of himself and Mr. Hamilton Wright a concession to conduct at the city of Manila a Philippine Industrial Exposition to be held at any time during 1910 or 1911.

Referred to the Committee on Matters Pertaining to the Department of Commerce and Police.

(2) A resolution of the municipal council of Malasiqui, Province of Pangasinan, adopted on March 19, 1910, setting forth the great damage caused by the changing of the course of the Agno River, and requesting the passage of an act or resolution by the Philippine Legislature authorizing an investment of the necessary Insular or provincial funds (estimated at ₱5,000) for returning the said river to its original bed.

Referred to the Committee on Matters Pertaining to the Department of Commerce and Police.

(3) A resolution of the provincial board of Pangasinan, adopted on March 21, 1910, recommending that an appropriation of ₱500,000 be authorized from Insular funds for the improvement of the port of Dagupan.

Referred to the Committee on Matters Pertaining to the Department of Commerce and Police.

## EXECUTIVE SESSION.

On motion by the President,  
The Commission proceeded to the consideration of executive business.

After consideration of executive business, the Commission returned to regular session.

(For appointment confirmed in executive session see p. 795.)

## MESSAGE FROM THE ASSEMBLY BY THE SECRETARY.

At 6 o'clock and 35 minutes postmeridian, the Secretary of the Assembly appeared and stated that he had been instructed to announce to the Commission that the Assembly had duly organized with Honorable Sergio Osmeña, Delegate from the Second District of Cebu, as Speaker, Honorable Gregorio Nieva, Delegate from the Second District of Tayabas, as Acting Secretary until October 16, 1910, and that, a quorum being present, the Assembly was ready for the transaction of business.

## ANNOUNCEMENT TO THE ASSEMBLY.

The President introduced the following resolution:

Commission Resolution No. 11. *Resolved*, That the Secretary inform the Philippine Assembly that the Commission is assembled and ready to proceed to business.

The resolution was adopted, and the Secretary repaired to the Assembly Hall and notified the Assembly accordingly.

## MESSAGE FROM THE ASSEMBLY BY COMMITTEE.

Delegates Barretto, Singson, and Gavieres were announced, and being admitted to the Session Chamber stated that they had been appointed a special committee of three to join a similar committee of the Commission to wait upon the Governor-General and notify him that the Legislature was ready for business and awaited any communication that he might desire to make and also to request him to notify the President of the United States, through the Secretary of War, of the organization of the Second Philippine Assembly and the convening of the Second Philippine Legislature at the city of Baguio on this the 28th day of March, 1910.

Commissioner Worcester introduced the following resolution:



Commission Resolution No. 12. *Resolved*, That the President of the Commission be, and hereby is, requested to appoint a committee of three to meet the committee appointed by the Assembly for the purpose of waiting upon the Governor-General and requesting him to forward to the President of the United States, through the honorable the Secretary of War, a telegram informing him of the organization of the Second Philippine Assembly and the convening of the Second Philippine Legislature at the city of Baguio on this the twenty-eighth day of March, nineteen hundred and ten.

The resolution was adopted by unanimous vote.

The president thereupon appointed Commissioners Worcester, Palma, and Branagan as such committee.

#### MESSAGE FROM THE GOVERNOR-GENERAL

The Commission having signified its readiness to receive any communication the Chief Executive desired to make, the President of the Commission, as Governor-General, read his message as follows:

*To the Philippine Legislature:*

I have convened an extraordinary session of the Assembly because of the fact that owing to an expected reduction in the revenues the last Legislature adjourned without any appropriation for the continuance of public works in the fiscal year 1911. I am happy to be able to inform the Legislature that the expected reduction in revenues has not taken place, and that I have been able to authorize the construction of the various public works appropriated for by section 8 of Act No. 1954, which were not to be begun until the Governor-General had given direct authorization for the expenditure of the money. It had been feared that the Government would have to stop the public works to a very large degree and possibly reduce the expense of operating a number of Bureaus to a point that would absolutely cripple their work.

The decrease estimated by the Bureau of Customs and Bureau of Internal Revenue as a result of the Payne Bill varied from ₱1,000,000 to ₱3,000,000 a year. The results have been better than the most sanguine hopes could have anticipated, but it is too early to make any forecast as to what the ultimate result will be.

The report for eight months shows customs collections of ₱10,245,553, a net increase of ₱477,843. For the same period the internal-revenue receipts were ₱4,658,772.66, a net increase of ₱1,507,317.80. The loss from customs collected on Philippine imports into the United States previously returned to the Insular Treasury is estimated to be for eight months ₱1,047,088.00. This makes a net increase of revenues of ₱938,072.80 in the first eight months of this fiscal year.

I am now prepared to recommend the appropriation of certain moneys for public works and certain increases in the expense of operation of a few

Bureaus, in full confidence that these expenditures necessary for the public good are justified by the present condition of the Treasury and the prospective receipts during the coming fiscal year, strengthened as I am by the power granted by Act No. 1902 to the Governor-General to cover back into the Treasury any funds previously appropriated. This power will assure us against a serious deficit in case of a great falling off of revenues.

#### PUBLIC IMPROVEMENTS.

The date fixed by the Legislature for the next session was October 10, 1910, and in the absence of an appropriation for permanent improvements, public works would very greatly suffer, particularly in the matter of aid to provinces in the construction of roads, as each year for the past three years a considerable sum of money has been offered by the Insular Government to the provinces as an inducement to avail themselves of the provisions of Act No. 1652 to obtain money for the furtherance of road construction, and as under the law this action must be taken before the first of each October, it follows that any law passed at the regular session of the Legislature will be too late for this purpose.

I therefore recommend that a continuing annual appropriation of ₱1,500,000 be made, for the construction of roads and bridges, upon the same general terms and conditions as are contained in Acts Nos. 1837 and 1954, approved by the First Philippine Legislature, with the proviso, however, that the Governor-General may at any time reduce this amount should the finances of the Government render such a course necessary or advisable, notice of such reduction, if made, to be given to the next following session of the Legislature.

The appropriation for artesian wells, the necessity for which is so well known that I need not dwell upon it, is such that our large machines would have to lie idle for several months were no further appropriation to be given for this purpose.

I recommend that the sum of ₱250,000 be appropriated for the sinking of artesian wells throughout the Archipelago for the ensuing year.

#### PORTS.

The last Legislature appropriated the sum of ₱600,000 for port works. Of this the sum of ₱250,000 is now being expended in improving the port of Iloilo; ₱80,000 has been appropriated for a boat to be employed in the business of improving navigation on the Cagayan River. Small amounts have been spent for small local projects in different localities, and the balance has not yet been allotted, there being several important projects under consideration. The necessity of continuing the present improvements in Iloilo and Cebu and of further port improvements justifies the appropriation of an additional sum for this purpose, and I have the honor to recommend that ₱500,000 be made available on the same terms governing the appropriation in Act No. 1954.

## CURRENT EXPENSES.

The last Legislature appropriated the sum of ₱3,275,000 for the purpose of education, as compared with ₱3,182,790 for 1907, ₱3,510,000 for 1908, ₱3,300,000 for 1909.

The first session of the Legislature provided ₱75,000 (Act No. 1866) for assistance to barrio schools, and the second session a similar sum. Many of these have been established, which involve a continuing annual expense which was not provided for in the appropriation in the present fiscal year. This and other causes operating jointly resulted in the Bureau of Education finding itself at the end of the year 1909 ₱404,000 behind. As, however, under the law the money received under the operation of Act No. 1761, known as the Opium Law, was available for the purpose of education, the undersigned has allotted, under date of September 10, 1909, the sum of ₱500,000 for the purpose of education.

In the present fiscal year, the management of the Bureau of Education has been changed and the Department is now under the direction and wise guidance of Vice-Governor Gilbert. The new management has found that it can maintain the present rate of education with a saving of ₱150,000 a year over the cost of last year, but all of this saving could not be made in the present year, so that the administration was confronted with the alternative of either closing immediately about 1,200 schools and depriving some 75,000 children of the privilege of education, or asking for a deficiency appropriation. The deficiency is estimated at ₱300,000. I am willing to authorize ₱150,000 from the Opium Fund, and request a deficiency appropriation, for the purpose of education, of ₱150,000 from current revenues, and recommend that the Legislature increase the appropriation for education for the ensuing fiscal year from the sum of ₱3,275,000 to the sum of ₱3,525,000, an increase of ₱250,000. This will enable the Bureau of Education to maintain its schools at their present efficiency and will obviate the necessity of closing any schools. This amount is not sufficient to enable the Bureau to create any additional schools or employ additional teachers or increase the salaries of the teachers over amounts paid at present. An alternative of this latter course is to close 800 schools, which the administration will do if the Legislature does not see fit to increase this appropriation.

The Bureau of Labor was organized on the first of last July, and has performed the most useful and creditable services. The total appropriation for this Bureau was ₱18,500, barely enough to pay the expenses of the authorized personnel. It was the intention of the Legislature at the time this Bureau was authorized to allow it enough only to get organized and later to allot whatever money experience proved could be usefully expended in its work. This Bureau has already proved its usefulness and is performing a most useful service in not only avoiding strikes but also in the matter of getting employment for laborers and preparing to assist in the redistribution of the population, encouraging

and facilitating the movement of families from the crowded districts to sparsely settled ones. As to the importance of this redistribution, I respectfully invite attention to the comments which appear in my inaugural address. The money appropriated is not enough for the present requirements of the Bureau, and I now recommend that the sum of ₱44,000 be appropriated for the purposes of this Bureau for the ensuing year.

The campaign against rinderpest has been waged actively every day with greater energy, and I have allotted the sum of ₱224,000 for the purposes of producing serum and increasing the number of veterinarians and inoculators. The capacity of the Bureau for producing serum has increased 125 per cent, and the quantity of the serum produced has correspondingly increased. We are now prepared to wage a successful war against the rinderpest and if the result has not been the extermination of the disease, great progress has been made. An improved intelligence system has resulted in cases being more promptly reported, and now we are receiving information where formerly cases were not recorded. I recommend that the appropriation for the Bureau of Agriculture for the ensuing year be increased to a total of ₱850,000.

#### CONSTABULARY.

The Bureau of Constabulary has found from operation that they can not maintain their present force and do their work economically at the present appropriation. The Director and other officers have struggled vainly for several years to keep within the amount authorized by the Legislature. As Secretary of the Department of Commerce and Police, I have insisted that they live within this amount and at the same time have not desired to cut down the force, fearing lest Constabulary would have to be taken away from points where they were necessary for proper maintenance of public order. During the past year an already reduced force has been cut down by a total of 460 additional enlisted men, or the equivalent of nine companies. This in spite of the fact that many provinces were begging for more Constabulary and additional posts. The reduced number of men has made the matter of transportation a still more difficult matter, causing them to move about much more and yet the appropriations for the Constabulary have been such as to prevent their having the number of steamers necessary to keep moving about as they should. The result is that the Constabulary are now ending the year with a deficit estimated to be about ₱200,000, and that unless an additional appropriation be given to them they will have to reduce the force to a point which is believed to be really detrimental to the public service.

When the rate of the present appropriation was made the Constabulary had a large supply of reserve stores of various sorts on hand. These are now exhausted, and the necessity of purchasing more results in additional expenditure at the present time, which accentuates the necessity for an increase.

I therefore recommend a deficiency appropriation for the Constabulary of ₱200,000 and an increase of the same amount annually thereafter.

In view of the very limited time for which the Legislature is convened and of the importance of the matter submitted for consideration, I recommend no further change in appropriations for Bureaus or Offices.

#### IRRIGATION.

The last Legislature passed a law providing for a continuing annual appropriation of ₱750,000 for the purposes of irrigation. A division of irrigation has been created in the Bureau of Public Works, a competent engineer placed in charge of this division, and a number of experienced engineers brought to the Philippine Islands and set to work making studies on various projects submitted for consideration. Money has already been allotted for the construction of many of these systems and work has begun on more than one.

It appears, however, that there is no provision of law providing for the manner of collecting from the people benefited the cost of construction and expense of operation and maintenance of the system, as provided under the terms of the law, so that the Islands are being deprived of the benefit of early construction pending the completion of agreements with property owners to take the water and pay for it at the rate fixed by the Government. The Government should be authorized to collect the amounts determined upon under such conditions as will amply protect the rights of the property owners and provision should be made for a method of collection and procedure in case of failure to pay.

The study of the experts on irrigation has also revealed the fact that there is an urgent necessity for a law fixing the terms upon which parties may use the water of rivers passing through or near their estates and enabling the Government to assure property owners who have established irrigation systems of legal and undisputable right to the continued use of the water, fixing a method by which prior claims shall be recognized and new claims established.

#### THE STATUS OF THE EMPLOYEES OF THE BUREAU OF NAVIGATION.

The attention of the Legislature is called to the fact that while the Constabulary, the Insular police operating on land, are enlisted and operate under such laws as will compel compliance with duty, the Coast Guard, or water police, have no such provision, so that in case of some infraction of public order, the vessels of the Government could be rendered almost powerless by the refusal on the part of the men or officers to perform the duties ordered of them by the Government. It is believed that this condition is not a suitable one and that a law should be passed providing terms of enlistment and conditions of service for the Coast Guard similar to those required of the land police, and it is recommended that the Legislature pass such a law.

W. CAMERON FORBES,  
*Governor-General of the Philippine Islands.*

On motion by Commissioner Gilbert, it was

*Ordered*, That the message be spread upon the Journal of the Commission and that the Governor-General be requested to direct the Executive Secretary to furnish a copy of the message in English or Spanish to each member of the Legislature.

The resolution was adopted by unanimous vote.

MOTION TO FIX THE TIME TO WHICH TO ADJOURN.

Commissioner Worcester moved that when the Commission adjourns, it adjourn to meet again on Tuesday, March 29, 1910, at 3 o'clock and 30 minutes postmeridian.

The motion prevailed.

ADJOURNMENT.

On motion by Commissioner Gilbert,

The Commission adjourned at 7 o'clock and 10 minutes postmeridian.

Attest:

WM. H. DONOVAN, *Secretary*.

Second Philippine Legislature,  
Special Session.

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JOURNAL OF THE COMMISSION.

BAGUIO, BENGUET, TUESDAY, MARCH 29, 1910.

The Commission met pursuant to adjournment.

Present: Commissioners Gilbert, Worcester, Palma, Branagan, Elliott, and the President.

Absent: Commissioners Luzuriaga and Sumulong (on leave) and Commissioner Araneta (on official business).

READING OF JOURNAL.

The Journal of Monday, March 28, 1910, was read, corrected, and approved.

COMMUNICATION FROM THE GOVERNOR-GENERAL.

At the direction of the President, the Secretary read the following communication from the Governor-General:

BAGUIO, BENGUET, *March 29, 1910.*

*To the Philippine Legislature.*

GENTLEMEN: In accordance with the request of the Legislature conveyed to me by joint committee of the two Houses on Monday, March 28, 1910, I have the honor to inform you that I have forwarded the following telegram to the President of the United States through the honorable the Secretary of War:

"In accordance with resolution of the Second Philippine Legislature, I have the honor to send the greetings of the Legislature to the President of the United States and to inform him, through you, that the majority of both Houses are now convened in special session in Baguio, organized and ready for business."

Very respectfully,

W. CAMERON FORBES,  
*Governor-General.*

Ordered filed.

## PETITION.

At the direction of the President, the Secretary read a resolution (No. 75) of the municipal council of Longos, Province of La Laguna, adopted on March 25, 1910, requesting the passage of an Act during the present special session of the Legislature extending the time fixed by Act No. 1909 within which municipal councils shall fix a day for the celebration of the annual *fiesta* of the municipality, the said municipality of Longos having failed to fix such day within the time fixed by law due to the nonapproval by the provincial board of La Laguna of resolutions adopted by the municipal council for that purpose on July 15 and August 15, 1909.

Referred to the President of the Commission (on his own motion) for administrative action.

## REPORT OF STANDING COMMITTEE.

[Committee Report No. 7.]

MARCH 29, 1910.

MR. PRESIDENT: Your Committee on Taxation and Revenue, to which was referred on March 28, 1910, a petition from the municipal council of Romblon requesting an extension of time for the payment without penalty of the *cedula* tax for the year 1910, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the petition be denied.

On April 4, 1908, President Smith of the Commission, in a report to the Commission on two petitions similar to the accompanying petition, made use of the following language:

"In the opinion of your select committee, a suspension of the *cedula* tax would mean simply that the expenses of the provincial and municipal governments could not be met, and would result in the failure of provincial and municipal autonomy just at a time when the Filipino people are exercising the responsibilities of local government. The *cedula* tax is insignificant in amount and even when doubled does not reach the amount exacted under the former régime and cheerfully paid. The moneys collected from the *cedula* tax find their way almost immediately into the hands of the poor people, and through public works and public improvements, a laborer, if he so desires, may secure, through his labor, six or seven times the amount of the *cedula* tax paid by him. Your committee recommends that both petitions be denied." (Commission Journal, first and special sessions, p. 117.)

Your Committee on Taxation and Revenue concurs in the reasons given by Governor-General Smith for his recommendation, and as the *cedula*



tax for the year 1910 will not become delinquent until April 30, 1910, your committee recommends that the petition be denied.

Respectfully submitted.

FRANK A. BRANAGAN, *Chairman.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

On motion by Commissioner Worcester, seconded by Commissioner Elliott, the report was adopted by unanimous vote and the Secretary was directed to notify the municipal council of Romblon of the action taken.

#### INTRODUCTION OF BILL.

The President introduced the following bill:

Commission Bill No. 3. An Act providing the time at which all Acts of the Philippine Commission shall take effect.

The immediate passage of this bill being desirable, the regular order of procedure for the passage of laws prescribed by Act No. 6 was dispensed with.

The bill was read the first and second times and referred to Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following amendment:

Page 1, section 3, line 13, after the words "All Acts" and before the words "directly or indirectly" insert the words "or parts of Acts."

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

The bill was ordered rewritten as perfected in Committee of the Whole and placed on file for third reading.

#### EXECUTIVE SESSION.

On motion by the President, the Commission proceeded to the consideration of executive business.

After consideration of executive business, the Commission returned to regular session.

(For appointments confirmed in executive session see p. 795.)

## ANNOUNCEMENT BY THE PRESIDENT OF THE COMMISSION.

The President announced that under Rule I of the Standing Rules of the Commission, which authorizes him to call the Commission in meeting, the Commission shall during the present special session of the Legislature meet at 3 o'clock postmeridian daily, Sundays excepted, unless otherwise stated by him.

## ADJOURNMENT.

Thereupon, at 4 o'clock and 30 minutes postmeridian,  
On motion by Commissioner Worcester,  
The Commission adjourned.  
Attest:

WM. H. DONOVAN, *Secretary.*

# Second Philippine Legislature, Special Session.

## JOURNAL OF THE COMMISSION.

BAGUIO, BENGUET, WEDNESDAY, MARCH 30, 1910.

The Commission met pursuant to adjournment.

Present: Commissioners Gilbert, Worcester, Palma, Branagan, Elliott, and the President.

Absent: Commissioners Luzuriaga and Sumulong (on leave) and Commissioner Araneta (on official business).

### READING OF JOURNAL.

The Journal of Tuesday, March 29, 1910, was read and approved.

### THIRD READING OF BILL.

Commission Bill No. 3. An Act providing the time at which all Acts of the Philippine Commission shall take effect.

The bill was read the third time.

By unanimous consent, the President moved the adoption of the following amendment:

Page 1, section 3, line 13, strike out the words "directly or indirectly".

The motion prevailed.

The question then being upon its passage, the roll was called and Commission Bill No. 3 was unanimously passed, and the title was read and approved.

*Ordered,* That Commission Bill No. 3 be enrolled and printed as an Act, the enactment of said bill being within the exclusive general legislative jurisdiction of the Commission over all that part of the Philippine Islands inhabited by Moros or other non-Christian tribes.

### REPORT OF STANDING COMMITTEE.

[Committee Report No. 8.]

MARCH 30, 1910.

MR. PRESIDENT: The Committee on Rules, to which was referred on February 28, 1910, the matter of reorganizing the committees of the

Commission has the honor to report back to the Commission with the following recommendation, viz:

The standing committees of the Philippine Commission shall be as follows:

*Committee on Matters Pertaining to Bureaus under the Executive Control of the Governor-General.*—The President of the Commission.

*Committee on Matters Pertaining to the Department of the Interior.*—The Commissioner holding the position of Secretary of the Interior.

*Committee on Matters Pertaining to the Department of Commerce and Police.*—The Commissioner holding the position of Secretary of Commerce and Police.

*Committee on Matters Pertaining to the Department of Finance and Justice.*—The Commissioner holding the position of Secretary of Finance and Justice.

*Committee on Matters Pertaining to the Department of Public Instruction.*—The Commissioner holding the position of Secretary of Public Instruction.

*Committee on Appropriations.*—The Commissioner holding the position of Secretary of Finance and Justice, chairman; Commissioner Worcester; Commissioner Luzuriaga; Commissioner Branagan.

*Committee on Rules.*—Commissioner Gilbert, chairman; Commissioner Elliott; Commissioner Palma; Commissioner Sumulong.

*Committee on Municipal and Provincial Governments.*—Commissioner Luzuriaga, chairman; Commissioner Palma; Commissioner Elliott; Commissioner Sumulong.

*Committee on Taxation and Revenue.*—Commissioner Branagan, chairman; Commissioner Araneta; Commissioner Gilbert; Commissioner Palma.

*Committee on Non-Christian Tribes.*—Commissioner Worcester, chairman; Commissioner Luzuriaga; Commissioner Sumulong; Commissioner Branagan.

*Committee on Affairs Pertaining to the Moro Province.*—Commissioner Branagan, chairman; Commissioner Palma; Commissioner Elliott.

Respectfully,

NEWTON W. GILBERT, *Chairman.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

On motion by Commissioner Palma, seconded by Commissioner Branagan,

The report was adopted by unanimous vote.

ADJOURNMENT.

Thereupon, at 4 o'clock and 15 minutes postmeridian,

On motion by Commissioner Worcester,

The Commission adjourned.

Attest:

WM. H. DONOVAN, *Secretary.*

# Second Philippine Legislature, Special Session.

## JOURNAL OF THE COMMISSION.

**BAGUIO, BENGUET, THURSDAY, MARCH 31, 1910.**

The Commission met pursuant to adjournment.

Present: Commissioners Gilbert, Worcester, Palma, Branagan, and the President.

Absent: Commissioners Luzuriaga and Sumulong (on leave) and Commissioners Araneta and Elliott (on official business).

### READING OF JOURNAL.

The Journal of Wednesday, March 30, 1910, was read and approved.

### COMMUNICATION.

At the direction of the President, the Secretary read a resolution of the municipal council of Sipocot, Province of Ambos Camarines, adopted on December 15, 1909, requesting an extension of six months' time for the redemption of lands forfeited to the Government for the nonpayment of taxes.

Referred to the Committee on Taxation and Revenue, for report and recommendation.

### EXECUTIVE SESSION.

On motion by the President, the Commission proceeded to the consideration of executive business.

After consideration of executive business, the Commission returned to regular session.

(For appointments confirmed in executive session see p. 795.)

## ADJOURNMENT.

Thereupon, at 4 o'clock and 10 minutes postmeridian,  
There being no further business before the Commission,  
On motion by Commissioner Worcester,  
The Commission adjourned.

Attest:

WM. H. DONOVAN, *Secretary.*

# Second Philippine Legislature, Special Session.

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## JOURNAL OF THE COMMISSION.

**BAGUIO, BENGUET, FRIDAY, APRIL 1, 1910.**

The Commission met pursuant to adjournment.

Present: Commissioners Gilbert, Worcester, Palma, Branagan, Elliott, and the President.

Absent: Commissioners Luzuriaga and Sumulong (on leave) and Commissioner Araneta (on official business).

### READING OF JOURNAL.

The Journal of Thursday, March 31, 1910, was read and approved.

### TELEGRAM.

At the direction of the President, the Secretary read the following telegram for the information of the Commission:

WASHINGTON, *March 30, 1910.*

**FORBES, Baguio:**

I extend to Second Philippine Legislature heartiest congratulations and thanks for its greetings. I hope that its deliberations will lead to useful legislation for the benefit of the Islands.

WILLIAM H. TAFT.  
EDWARDS.

Ordered filed.

### RESOLUTION.

Commissioner Worcester introduced the following resolution:

Commission Resolution No. 13. *Resolved*, That pursuant to the provisions of section two of Act Numbered Fourteen hundred and eighty-seven of the Philippine Commission, and upon the recommendation of the Director of Health, there shall hereafter be a district health officer

in each of the Provinces of Samar and Leyte, and the Governor-General shall, under the provisions of said section two of Act Numbered Fourteen hundred and eighty-seven, appoint one district health officer for each of said Provinces of Samar and Leyte: *Provided*, That the salary of the district health officer for the Province of Samar shall not exceed three thousand pesos per annum, and the salary of the district health officer for the Province of Leyte shall not exceed three thousand pesos per annum.

The resolution was adopted by unanimous vote.

EXECUTIVE SESSION.

On motion by the President, the Commission proceeded to the consideration of executive business.

After consideration of executive business, the Commission returned to regular session.

(For appointment confirmed in executive session see p. 795.)

STATEMENT BY THE PRESIDENT.

In accordance with rule announced on Tuesday, March 29, 1910, with reference to the time of meeting of the Commission during the present special session of the Legislature, the President stated that there would be no meeting on Saturday, April 2, 1910, and that the next meeting of the Commission would be at 3 o'clock post-meridian, Monday, April 4, 1910.

ADJOURNMENT.

Thereupon, at 4 o'clock and 30 minutes postmeridian,

On motion by Commissioner Gilbert,

The Commission adjourned.

Attest:

WM. H. DONOVAN, *Secretary.*



# Second Philippine Legislature, Special Session.

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## JOURNAL OF THE COMMISSION.

**BAGUIO, BENGUET, MONDAY, APRIL 4, 1910.**

The Commission met pursuant to adjournment.

Present: Commissioners Gilbert, Worcester, Palma, Branagan, Elliott, and the President.

Absent: Commissioners Luzuriaga and Sumulong (on leave) and Commissioner Araneta (on official business).

### READING OF JOURNAL.

The Journal of Friday, April 1, 1910, was read and approved.

### MESSAGE FROM THE GOVERNOR-GENERAL.

*BAGUIO, April 2, 1910.*

*To the Philippine Legislature:*

I am requested by Commissioner Worcester to include among the matters to be considered by the Legislature at its present session the consideration of a change in the Departments of the Interior and Public Instruction.

Under date of March 30, 1910, Mr. Worcester writes as follows:

“The Honorable the GOVERNOR-GENERAL,

*“Baguio, Benguet, P. I.*

“SIR: You will recollect that at the time the Commission was called upon, subsequent to the passage of Act No. 1407, to make recommendation relative to the reorganization of Executive Departments and the redistribution of the Bureaus of the Insular Government to such Departments, you and I dissented, on certain points, from the opinion of the majority of the members of the Commission and our minority opinion to the effect that the agricultural interests of this country and the relationship of the Bureau of Agriculture to these interests were so important that this Bureau ought to be made the principal Bureau of a new Executive

Department was cabled to Washington. Our recommendation did not meet with the approval of the Washington authorities at that time.

"At a later date, however, when the subject of the reorganization of the Departments again arose, there was a unanimous expression of opinion by the Secretaries of Departments as to the changes which ought to be made. They included the transfer of the Bureau of Agriculture to the Department of Public Instruction.

"While, as you are aware, there are apparently insuperable obstacles to the immediate carrying out of the proposed general scheme of reorganization, this particular transfer is one of the features of it which has been approved by the Washington authorities. The Philippine Legislature is vested with authority to make the change. I am of the opinion that it should be made, in the interest of a more equitable distribution of the work of the Executive Departments and of the increased efficiency which will naturally result from such distribution; and that it should be made *now* when the exigencies of the general campaign which has recently been inaugurated against rinderpest demand the expenditure, in inspection work in the provinces and in other ways, of an amount of time which I can not give if I perform properly the other duties imposed on me by law.

"I inclose herewith a draft of a proposed Act providing for the transfer of the Bureau of Agriculture to the Department of Public Instruction and request that, if you feel that you can properly do so, you submit it to the Philippine Legislature during the present special session, recommending favorable action upon it.

"Very respectfully,

DEAN C. WORCESTER,

*"Secretary of the Interior."*

As I concur in the arguments presented by Mr. Worcester, I hereby designate the matter of the change proposed by him in the above-mentioned Departments as one to which the attention of the Legislature may be devoted during the present special session, and recommend the passage of the accompanying Act.

Respectfully,

W. CAMERON FORBES,

*Governor-General.*

*Ordered,* That the message be spread upon the Journal.

#### CONSIDERATION OF BILL ACCOMPANYING MESSAGE.

By unanimous consent, Commission Bill No. 4, entitled "An Act amending Act Numbered Fourteen hundred and seven, known as 'The Reorganization Act,' as amended, by transferring the Bureau of Agriculture from the Department of the Interior to the Department of Public Instruction," was read the first and second times and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission

with the recommendation that it pass with the following amendment:

Strike out section 4 in its entirety.

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

Commission Bill No. 4 was thereupon ordered on file for third reading.

#### RESOLUTION.

The President introduced the following resolution:

Commission Resolution No. 14. Whereas, in connection with the construction of its "Southern Lines" under the provisions of Act of the Philippine Legislature Numbered Nineteen hundred and five, the Manila Railroad Company is desirous of knowing what interpretation the Philippine Government will place upon the word "completion" of the railroad as found in subsection four, section four of the Act of Congress approved February sixth, nineteen hundred and five, and in paragraph four of section one of Act Numbered Nineteen hundred and five of the Philippine Legislature, enacted May nineteenth, Nineteen hundred and nine, and of having information as to the terms upon which bonds will be issued under such sections: Now, therefore, be it

*Resolved*, That for the purposes of the supplementary concessionary contract or grant with the Manila Railroad Company authorized by Act Numbered Nineteen hundred and five, in so far as it affects the "Southern Lines" of said company, the Commission recommend and it hereby does recommend to the Governor-General that the term "completion" of the railroad be defined as representing two stages, first, preliminary completion, and second, final completion.

*Preliminary completion* of any section is reached at the time when the Government has given authority to the railroad company for the commercial operation of its trains over such section; such preliminary completion may include temporary bridges and other temporary structures, to be afterwards replaced by permanent bridges and other permanent structures: *Provided*, That such temporary bridges and other temporary structures should be built only in accordance with plans and specifications approved by the Governor-General.

Upon preliminary completion of any section bonds containing the guaranty provided by the concession will be certified to the extent of ninety-five per centum of the cost of such preliminary completion of said section and the Governor-General may thereafter authorize the indorsement of the guaranty of interest from time to time upon additional bonds for ninety-five per centum of the actual total cost of additional construction completed on such section upon submission of proper evidence that the same has been built in accordance with plans and specifications for construction previously approved.

*Final completion* is reached when the railroad has been properly constructed in every detail, including replacement of temporary structures with permanent ones, in accordance with plans and specifications previously approved by the Governor-General.

The construction accounts of the railroad in so far as relates to the issue of bonds upon which the interest is guaranteed by the Government shall be considered closed at the time fixed in the concession for the final completion of the last section of railroad, except for such items of construction upon which extension of time shall have been given in writing by the Governor-General.

*And resolved further*, That it be recommended to the Governor-General that a copy of this resolution be furnished the representatives of the railroad company in Manila with the request that they return the resolution with their formal acceptance of the same in writing, if satisfactory to them.

The resolution was adopted by unanimous vote.

#### SPECIAL ORDER SET.

On motion by the President,

Consideration in Committee of the Whole of the estimates for appropriations for sundry expenses of the Insular Government for the fiscal year ending June 30, 1911, was made a special order for Tuesday, April 5, 1910, at 3 o'clock and 30 minutes postmeridian.

#### EXECUTIVE SESSION.

On motion by the President, the Commission proceeded to the consideration of executive business.

After consideration of executive business, the Commission returned to regular session.

(For appointments confirmed in executive session see p. 796.)

#### ADJOURNMENT.

Thereupon, at 4 o'clock and 25 minutes postmeridian,

On motion by Commissioner Branagan,

The Commission adjourned.

Attest:

WM. H. DONOVAN, *Secretary.*

# Second Philippine Legislature, Special Session.

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## JOURNAL OF THE COMMISSION.

**BAGUIO, BENGUET, TUESDAY, APRIL 5, 1910.**

The Commission met pursuant to adjournment.

Present: Commissioners Gilbert, Worcester, Palma, Branagan, Elliott, and the President.

Absent: Commissioners Luzuriaga and Sumulong (on leave) and Commissioner Araneta (on official business).

### READING OF JOURNAL.

The Journal of Monday, April 4, 1910, was read and approved.

### CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of the special order set for this day, being the estimates for appropriations for sundry expenses of the Insular Government for the fiscal year ending June 30, 1911, the Commission resolved itself into Committee of the Whole for the purpose of informally considering the same.

After some time spent therein, the committee rose and reported progress,

Pending further consideration of the estimates,

### THIRD READING AND PASSAGE OF BILL.

Commission Bill No. 4. An Act amending Act Numbered Fourteen hundred and seven, known as "The Reorganization Act," as amended, by transferring the Bureau of Agriculture from the Department of the Interior to the Department of Public Instruction.

The bill was read the third time.

The question then being upon its passage, the roll was called and Commission Bill No. 4 was passed by the following vote:

Yeas: 5,

Nays: 0,

and the title was read and approved.

On request, Commissioner Gilbert was excused from voting by reason of the interest of his Department in the bill.

The Secretary was directed to request the concurrence of the Assembly in the bill as passed.

ADJOURNMENT.

Thereupon, at 5 o'clock postmeridian,

On motion by Commissioner Worcester,

The Commission adjourned.

Attest:

WM. H. DONOVAN, *Secretary.*

# Second Philippine Legislature, Special Session.

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## JOURNAL OF THE COMMISSION.

**BAGUIO, BENGUET, WEDNESDAY, APRIL 6, 1910.**

The Commission met pursuant to adjournment.

Present: Commissioners Gilbert, Worcester, Araneta, Palma, Branagan, Elliott, and the President.

Absent: Commissioners Luzuriaga and Sumulong (on leave).

### READING OF JOURNAL.

The Journal of Tuesday, April 5, 1910, was read and approved.

### CONSIDERATION OF ESTIMATES FOR APPROPRIATIONS RESUMED.

By unanimous consent the Commission resolved itself into Committee of the Whole for the purpose of resuming consideration of the estimates for appropriations for sundry expenses of the Insular Government for the fiscal year ending June 30, 1911.

After some time spent therein, the committee rose, reported progress, and asked leave to sit again.

Pending further consideration of the estimates,

### EXECUTIVE SESSION.

On motion by the President,

The Commission proceeded to the consideration of executive business.

After consideration of executive business, the Commission returned to regular session.

## ADJOURNMENT.

Thereupon, at 6 o'clock and 15 minutes postmeridian,  
On motion by Commissioner Gilbert,  
The Commission adjourned.

Attest:

WM. H. DONOVAN, *Secretary.*



# Second Philippine Legislature, Special Session.

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## JOURNAL OF THE COMMISSION.

**BAGUIO, BENGUET, THURSDAY, APRIL 7, 1910.**

The Commission met pursuant to adjournment.

Present: Commissioners Gilbert, Worcester, Araneta, Palma, Branagan, Elliott, and the President.

Absent: Commissioners Luzuriaga and Sumulong (on leave).

### READING OF JOURNAL.

The Journal of Wednesday, April 6, 1910, was read and approved.

### MESSAGE FROM THE GOVERNOR-GENERAL.

*BAGUIO, April 7, 1910.*

*To the Philippine Legislature:*

There has not been a great deal of construction of the schools authorized by Act No. 1801 of the Philippine Legislature on account of the difficulties in regard to the registration of titles on the part of the municipalities. It is believed that this can be remedied and the difficulties in a large measure offset by the amendment of said Act in such a way as to authorize the construction of a building upon land which is the property of the provincial or Insular Government.

The question of amending the Gabaldon Act, or Act No. 1801 of the Philippine Legislature, in such a manner as to expedite the construction of buildings, and in regard to the use of such buildings after construction, is hereby designated as one of the subjects which may be taken up at the present special session of the Legislature.

Respectfully,

W. CAMERON FORBES,  
*Governor-General.*

*Ordered,* That the message be spread upon the Journal.

## REPORT OF SELECT COMMITTEE (OUT OF ORDER.)

[Committee Report No. 9.]

By unanimous consent, Commissioner Worcester submitted the following report:

APRIL 6, 1910.

MR. PRESIDENT: Your select committee of three, to which was referred on November 30, 1909, Resolution No. 133 relative to the sale of certain portions of the Lolomboy and Biñan friar lands estates, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That Commission Resolution No. 133 be laid on the table and that the inclosed resolutions be adopted.

It seems to your committee desirable that a separate resolution should be passed covering each one of these pieces of property. Drafts of such resolutions are transmitted herewith, and their passage is recommended.

DEAN C. WORCESTER,  
NEWTON W. GILBERT,  
*Select Committee.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was accepted and the resolutions accompanying the same were taken up, as follows:

## RESOLUTIONS.

Commission Resolution No. 15. Whereas it is provided by section ten of the Friar Lands Act (No. 1120) that the Director of Lands shall not sell any of the main hacienda houses or other large and substantial buildings belonging to the so-called friar lands haciendas or estates, save upon a resolution of the Commission authorizing him so to do; and

Whereas an offer has been made by the municipality of Biñan, Province of La Laguna, for the purchase of the main hacienda house, and the large camarin of strong material adjacent thereto, together with the land comprising sixteen thousand six hundred and sixty-three square meters on which the same are situated, for the consideration of twenty-nine thousand pesos, for municipal and school purposes, twenty per centum of all accruing municipal general revenues and thirty per centum of all accruing municipal school revenues to be appropriated and applied to the payment of the purchase price of said buildings until the same shall be fully paid, with interest on all deferred payments at the rate of four per centum per annum: Now, therefore, be it

*Resolved*, That the sale of said hacienda buildings and land by the Director of Lands to the municipality of Biñan upon the terms and conditions hereinbefore stated is hereby authorized.

The resolution was adopted by unanimous vote.

Commission Resolution No. 16. Whereas it is provided by section ten of the Friar Lands Act (No. 1120) that the Director of Lands shall not sell any of the main hacienda houses or other large and substantial buildings belonging to the so-called friar lands haciendas or estates, save upon a resolution of the Commission authorizing him so to do; and

Whereas an offer has been received by the Director of Lands from the Archbishop of Manila for the purchase of the former administration building or main hacienda house situated on the Lolomboy friar lands estate, together with the lot containing sixteen thousand four hundred and eight square meters on which the same stands, for the consideration of twenty-five thousand pesos, payable in twenty equal annual installments of one thousand two hundred and fifty pesos each, with interest on deferred payments at the rate of four per centum per annum: Now, therefore, be it

*Resolved*, That the sale of said hacienda building and land by the Director of Lands to the Archbishop of Manila upon the terms and conditions hereinbefore stated is hereby authorized.

The resolution was adopted by unanimous vote.

Commissioner Worcester introduced the following resolution:

Commission Resolution No. 17. Whereas it is provided by section ten of the Friar Lands Act (No. 1120) that the Director of Lands shall not sell any of the main hacienda houses or other large and substantial buildings belonging to the so-called friar lands haciendas or estates, save upon a resolution of the Commission authorizing him so to do; and

Whereas an offer has been received by the Director of Lands from the Archbishop of Manila for the purchase of the hacienda building situated on the Calamba friar lands estate, together with the land upon which it is constructed, for the consideration of twenty thousand pesos, payable in twenty equal annual installments with interest on deferred payments at the rate of four per centum per annum: Now, therefore, be it

*Resolved*, That the sale of said hacienda building by the Director of Lands to the Archbishop of Manila upon the terms and conditions hereinbefore stated is hereby authorized.

The resolution was adopted by unanimous vote.

Commissioner Worcester introduced the following resolution:

Commission Resolution No. 18. Whereas it is provided by section ten of the Friar Lands Act (No. 1120) that the Director of Lands shall not sell any of the main hacienda houses or other large and substantial buildings belonging to the so-called friar lands haciendas or estates, save upon a resolution of the Commission authorizing him so to do; and

Whereas an offer has been received from the municipality of Naic by the Director of Lands for the purchase of the main hacienda building situated on the Naic friar lands estate, together with the camarin

adjacent to same, and the land upon which the buildings are constructed, including a tract of agricultural land lying in the rear of the hacienda compound, for the consideration of twenty-three thousand pesos, payable in nineteen equal installments after a cash payment of four thousand pesos has been made, with interest on deferred payments at the rate of four per centum per annum; and

Whereas the Director of Lands has received an offer from the Archbishop of Manila to purchase this land and the buildings for the consideration of twenty-five thousand pesos, payable in twenty equal annual installments with interest on deferred payments at the rate of four per centum per annum: Now, therefore, be it

*Resolved*, That the sale of said hacienda buildings and land to the Municipality of Naic upon the terms and considerations hereinbefore stated is hereby authorized; and

*Resolved further*, That in the event that for any reason the municipality of Naic should fail to consummate this purchase, the sale of said buildings and land to the Archbishop of Manila upon the terms hereinbefore stated is hereby authorized.

The resolution was adopted by unanimous vote.

#### CONSIDERATION OF ESTIMATES FOR APPROPRIATIONS RESUMED.

By unanimous consent, the Commission resolved itself into the Committee of the Whole for the purpose of resuming consideration of the estimates for appropriations for sundry expenses of the Insular Government for the fiscal year ending June 30, 1911.

After some time spent therein, the committee rose, reported progress and asked leave to sit again.

Pending further consideration of the estimates,

#### EXECUTIVE SESSION.

On motion by the President, the Commission proceeded to the consideration of executive business.

After the consideration of executive business, the Commission returned to regular session.

(For appointments confirmed in executive session see p. 796.)

#### ADJOURNMENT.

Thereupon, at 6 o'clock and 20 minutes postmeridian,

On motion by Commissioner Elliott,

The Commission adjourned.

Attest:

WM. H. DONOVAN, *Secretary.*

# Second Philippine Legislature, Special Session.

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## JOURNAL OF THE COMMISSION.

**BAGUIO, BENGUET, FRIDAY, APRIL 8, 1910.**

The Commission met pursuant to adjournment.

Present: Commissioners Gilbert, Worcester, Araneta, Palma, Branagan, Elliott, and the President.

Absent: Commissioners Luzuriaga and Sumulong (on leave).

### READING OF JOURNAL.

The Journal of Thursday, April 7, 1910, was read and approved.

### MESSAGE FROM THE GOVERNOR-GENERAL.

*BAGUIO, April 7, 1910.*

*To the Philippine Legislature:*

In view of the fact that emergencies are likely to arise demanding the use of money for the purposes of relief in cases of calamity, and in view of the fact that all funds appropriated for this purpose have now been exhausted, I have the honor to designate the question of the appropriation of a sum not to exceed ₱50,000 for such purposes as one which the Legislature may consider, and recommend that the sum of ₱50,000 be appropriated.

W. CAMERON FORBES,  
*Governor-General.*

*Ordered,* That the message be spread upon the Journal.

### CONSIDERATION OF ESTIMATES FOR APPROPRIATIONS RESUMED.

By unanimous consent, the Commission resolved itself into the Committee of the Whole for the purpose of resuming consideration of the estimates for appropriations for sundry expenses of the Insular Government for the fiscal year ending June 30, 1911.

After some time spent therein, the committee rose, reported progress and asked leave to sit again.

Pending further consideration of the estimates,

EXECUTIVE SESSION.

On motion by the President, the Commission proceeded to the consideration of executive business.

After the consideration of executive business, the Commission returned to regular session.

STATEMENT BY THE PRESIDENT.

Referring to the announcement made by him on Tuesday, March 29, 1910, the President stated that the Commission would meet to-morrow, Saturday, April 9, 1910, at 11 o'clock antemeridian.

ADJOURNMENT.

Thereupon, at 5 o'clock and 55 minutes postmeridian,

On motion by Commissioner Gilbert,

The Commission adjourned.

Attest:

WM. H. DONOVAN, *Secretary.*

# Second Philippine Legislature, Special Session.

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## JOURNAL OF THE COMMISSION.

**BAGUIO, BENGUET, SATURDAY, APRIL 9, 1910.**

The Commission met pursuant to adjournment.

Present: Commissioners Gilbert, Worcester, Araneta, Palma, Branagan, Elliott, and the President.

Absent: Commissioners Luzuriaga and Sumulong (on leave).

### READING OF JOURNAL.

The Journal of Friday, April 8, 1910, was read and approved.

### INTRODUCTION OF BILL.

Commissioner Elliott introduced the following bill:

Commission Bill No. 5. An Act to reorganize the Bureau of Navigation, to provide for the enlistment of officers and men, and for punishments for offenses against good order in the Bureau.

The bill was read the first and second times and referred to the Committee of the Whole to be taken up for consideration at the next regular meeting of the Commission.

### CONSIDERATION OF ESTIMATES FOR APPROPRIATIONS RESUMED.

By unanimous consent, the Commission resolved itself into the Committee of the Whole for the purpose of resuming consideration of the estimates for appropriations for sundry expenses of the Insular Government for the fiscal year ending June 30, 1911.

After some time spent therein, the committee rose, reported progress and asked leave to sit again.

Pending further consideration of the estimates,

## STATEMENT BY THE PRESIDENT.

Referring to announcement made by him on Tuesday, March 29, 1910, the President stated that the Commission would not meet again until Monday, April 11, 1910, at 1 o'clock postmeridian.

## ADJOURNMENT.

Thereupon, at 12 o'clock and 45 minutes postmeridian,  
On motion by Commissioner Worcester,  
The Commission adjourned.

Attest:

WM. H. DONOVAN, *Secretary.*



# Second Philippine Legislature, Special Session.

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## JOURNAL OF THE COMMISSION.

**BAGUIO, BENGUET, MONDAY, APRIL 11, 1910.**

The Commission met pursuant to adjournment.

Present: Commissioners Gilbert, Worcester, Araneta, Palma, Branagan, and Elliott.

Absent: Commissioners Luzuriaga and Sumulong (on leave) and the President.

Commissioner Gilbert, Vice-Governor, in the chair.

### READING OF JOURNAL.

The Journal of Saturday, April 9, 1910, was read and approved.

### IN COMMITTEE OF THE WHOLE ON COMMISSION BILL NO. 5.

By unanimous consent, the Commission resolved itself into the Committee of the Whole for the purpose of considering Commission Bill No 5, entitled "An Act to reorganize the Bureau of Navigation, to provide for the enlistment of officers and men, and for punishments for offenses against good order in the Bureau."

After some time spent therein, the committee rose, reported progress and asked leave to sit again.

Pending further consideration of the bill.

### PRESIDENT IN THE CHAIR.

At 2 o'clock postmeridian, the President in the chair.

### MESSAGES FROM THE ASSEMBLY.

*BAGUIO, April 9, 1910.*

**MR. PRESIDENT:** I have been directed to inform your honorable body that the Assembly on April 9, 1910, passed with amendments, in which

the concurrence of the Commission is requested, Commission Bill No. 4, entitled "An Act amending Act Numbered Fourteen hundred and seven, known as 'The Reorganization Act,' as amended, by transferring the Bureau of Agriculture from the Department of the Interior to the Department of Public Instruction."

The bill, with amendments certified thereon, is transmitted herewith.

Very respectfully,

GREGORIO NIEVA,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The amendment was as follows:

Section 3, page 2, lines 5 and 6, between the words "be" and "available" insert the words "understood to be".

The question being, Shall the Commission concur in the Assembly amendment to Commission Bill No. 4?

The amendment was unanimously concurred in.

The Secretary was directed to notify the Assembly thereof.

*Ordered,* That Commission Bill No. 4 be enrolled and printed as an Act of the Legislature.

BAGUIO, *April 9, 1910.*

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on April 9, 1910, passed the following bill (A. B. No. 12), in which it requests the concurrence of the Commission: An Act appropriating the sum of one hundred and fifty thousand pesos, out of any funds in the Insular Treasury not otherwise appropriated, to increase the appropriation for current expenses of the Bureau of Education for the fiscal year ending June thirtieth, nineteen hundred and ten.

Very respectfully,

GREGORIO NIEVA,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Assembly Bill No. 12 was read the first time and referred to the Committee on Matters Pertaining to the Department of Public Instruction, for report and recommendation.

BAGUIO, *April 9, 1910.*

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on April 9, 1910, passed the following bill (A. B. No. 44), in which it requests the concurrence of the Commission: An Act

appropriating the sum of fifty thousand pesos for the relief of sufferers from public calamities.

Very respectfully,

GREGORIO NIEVA,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Assembly Bill No. 44 was read the first time and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, for report and recommendation.

COMMITTEE OF THE WHOLE.

By unanimous consent, the Commission again resolved itself into the Committee of the Whole for the purpose of resuming consideration of Commission Bill No. 5 and of the estimates for appropriations for sundry expenses of the Insular Government for the fiscal year ending June 30, 1911.

After some time spent therein, the committee rose, reported progress and asked leave to sit again.

Pending further consideration of the bill and estimates,

STATEMENT BY THE PRESIDENT.

Referring to announcement made by him on Tuesday, March 29, 1910, the President stated that the Commission would meet again on Tuesday, April 12, 1910, at 1 o'clock postmeridian.

ADJOURNMENT.

Thereupon, at 5 o'clock and 45 minutes postmeridian,  
On motion by Commissioner Worcester,  
The Commission adjourned.

Attest:

WM. H. DONOVAN, *Secretary.*

# Second Philippine Legislature, Special Session.

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## JOURNAL OF THE COMMISSION.

BAGUIO, BENGUET, TUESDAY, APRIL 12, 1910.

The Commission met pursuant to adjournment.

Present: Commissioners Gilbert, Worcester, Araneta, Palma, Branagan, and Elliott.

Absent: Commissioners Luzuriaga and Sumulong (on leave) and the President.

Commissioner Gilbert, Vice-Governor, in the chair.

### READING OF JOURNAL.

The Journal of Monday, April 11, 1910, was read and approved.

### REPORTS OF COMMITTEES (OUT OF ORDER).

[Committee Report No. 10.]

APRIL 12, 1910.

MR. PRESIDENT: Your Committee on Affairs Pertaining to the Moro Province, to which was referred on the 28th day of February, 1910, Mero Council Act No. 245, entitled "An act making appropriations for sundry additional expenses of the government of the Moro Province for the fiscal year ending June thirtieth, nineteen hundred and ten," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That it be approved.

The passage of this act appears to be within the authority of the legislative council of the Moro Province, under section 26 of Act No. 787 of the Philippine Commission, and its form seems sufficient.

Though some of the items in the act are a little indefinite, its approval is deemed advisable.

Respectfully submitted.

FRANK A. BRANAGAN, *Chairman.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

On motion by Commissioner Araneta, seconded by Commissioner Palma, the report was accepted and it was, by unanimous vote,

*Resolved*, That under and by virtue of the provisions of the Act of Congress of July first, nineteen hundred and two, and in accordance with the provisions of section thirty-two of Act of the Philippine Commission Numbered Seven hundred and eighty-seven, Act Numbered Two hundred and forty-five of the legislative council of the Moro Province, passed January fifth, nineteen hundred and ten, entitled "An act making appropriations for sundry additional expenses of the government of the Moro Province, for the fiscal year ending June thirtieth, nineteen hundred and ten," be, and the same hereby is, approved.

[Committee Report No. 11.]

APRIL 12, 1910.

MR. PRESIDENT: Your Committee on Affairs Pertaining to the Moro Province, to which was referred on the 28th day of February, 1910, Moro Council Act No. 246, entitled "An act to amend Act Numbered One hundred and seventy of the legislative council entitled 'An Act to provide that the original registration of large cattle owned in the Moro Province shall be voluntary,'" has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That it be approved.

The passage of this act appears to be within the authority of the legislative council of the Moro Province, its form seems sufficient, and its approval is deemed advisable.

Respectfully submitted.

FRANK A. BRANAGAN, *Chairman*.

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

On motion by Commissioner Araneta, seconded by Commissioner Palma, the report was accepted and it was, by unanimous vote,

*Resolved*, That under and by virtue of the provisions of the Act of Congress of July first, nineteen hundred and two, and in accordance with the provisions of section thirty-two of Act of the Philippine Commission Numbered Seven hundred and eighty-seven, Act Numbered Two hundred and forty-six of the legislative council of the Moro Province, passed January twenty-eighth, nineteen hundred and ten, entitled "An act to amend Act Numbered One hundred and seventy of the legislative council, entitled 'An act to provide that the original registration of large cattle owned in

the Moro Province shall be voluntary,'” be, and the same hereby is, approved.

[Committee Report No. 12.]

APRIL 12, 1910.

MR. PRESIDENT: Your Committee on Affairs Pertaining to the Moro Province, to which was referred on April 4, 1910, Moro Council Act No. 248, entitled “An act making appropriations for sundry additional expenses of the government of the Moro Province, for the fiscal year ending June thirtieth, nineteen hundred and ten,” has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the act be approved by the Commission, as it is in proper form and the passage thereof deemed advisable and within the legislative authority of the Moro Council.

Respectfully submitted.

FRANK A. BRANAGAN, *Chairman.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

On motion by Commissioner Araneta, seconded by Commissioner Palma, the report was accepted and it was, by unanimous vote,

*Resolved*, That under and by virtue of the provisions of the Act of Congress of July first, nineteen hundred and two, and in accordance with the provisions of section thirty-two of Act of the Philippine Commission Numbered Seven hundred and eighty-seven, Act Numbered Two hundred and forty-eight of the legislative council of the Moro Province, passed March twenty-sixth, nineteen hundred and ten, entitled “An act making appropriations for sundry additional expenses of the government of the Moro Province, for the fiscal year ending June thirtieth, nineteen hundred and ten,” be, and the same hereby is, approved.

THE PRESIDENT IN THE CHAIR.

At 2 o'clock postmeridian, the President in the chair.

MESSAGE FROM THE GOVERNOR-GENERAL.

BAGUIO, April 12, 1910.

*To the Philippine Legislature:*

The time until which native lumber may be cut by people of the Philippine Islands for their own use, without payment of the forestry tax, expires on the twenty-sixth of next October. It is believed advisable that this time should be extended, as it is desired to encourage the use of native lumber, and particularly those of the best varieties, in con-

struction of the homes of the people throughout the Islands, and it is therefore recommended that provision be made by law for such extension.

The subject of the extension of this time is hereby designated a subject which may be considered by the Legislature, and I recommend the passage of a law authorizing such extension.

Respectfully,

W. CAMERON FORBES,  
*Governor-General.*

*Ordered,* That the message be spread upon the Journal.

MESSAGE FROM THE ASSEMBLY.

BAGUIO, *April 11, 1910.*

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on April 11, 1910, passed the following bill (A. B. No. 30), in which it requests the concurrence of the Commission: An Act amending Act Numbered Eighteen hundred and one, entitled "An Act providing for an appropriation of one million pesos for the construction of schools in the barrios under certain conditions," as amended by Act Numbered Nineteen hundred and fourteen, by providing for the construction of such schools upon public lands or lands of the municipal, provincial, or Insular Government and by prohibiting their sale or use for other than school purposes.

Very respectfully,

GREGORIO NIEVA,  
*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

Assembly Bill No. 30 was read the first time and referred to the Committee on Matters Pertaining to the Department of Public Instruction, for report and recommendation.

IN COMMITTEE OF THE WHOLE ON COMMISSION BILL NO. 5.

By unanimous consent, the Commission resolved itself into the Committee of the Whole for the purpose of resuming consideration of Commission Bill No. 5, entitled "An Act to reorganize the Bureau of Navigation, to provide for the enlistment of officers and men, and for punishments for offenses against good order in the Bureau."

After some time spent therein, the committee rose and reported to the Commission with the recommendation that the bill do pass with the following amendments:

Strike out section 1 in its entirety and insert in lieu thereof the following:

"SECTION 1. The Director of Navigation shall appoint the necessary

petty officers and crews for the proper maintenance and operation of all vessels belonging to or under the charge of the Bureau of Navigation, and shall appoint the necessary officers, light keepers, and apprentices for the proper performance of the light-house service in the Philippine Islands, subject to such rules, regulations, and examinations as the Director of Navigation, subject to the approval of the Secretary of Commerce and Police, may prescribe.

"Captains, first lieutenants, second lieutenants and third lieutenants, Bureau of Navigation, shall be recommended by the Director of Navigation with the approval of the Secretary of Commerce and Police, and appointed and commissioned by the Governor-General by and with the advice and consent of the Philippine Commission, and they shall perform such duties as may be assigned to them by the Director of Navigation: *Provided, however,* That no officer shall be commissioned who is not a citizen of the United States or of the Philippine Islands and who has not taken the oath of allegiance to the United States."

Strike out section 2 and insert in lieu thereof the following:

"SEC. 2. In addition to the regular pay of commissioned officers of the Bureau of Navigation, there shall be allowed and paid to each such officer an increase of ten per centum of his current annual pay for each five years' faithful and efficient service as a commissioned officer: *Provided,* That the amount of such increase shall not exceed forty per centum of the yearly pay of the grade as provided by law."

Section 3, page 2, lines 23 and 24, strike out the words "in addition to the regular allowance authorized by the Secretary of Commerce and Police" and insert in lieu thereof the words "in addition to his regular pay."

Section 4: Strike out in its entirety.

Section 5: Change to section 4, and on page 3, line 6, after the word "America," insert the words "in the Philippine Islands".

Section 6: Strike out in its entirety and insert in lieu thereof the following, as section 5:

"SEC. 5. It shall be, and hereby is, made the duty of the Director of Navigation to see that the officers and crews of any vessel belonging to or under the charge or direction of the Bureau of Navigation, and the light keepers and apprentices of the light-house service, shall be suitably uniformed, equipped, governed and disciplined for the performance of necessary duty, under such rules and regulations as the Director of Navigation shall prescribe, subject to the approval of the Secretary of Commerce and Police, and, when in his judgment necessary, shall be suitably armed. The Director of Navigation is also empowered to suspend and, for sufficient cause and upon the approval of the Secretary of Commerce and Police, to remove any officer or member of any crew and any light keeper or apprentice of the light-house service, for inefficiency, misconduct, or disloyalty to the Government of the United States; and when any officer or member of any crew, light keeper or apprentice of the light-house service, shall have been convicted and sentenced by a



court of competent jurisdiction of a criminal offense, or of any of the offenses hereinafter named, other than such offenses as are hereinafter made punishable in and by the summary court hereinafter provided, the Director of Navigation, with the approval of the Secretary of Commerce and Police, may order his dishonorable discharge and the forfeiture of all pay and allowances due or to become due: *Provided, however,* That such removal of commissioned officers shall not be effective until approved by the Governor-General. The Director of Navigation is also hereby expressly empowered to fill temporarily any and all vacancies occurring by reason of suspension, removal, discharge, resignation, death or disability, or by transfer, promotion, or, in case of said crews, light keepers or light-house apprentices, by enlistment, as may seem to him advisable. The Director of Navigation is hereby also expressly empowered to make any and all necessary and proper rules and regulations governing the selection and promotion of members of crews of vessels and light keepers and apprentices of the light-house service."

Section 7: Strike out in its entirety and insert in lieu thereof the following, as section 6.

"SEC. 6. When an officer, enlisted man, light keeper, or light-house apprentice of the Bureau of Navigation shall have had twenty or more years of continuous, faithful, and satisfactory service, he may, upon making application therefor, be retired from active service by the Secretary of Commerce and Police, and when so retired he shall receive until his death an annual pension equal to two and one-half per centum of the total sum of the pay and allowances received by him up to the time he is retired: *Provided, however,* That no officer, enlisted man, light keeper, or light-house apprentice shall receive an annual pension equivalent to more than seventy-five per centum of the total sum of the current pay and allowances received by him at the time he is retired.

"The Government of the Philippine Islands shall not be responsible for any pension provided by this section to be paid to any retired officer, enlisted man, light keeper, or light-house apprentice, of the Bureau of Navigation, but the same shall be paid from a fund created in accordance with the provisions of section seven hereof.

"The service of any officer, enlisted man, light keeper, or light-house apprentice, shall be considered continuous for the purposes of this section if he be not separated from the service at any time for a longer period than one year."

Section 8: Strike out in its entirety and insert in lieu thereof the following, as section 7:

"SEC. 7. In order that a fund may be provided for the purpose set forth in section six the following amounts shall be deducted and retained from the monthly pay of officers and enlisted men of vessels and light-keepers and light-house apprentices:

"From the monthly pay of each (a) captain, four pesos; (b) first lieutenant, three pesos; (c) second lieutenant, two pesos; (d) third lieutenant, one peso, (e) petty officer, eighty centavos; (f) enlisted man,

forty centavos; (*g*) light keeper, eighty centavos; (*h*) apprentice of the light-house service, forty centavos. Such deductions and retentions shall be noted on the pay roll and the cashier of the Bureau of Navigation shall pay each officer, petty officer, enlisted man, light keeper, and apprentice, only the net amount due, the same being his total pay less such retentions, deductions, and forfeitures which may have been made pursuant to this Act. The cashier shall keep a record in duplicate of all such retentions, deductions, and forfeitures, showing the amount thereof and the name of the officer, petty officer, enlisted man, light keeper, or apprentice, as the case may be, and shall forward one copy to the Insular Auditor at the end of each month, retaining the duplicate copy on file in his office. The amount of these deductions and retentions shall be deposited in the Insular Treasury to the credit of the fund hereby created, which shall be known as 'The Pension Fund, Bureau of Navigation,' and these deposits shall constitute a special fund for the payment of pensions as hereinbefore provided and shall not be considered general revenues of the Philippine Islands. This fund may also be expended for the relief of officers, enlisted men, light keepers, and apprentices, injured or incapacitated in line of duty, or for the benefit of the widows and orphans of such officers, enlisted men, light keepers, and apprentices, as may have lost or shall lose their lives in the line of duty. The Director of Navigation is hereby authorized to recommend to the Governor-General the disposition of this fund for such purposes and it may be so expended upon the authorization and approval of, and under such regulations as may be prescribed by, the Governor-General.

Section 9: Strike out in its entirety and insert in lieu thereof the following, as section 8:

"SEC. 8. The investment of the said pension fund of the Bureau of Navigation shall be in charge of the Postal Savings Bank Investment Board provided for by section eighteen (*a*) of Act Numbered Fourteen hundred and ninety-three, and said fund may be invested in the securities authorized in said section for funds of the Postal Savings Bank without, however, the limitations in regard to the proportion of the funds which may be invested in different classes of securities."

Section 10: Strike out in its entirety and insert in lieu thereof the following, as section 9:

"SEC. 9. Any officer, enlisted man, light keeper, or apprentice, of the Bureau of Navigation—

"(*a*) Who begins, incites, causes, or joins in any opposition or resistance to, or defiance of, any superior authority in said Bureau with intent to usurp, subvert, or override the same, or who, being present, does not use his utmost endeavors to suppress all such opposition, resistance, or defiance, or who, having knowledge of any such opposition, resistance, or defiance being intended, does not without delay give information thereof to such superior authority, shall, upon conviction, be punished by a fine not exceeding ten thousand pesos, or by imprisonment not exceeding

five years, or by both such fine and imprisonment in the discretion of the court.

“(b) Who willfully disobeys the lawful command of his superior officer, shall, upon conviction, be punished by a fine not exceeding two thousand pesos, or by imprisonment not exceeding one year, or by both such fine and imprisonment in the discretion of the court.

“(c) Who, being duly enlisted therein, absents himself from duty without leave and with intent not to return, or advises or persuades others to do the like, shall, upon conviction, be punished by a fine not exceeding two thousand pesos, or by imprisonment not exceeding one year, or by both such fine and imprisonment in the discretion of the court.

“(d) Who misbehaves himself before any outlaw, robber, pirate or other enemy, shamefully abandons his ship or light station, or advises or persuades others to do the like, or quits his post to plunder or pillage, shall, upon conviction, be punished by a fine not exceeding two thousand pesos, or by imprisonment not exceeding one year, or by both such fine and imprisonment in the discretion of the court.”

Section 11: Strike out in its entirety.

Section 12: Change to section 10 and in lines 3 and 4, page 8, strike out the words “or causes or helps to cause a mutinous uprising.”

Section 13: Strike out in its entirety and insert in lieu thereof the following as section 11:

“SEC. 11. For the purpose of carrying out the provisions of section ten hereof, the Director of Navigation, the Assistant Director of Navigation, the Second Assistant Director of Navigation and the marine superintendent of the Bureau of Navigation are each hereby designated as summary court officers before any one of whom offenders under the provisions of section ten hereof shall be brought to trial within twenty-four hours of the time of their arrest or as soon thereafter as is practicable, and the officer holding a summary court shall have the power to administer oaths, and to hear and determine such cases and, when satisfied of the guilt of the accused, adjudge the punishment to be inflicted as hereinafter provided. No petty officer, enlisted man, light keeper, or apprentice, shall, while awaiting trial, be confined with prisoners who are not also petty officers, enlisted men, light keepers, or apprentices, nor at all unless such confinement be absolutely necessary as a measure of restraint; and no petty officer or light keeper shall be sentenced to confinement except when he is also sentenced to reduction to a lower grade. No petty officer or light keeper reduced to a lower grade by sentence of the summary court shall be again advanced within six months from the date of such sentence. When the accused is sentenced to a forfeiture of pay, the sentence may provide for the deduction of the amount of the forfeiture in equal monthly installments, during a period of not exceeding six months after the date of the sentence. The summary court shall keep a record in which shall be entered all cases heard and determined and the action had thereon.

"Upon the first conviction the maximum penalties for the offenses described shall be as stated in the following schedule:

"Losing or spoiling accouterments or clothing through neglect.	"Twenty days confinement at hard labor and forfeiture of five pesos; for petty officers and light keepers, reduction in grade in addition thereto.
"Absence without leave: " (a) One hour or less.....	"Forfeiture of one peso and fifty centavos for petty officers and light keepers; enlisted men and apprentices, one peso.
" (b) For more than one to six hours, inclusive.	"Forfeiture of three pesos for petty officers and light keepers; enlisted men and apprentices, two pesos.
" (c) For more than six to twelve hours, inclusive.	"Forfeiture of six pesos for petty officers and light keepers; enlisted men and apprentices, four pesos.
" (d) For more than twelve to twenty-four hours, inclusive.	"Forfeiture of ten pesos for petty officers and light keepers; enlisted men and apprentices, eight pesos.
" (e) For more than twenty-four to forty-eight hours, inclusive.	"Forfeiture of fifteen pesos and confinement at hard labor for five days or reduction in grade for petty officers and light keepers; enlisted men and apprentices, ten pesos and confinement at hard labor for five days.
" (f) For more than two to ten days, inclusive.	"Forfeiture of twenty pesos and confinement at hard labor for ten days and reduction in grade for petty officers and light keepers; enlisted men and apprentices, twelve pesos and confinement for ten days at hard labor.
" (g) For more than ten to thirty days, inclusive.	"Forfeiture of all pay and one month's confinement at hard labor.
"Using threatening or insulting language or behaving in an insubordinate manner to a superior officer or showing disrespect to a superior officer while in the execution of his duties.	"One month's confinement at hard labor and forfeiture of fifteen pesos; for petty officers and light keepers, reduction in grade in addition thereto.
"Found drunk on duty.....	"Forfeiture of fifteen pesos for enlisted men and apprentices; for petty officers and light keepers, forfeiture of twenty pesos and reduction in grade in addition thereto.
"Noisy or disorderly conduct aboard ship, or at light station.	"Forfeiture of ten pesos for petty officers and light keepers; enlisted men and apprentices, five pesos.
"Drunk and disorderly aboard ship, or at light station, but not on duty.	"Forfeiture of ten pesos and reduction in grade for petty officers and light keepers; enlisted men and apprentices, forfeiture of five pesos, or confinement at hard labor for five days, or both.

"Petty officers, light keepers, enlisted men or apprentices gambling or encouraging gambling.

"Reduction in grade and forfeiture of five pesos for petty officers and light keepers; enlisted men and apprentices, forfeiture of five pesos.

"Encouraging another to behave in a disrespectful manner to a superior officer, or encouraging another to desert or to commit any petty offense.

"Forfeiture of fifteen pesos and reduction in grade for petty officers and light keepers; enlisted men and apprentices, forfeiture of ten pesos, or confinement at hard labor for ten days, or both.

"Any offense created by this Act for which a specific penalty is not provided shall be punished by forfeiture of not more than one month's pay or by imprisonment at hard labor for not more than one month, or both, in the discretion of the court.

"Upon a second conviction for any one of the above-described offenses within six months the penalty may be increased to twice that provided in the foregoing schedule, and upon a third conviction for any offense within the term of enlistment, in addition to the penalty prescribed for a second offense, the offender may be dishonorably discharged."

Insert as a new section 12 the following:

"SEC. 12. All forfeitures imposed in accordance with the last preceding section shall be deposited with the Treasurer of the Philippine Islands, and shall be added to the fund created by section seven of this Act and used for the purposes therein provided. All expenditures made from such fund shall be audited by the Insular Auditor."

Section 14: Strike out in its entirety and insert in lieu thereof the following as section 13:

"SEC. 13. The rules contained in the 'Manual for Courts-Martial, and so forth,' for use in the United States Navy, published by the Secretary of the Navy, in so far as such rules relate to procedure, forms of charges, previous convictions, records, reports, sentences, and approvals, shall be observed by the summary court provided by section eleven, in so far as said rules are applicable and not inconsistent with the provisions of this Act."

Section 15: Strike out in its entirety and insert in lieu thereof the following as section 14:

"SEC. 14. Pending investigation of a charge of crime or conduct unbecoming an officer or gentleman or prejudicial to good order and discipline in the service, the Director of Navigation, Assistant Director of Navigation, Second Assistant Director of Navigation and marine superintendent, or any captain in the Bureau of Navigation, may arrest and confine in his quarters on board any vessel or at any light station any subordinate officer, or, pending investigation of the charge and action thereon, may arrest and confine, for not exceeding ten days, any enlisted man, light keeper, or apprentice charged with crime or conduct prejudicial to good order and discipline. Any petty officer, enlisted man, light keeper, or light-house apprentice of the Bureau of Navigation charged with crime or with any offense under this Act may be arrested and temporarily confined by any superior authority of the Bureau of Navigation until de-

livered to the proper executive or judicial officials having jurisdiction over such crime or offense, or until tried, when the offense is punishable by the summary court provided in this Act. Such arrest and confinement shall be without warrant."

Section 16: Strike out in its entirety and insert in lieu thereof the following as section 15:

"Sec. 15. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed: *Provided*, That if any of the crimes herein enumerated are punishable under the provisions of the Penal Code by higher penalties than those herein provided, the provisions of the Penal Code shall prevail."

Section 17: Strike out in its entirety.

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Elliott, unanimously carried, the bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time in full, as amended.

Commissioner Araneta moved the adoption of the following amendment:

Section 1, page 1, line 4, strike out the words "shall appoint."

The motion prevailed.

Commissioner Araneta also moved the adoption of the following amendment:

Section 3, page 2, line 11, immediately following the word "authorized," insert the words "subject to such rules, regulations, and examinations as the Director of Navigation, subject to the approval of the Secretary of Commerce and Police, may prescribe."

The motion prevailed.

Commissioner Gilbert moved the adoption of the following amendment:

Section 5, page 3, line 15, strike out the words "shall be" and insert in lieu thereof the word "are."

The motion prevailed.

Commissioner Elliott moved the adoption of the following amendment:

Section 5, page 3, line 23, after the word "to" and before the word "remove," insert the words "punish or."

The motion prevailed.

The President moved the adoption of the following amendment:

Section 5, page 3, line 26, immediately after the word "States," insert

the words "or the commission of any of the offenses enumerated in section nine of this Act."

The motion prevailed.

Commissioner Araneta moved the adoption of the following amendment:

Section 5, page 4, in lines 2, and 8, strike out the word "expressly."

The motion prevailed.

Commissioner Elliott moved the adoption of the following amendment:

Section 6, page 4, line 23, strike out the words "total sum of the" and insert in lieu thereof the words "amount of his."

The motion prevailed.

Commissioner Araneta moved the adoption of the following amendment:

Section 7, page 5, line 17, strike out the words "retentions, deductions, and forfeitures" and insert in lieu thereof the words "retentions and deductions", and in lines 19 and 20 strike out the words "retentions, deductions, and forfeitures" and insert in lieu thereof the words "retentions and deductions."

The motion prevailed.

Commissioner Worcester moved the adoption of the following amendment:

Section 7, page 5, line 17, strike out the word "which" and insert in lieu thereof the word "as."

The motion prevailed.

Commissioner Gilbert moved the adoption of the following amendment:

Section 7, page 6, line 11, strike out the words "or shall lose."

The motion prevailed.

Commissioner Worcester moved the adoption of the following amendment:

Section 8, page 6, line 21, immediately following the word "section," insert the words "as amended."

The motion prevailed.

Commissioner Araneta moved the adoption of the following amendment:

Section 9, page 6, in lines 27, 31, and 32, immediately preceding the word "opposition," insert the word "mutiny."

The motion prevailed.

Commissioner Elliott moved the adoption of the following amendment:

Section 9, page 6, line 27, after the word "Who" and before the word "begins" insert the words "participates in, incites, or encourages any mutinous uprising, or."

The motion prevailed.

The question then being upon its passage, Commission Bill No. 5, as amended, was unanimously passed.

Commissioner Elliott moved to amend the title to read as follows:

An Act to provide for the creation of a commissioned and enlisted service within the Bureau of Navigation, the creation of a pension fund in connection therewith, and for the punishment of offenses against good order and discipline within such service.

The motion prevailed.

The title, as amended, was then read and approved.

The Secretary was directed to request the concurrence of the Assembly in the bill as passed.

#### EXECUTIVE SESSION.

On motion by the President, the Commission proceeded to the consideration of executive business.

After the consideration of executive business, the Commission returned to regular session.

#### STATEMENT BY THE PRESIDENT.

Referring to announcement made by him on Tuesday, March 29, 1910, the President stated that the Commission would meet again on Wednesday, April 13, 1910, at 1 o'clock postmeridian.

#### ADJOURNMENT.

Thereupon, at 5 o'clock and 45 minutes postmeridian,

On motion by Commissioner Gilbert,

The Commission adjourned.

Attest:

WM. H. DONOVAN, *Secretary.*



# Second Philippine Legislature, Special Session.

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## JOURNAL OF THE COMMISSION.

**BAGUIO, BENGUET, WEDNESDAY, APRIL 13, 1910.**

The Commission met pursuant to adjournment.

Present: Commissioners Gilbert, Worcester, Araneta, Palma, Branagan, Elliott, and the President.

Absent: Commissioners Luzuriaga and Sumulong (on leave).

### READING OF JOURNAL.

The Journal of Tuesday, April 12, 1910, was read and approved.

### MESSAGES FROM THE GOVERNOR-GENERAL.

*BAGUIO, April 13, 1910.*

#### *To the Philippine Legislature:*

The honorable the Secretary of the Interior and the honorable the Secretary of Public Instruction jointly recommend that the education of nurses for the care of the sick be transferred from the Bureau of Education to the Bureau of Health. It is believed that this is a desirable change, and the subject of such transfer is hereby designated as one of the subjects which may be considered by the Legislature at its present special session.

It is respectfully recommended that a bill to accomplish this object be enacted.

Respectfully,

W. CAMERON FORBES,  
*Governor-General.*

*Ordered,* That the message be spread upon the Journal.

*BAGUIO, April 12, 1910.*

#### *To the Philippine Legislature:*

Under the provisions of Act No. 667 municipalities in the Philippine Islands have the right to grant franchises to public-service corporations, but this right does not extend to the city of Manila.

In view of the fact that the Legislature is not in session for the greater part of the year, it is believed for the interest of the public that such a right should also be granted to the city of Manila, and I recommend an amendment to the City Charter of Manila for the purpose of giving the municipality power to grant a franchise for semipublic purposes as one which may be considered at the present session of the Legislature, and recommend the passage of an Act to accomplish this object.

Respectfully,

W. CAMERON FORBES,  
Governor-General.

*Ordered,* That the message be spread upon the Journal.

BAGUIO, April 13, 1910.

*To the Philippine Legislature:*

Under the provisions of Act No. 1870 provision was made for the establishment of a university. The Board of Regents have already opened a College of Agriculture and a School of Fine Arts and have constructed the buildings for a College of Veterinary Science. It is proposed to open a College of Civil Engineering and a College of Philosophy, Science, and Letters.

The amount originally appropriated, ₱100,000, has been expended, together with an allotment of ₱50,000 in addition, which was found to be necessary in order to accomplish the purposes of the Board of Regents.

A great deal of care has been exercised in the question of a suitable site for the university, and a tract of land has finally been selected which in many ways meets the present requirements of the institution. It is bounded by Calles Isaac Peral, Padre Faura, and Taft Avenue, and lies next to the land upon which is situated the hospital, the Government laboratories, the School of Medicine, and the Weather Bureau with its laboratory and scientific instruments, etc. This also lies near to the tract of land which has been set aside for the Normal School, and is within easy reach of the playgrounds which it is proposed to establish in connection with that institution. This land was in the hands of private individuals, but the undersigned has succeeded in purchasing it at an average cost of ₱2.14 per meter, which it is believed is a reasonable price. The money for this purchase was obtained by the authority granted to the Governor-General under Acts Nos. 1902 and 1954. This site is very central for all possible purposes.

The Secretary of Public Instruction estimates that ₱201,440 will be necessary for the purposes of the university for the ensuing year if the plan of the Board of Regents is to be carried out.

I respectfully recommend that ₱201,440 be appropriated for this purpose.

Respectfully,

W. CAMERON FORBES,  
Governor-General.

*Ordered,* That the message be spread upon the Journal.

## COMMUNICATIONS.

At the direction of the President, the Secretary read a communication dated Manila, April 8, 1910, from Honorable Manuel Araullo, president of the Code Committee created by Act of the Philippine Legislature No. 1941, notifying the Commission of the organization of the committee and outlining the preparatory work of the committee and the general plan to be followed in carrying out the mission intrusted to it.

Ordered filed.

## REPORTS OF STANDING COMMITTEES.

[Committee Report No. 13.]

APRIL 11, 1910.

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Public Instruction, to which was referred on April 11, 1910, Assembly Bill No. 12, entitled "An Act appropriating the sum of one hundred and fifty thousand pesos, out of any funds in the Insular Treasury not otherwise appropriated, to increase the appropriation for current expenses of the Bureau of Education for the fiscal year ending June thirtieth, nineteen hundred and ten," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill do pass.

Respectfully submitted.

NEWTON W. GILBERT,

*Committee on Matters Pertaining to the  
Department of Public Instruction.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was accepted by unanimous vote.

Assembly Bill No. 12 was read the second time and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass.

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Gilbert, unanimously carried, the bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called

and Assembly Bill No. 12 was unanimously passed and the title was read and approved.

The Secretary was directed to notify the Assembly thereof.

[Committee Report No. 14.]

APRIL 13, 1910.

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Public Instruction, to which was referred on April 12, 1910, Assembly Bill No. 30, entitled "An Act amending Act Numbered Eighteen hundred and one, entitled 'An Act providing for an appropriation of one million pesos for the construction of schools in the barrios under certain conditions,' as amended by Act Numbered Nineteen hundred and fourteen, by providing for the construction of such schools upon public lands or lands of the municipal, provincial, or Insular Government and by prohibiting their sale or use for other than school purposes," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill do pass.

Respectfully submitted.

NEWTON W. GILBERT,  
*Committee on Matters Pertaining to the  
Department of Public Instruction.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was accepted by unanimous vote.

Assembly Bill No. 30 was read the second time and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass.

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Gilbert, unanimously carried, the bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 30 was unanimously passed, and the title was read and approved.

The Secretary was directed to notify the Assembly thereof.

#### INTRODUCTION AND PASSAGE OF BILL.

Commissioner Elliott introduced the following bill:

Commission Bill No. 6. An Act to amend Act Numbered One hundred and eighty-three, entitled "An Act to incorporate the city of Manila."

Commission Bill No. 6 was read the first and second times and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following amendments:

Section 1, page 1, line 4, immediately after the words "city of Manila," insert the words "as amended"; line 7, immediately preceding the word "Grant," insert the word "To;" line 11, immediately following the words "transportation," insert the words "or either thereof;" line 13, strike out the words "none of said concessions or" and insert in lieu thereof the words "no such;" line 14, strike out the word "confirmed" and insert in lieu thereof the word "approved."

Section 2, page 1, strike out in its entirety and insert in lieu thereof the following:

"Sec. 2. The public good requiring the speedy enactment of this bill, the same shall take effect on its passage, in accordance with section one of Act Numbered Nineteen hundred and forty-five of the Philippine Legislature."

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Elliott, unanimously carried, the bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time in full.

The question then being upon its passage, the roll was called and Commission Bill No. 6 was unanimously passed, as amended.

Commissioner Elliott moved to amend the title to read as follows:

An Act to amend Act Numbered One hundred and eighty-three, entitled "An Act to incorporate the city of Manila," as amended, by authorizing said city to grant certain franchises for rendering public services.

The motion prevailed.

The title as amended was then read and approved.

The Secretary was directed to request the concurrence of the Assembly in the bill as passed.

#### CONSIDERATION OF ESTIMATES FOR APPROPRIATIONS RESUMED.

By unanimous consent, the Commission resolved itself into the Committee of the Whole for the purpose of resuming consideration of the estimates for appropriations for sundry expenses of the Insular Government for the fiscal year ending June 30, 1911.

After some time spent therein, the committee rose, reported progress and asked leave to sit again.

Pending further consideration of the estimates,

STATEMENT BY THE PRESIDENT.

Referring to announcement made by him on Tuesday, March 29, 1910, the President stated that the Commission would meet again on Thursday, April 14, 1910, at 1 o'clock postmeridian.

ADJOURNMENT.

Thereupon, at 6 o'clock postmeridian.

On motion by Commissioner Palma,

The Commission adjourned.

Attest:

WM. H. DONOVAN, *Secretary.*

# Second Philippine Legislature, Special Session.

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## JOURNAL OF THE COMMISSION.

**BAGUIO, BENGUET, THURSDAY, APRIL 14, 1910.**

The Commission met pursuant to adjournment.

Present: Commissioners Gilbert, Worcester, Araneta, Palma, Branagan, Elliott, and the President.

Absent: Commissioners Luzuriaga and Sumulong (on leave).

### READING OF JOURNAL.

The Journal of Wednesday, April 13, 1910, was read and approved.

### MESSAGES FROM THE GOVERNOR-GENERAL.

*BAGUIO, April 14, 1910.*

*To the Philippine Legislature:*

The legislative part of the Government each year for the past eight years has passed an Act making the tax rate for the city of Manila  $1\frac{1}{2}$  per cent for the ensuing year. The last Legislature passed such an Act, and I hereby designate the tax rate for the city of Manila as one of the subjects to be considered by the Legislature at its present special session, and recommend the passage of an Act similar to Act No. 1950.

Respectfully,

W. CAMERON FORBES,  
*Governor-General.*

*Ordered,* That the message be spread upon the Journal.

*BAGUIO, April 14, 1910.*

*To the Philippine Legislature:*

In pursuance of the policy of extending the management of the affairs of government to the Philippine people, a number of important laws

have been passed from time to time. Among others, Act No. 1545, giving the provinces the power to elect a majority of the provincial board; Act No. 1713, extending to the provinces the power to suspend the land tax for a period of one year, and Act No. 1652, authorizing the provincial boards to accept the provisions of the same, if in their judgment it seems to be advisable. Further extension of powers to the provinces has been suggested, and the subject of amending the Provincial Government Act is hereby designated as one of the subjects which may be considered at the present special session of the Legislature.

The particular points upon which recommendation is made are:

1. To empower the provincial boards to authorize the municipal councils in cities which are capitals to use wider discretion in regard to the salary rates for municipal officers than the proportions fixed by Act No. 1691.

2. To authorize the provincial boards to extend, for a limited period of time, the payment, without penalty, of the land tax.

3. To authorize the provincial boards to extend the time for payment, without penalty, of the personal cedula tax.

4. To make of more permanent effect resolutions adopted in accordance with Act No. 1652.

It is recommended to both Chambers that these proposed amendments be scrutinized with the utmost care, and that whatever law may be passed shall contain such limitations and safeguards as will assure that the interests of the people concerned are fully protected.

Very respectfully,

W. CAMERON FORBES,  
*Governor-General.*

*Ordered*, That the message be spread upon the Journal.

#### REPORTS OF STANDING COMMITTEES.

[Committee Report No. 15.]

APRIL 14, 1910.

MR. PRESIDENT: Your Committee on Affairs Pertaining to the Moro Province, to which was referred on the 28th day of February, 1910, Moro Council Act No. 244, entitled "An Act to provide a fixed compensation for the justice of the peace for the municipality of Dapitan in lieu of all fees," for report and recommendation as to the legislation on the subject which should be enacted by the Commission, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That said act of the Moro legislative council having heretofore been disapproved by the Commission as being beyond the legislative authority of said council, an Act be now passed by the Commission making the office of justice of the peace for the municipality of Dapitan a salaried instead of a fee office, as provided by Act No. 190, as amended, and has



the honor to herewith submit for the consideration of the Commission a bill to that effect.

Respectfully submitted.

FRANK A. BRANAGAN,  
*Chairman, Committee on Affairs  
Pertaining to the Moro Province.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was accepted by unanimous vote.

By unanimous consent, the bill accompanying the report was taken up as follows:

Commission Bill No. 7. An Act providing a fixed compensation for the justice of the peace for the municipality of Dapitan in lieu of all fees, and for other purposes.

The bill was read the first and second times and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it be recommitted to the Committee on Affairs Pertaining to the Moro Province for report and recommendation after the return of the committee from its proposed trip to the Moro Province.

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

[Committee Report No. 16.]

APRIL 14, 1910.

MR. PRESIDENT: Your Committee on Affairs Pertaining to the Moro Province, to which was referred on the 28th day of February, 1910, Moro Council Act No. 247, entitled "An act establishing the crime of larceny of large cattle and providing a penalty therefor," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the act be approved.

The passage of this act appears to be within the authority of the legislative council of the Moro Province, its form seems sufficient, and its approval is deemed advisable, although the minimum penalty provided for a violation of the act seems to your committee to be severe.

Respectfully submitted.

FRANK A. BRANAGAN, *Chairman.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

On motion by Commissioner Palma, seconded by Commissioner Branagan, the report was accepted, and it was, by a majority vote,

*Resolved*, That under and by virtue of the provisions of the Act of Congress of July first, nineteen hundred and two, and in accordance with the provisions of section thirty-two of Act of the Philippine Commission Numbered Seven hundred and eighty-seven, Act Numbered Two hundred and forty-seven of the legislative council of the Moro Province, passed January thirty-first, nineteen hundred and ten, entitled "An Act establishing the crime of larceny of large cattle and providing a penalty therefor," be, and the same hereby is, approved.

Commissioner Gilbert requested that he be recorded as having voted in the negative.

[Committee Report No. 17.]

APRIL 14, 1910.

MR. PRESIDENT: Your Committee on Taxation and Revenue, to which was referred on March 31, 1910, a copy of a resolution adopted by the municipal council of Sipocot, Ambos Camarines, petitioning for an extension of six months' time for the redemption of lands forfeited for the nonpayment of taxes, has examined the same and has the honor to report it back to the Commission with the recommendation that the petition be denied, as, in the opinion of your committee, there does not appear sufficient reason for excepting this municipality from the uniform operation of the general law on the subject, and because the time allowed by section 3 of Act No. 1578 seems reasonable.

Respectfully submitted.

FRANK A. BRANAGAN, *Chairman*.

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted by unanimous vote.

*Ordered*, That the municipal council of Sipocot be informed of the action taken.

[Committee Report No. 18.]

APRIL 14, 1910.

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Commerce and Police, to which was referred on March 28, 1910, a communication dated October 7, 1909, from Mr. Sam Chubb to the Honorable Dean C. Worcester, Secretary of the Interior, requesting a concession to conduct at the city of Manila a Philippine Industrial Exposition, to be held during 1910 or 1911, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the request be not granted. This recommendation is made because of the fact that the Philippine Carnival Association has already held a Carnival at Manila in 1910, and has arranged to hold another at that

place in 1911, and it is felt that another similar exposition would only tend to interfere with and possibly take patronage from the Philippine Carnival, the sponsors of which have already labored for two or three years to make it successful.

Respectfully submitted.

C. B. ELLIOTT,  
*Committee on Matters Pertaining to the  
Department of Commerce and Police.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted by unanimous vote.

*Ordered,* That the petitioner be informed of the action taken.

[Committee Report No. 19.]

APRIL 14, 1910.

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Commerce and Police, to which was referred on March 1, 1910, resolution No. 58 of the municipal council of Pasig, Rizal, dated February 15, 1910, petitioning the Philippine Commission and the Philippine Assembly for an amendment of section 1 of Act No. 1446, in the sense that it be the Province of Rizal that shall keep in repair the floor of the electric railway bridge at Pasig, and not the municipality of Pasig, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That this petition be not granted.

Respectfully submitted.

C. B. ELLIOTT,  
*Committee on Matters Pertaining to the  
Department of Commerce and Police.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted by unanimous vote.

*Ordered,* That the municipality of Pasig be informed of the action taken.

#### CONSIDERATION OF ESTIMATES FOR APPROPRIATIONS RESUMED.

By unanimous consent, the Commission resolved itself into the Committee of the Whole for the purpose of resuming consideration of the estimates for appropriations for sundry expenses of the Insular Government for the fiscal year ending June 30, 1911.

After some time spent therein, the committee rose, reported progress, and asked leave to sit again.

Pending further consideration of the estimates,

## EXECUTIVE SESSION.

On motion by the President, the Commission proceeded to the consideration of executive business.

After consideration of executive business, the Commission returned to regular session.

(For appointments confirmed in executive session see pp. 796-799.)

## STATEMENT BY THE PRESIDENT.

Referring to announcement made by him on Tuesday, March 29, 1910, the President stated that the Commission would meet again on Friday, April 15, 1910, at 2 o'clock postmeridian.

## ADJOURNMENT.

Thereupon, at 6 o'clock and 5 minutes postmeridian,

On motion by Commissioner Araneta,

The Commission adjourned.

Attest:

WM. H. DONOVAN, *Secretary.*

# Second Philippine Legislature, Special Session.

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## JOURNAL OF THE COMMISSION.

**BAGUIO, BENGUET, FRIDAY, APRIL 15, 1910.**

The Commission met pursuant to adjournment.

Present: Commissioners Gilbert, Worcester, Araneta, Palma, Branagan, Elliott, and the President.

Absent: Commissioners Luzuriaga and Sumulong (on leave).

### READING OF JOURNAL.

The Journal of Thursday, April 14, 1910, was read and approved.

### CONSIDERATION OF ESTIMATES FOR APPROPRIATIONS RESUMED.

By unanimous consent, the Commission resolved itself into the Committee of the Whole for the purpose of resuming consideration of the estimates for appropriations for sundry expenses of the Insular Government for the fiscal year ending June 30, 1911, and for the purpose of taking up for consideration the estimates for appropriations for public works and permanent improvements.

After some time spent therein, the committee rose and reported completion of the informal consideration of the estimates for appropriations for sundry expenses and progress on the estimates for public works and permanent improvements and on the latter asked leave to sit again.

Pending further consideration of the estimates for public works and permanent improvements,

### MESSAGES FROM THE ASSEMBLY.

*BAGUIO, April 14, 1910.*

**MR. PRESIDENT:** I have been directed to inform your honorable body that the Assembly on April, 14, 1910, passed the following bill (A. B.

No. 58), in which it requests the concurrence of the Commission: An Act permanently fixing the rate of taxation on real estate in the city of Manila at one and one-half per centum.

Very respectfully,

GREGORIO NIEVA,  
*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

Assembly Bill No. 58 was read the first time and referred to the Committee on Taxation and Revenue, for report and recommendation.

BAGUIO, *April 14, 1910.*

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on April 14, 1910, passed the following bill (A. B. No. 59), in which it requests the concurrence of the Commission: An Act further extending the powers of provincial governments organized under Act Numbered eighty-three, entitled "The Provincial Government Act."

Very respectfully,

GREGORIO NIEVA,  
*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

Assembly Bill No. 59 was read the first time and referred to the Committee on Municipal and Provincial Governments, for report and recommendation.

#### EXECUTIVE SESSION.

On motion by the President, the Commission proceeded to the consideration of executive business.

After consideration of executive business, the Commission returned to regular session.

#### STATEMENT BY THE PRESIDENT.

Referring to announcement made by him on Tuesday, March 29, 1910, the President stated that the Commission would meet again on Saturday, April 16, 1910, at 9 o'clock antemeridian.

#### ADJOURNMENT.

Thereupon, at 6 o'clock and 30 minutes postmeridian,

On motion by Commissioner Branagan,

The Commission adjourned.

Attest:

WM. H. DONOVAN, *Secretary.*

# Second Philippine Legislature, Special Session.

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## JOURNAL OF THE COMMISSION.

**BAGUIO, BENGUET, SATURDAY, APRIL 16, 1910.**

The Commission met pursuant to adjournment.

Present: Commissioners Gilbert, Worcester, Araneta, Palma, Branagan, Elliott, and the President.

Absent: Commissioners Luzuriaga and Sumulong (on leave).

### READING OF JOURNAL.

The Journal of Friday, April 15, 1910, was read and approved.

### REPORTS OF STANDING COMMITTEES.

[Committee Report No. 20.]

APRIL 16, 1910.

MR. PRESIDENT: Your Committee on Taxation and Revenue, to which was referred on April 15, 1910, Assembly Bill No. 58, entitled "An Act permanently fixing the rate of taxation on real estate in the city of Manila at one and one-half per centum," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill do pass with the following amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"SECTION 1. The annual tax on the assessed value of all the real estate of the city of Manila subject to taxation shall be, for the year nineteen hundred and ten, one and one-half per centum thereof, instead of two per centum thereof, anything contained in section forty-seven of Act Numbered One hundred and eighty-three, as amended, to the contrary notwithstanding: *Provided, however,* That one per centum of the assessed value of all the said real estate shall be payable on or before the first

day of July, nineteen hundred and ten, and the remaining one-half per centum shall be payable on or before the thirty-first day of December, nineteen hundred and ten."

This is deemed by your committee to be more in accord with the suggestion of the Governor-General in his message of April 14, 1910, in which the passage of an Act similiar to Act No. 1950 is recommended.

Respectfully submitted.

FRANK A. BRANAGAN, *Chairman.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was accepted by unanimous vote.

Assembly Bill No. 58 was thereupon read the second time and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the amendment recommended by the Committee on Taxation and Revenue.

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

The bill was thereupon ordered on file for third reading.

#### CONSIDERATION OF ESTIMATES FOR APPROPRIATIONS RESUMED.

By unanimous consent, the Commission resolved itself into the Committee of the Whole for the purpose of resuming consideration of the estimates for appropriations for public works and permanent improvements.

After some time spent therein, the committee rose and reported completion of the informal consideration of the estimates.

#### EXECUTIVE SESSION.

On motion by the President, the Commission proceeded to the consideration of executive business.

After consideration of executive business, the Commission returned to regular session.

#### STATEMENT BY THE PRESIDENT.

With the unanimous consent of the Commission, the President stated that the Commission would meet to-morrow morning at 8 o'clock for the purpose of considering informally the proposed bill to provide a system for the regulation, control, distribution, use, and right of use of water and for the determination of existing



rights thereto within the Philippine Islands, and to provide for surveys for and the construction, maintenance, and operation of irrigation projects by the Government of the Philippine Islands, and for the repayment of money expended therein, and providing penalties for its violation.

## ADJOURNMENT.

Thereupon, at 12 o'clock meridian,  
On motion by Commissioner Gilbert,  
The Commission adjourned.  
Attest:

WM. H. DONOVAN, *Secretary.*

# Second Philippine Legislature, Special Session.

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## JOURNAL OF THE COMMISSION.

**BAGUIO, BENGUET, SUNDAY, APRIL 17, 1910.**

The Commission met pursuant to adjournment.

Present: Commissioners Gilbert, Worcester, Araneta, Palma, Branagan, Elliott, and the President.

Absent: Commissioners Luzuriaga and Sumulong (on leave).

### READING OF JOURNAL.

The Journal of Saturday, April 16, 1910, was read and approved.

### INFORMAL CONSIDERATION OF THE PROPOSED LAW ON THE USE OF PUBLIC WATERS.

By unanimous consent, the Commission resolved itself into the Committee of the Whole for the purpose of considering informally the proposed law entitled "An Act to provide a system for the regulation, control, distribution, use, and right of use of water and for the determination of existing rights thereto within the Philippine Islands, and to provide for surveys for and the construction, maintenance, and operation of irrigation projects by the Government of the Philippine Islands, and for the repayment of money expended therein, and providing penalties for its violation."

After some time spent therein, the committee rose, reported progress, and asked leave to sit again.

Pending further consideration of the measure,

STATEMENT BY THE PRESIDENT.

Referring to announcement made by him on Tuesday, March 29, 1910, the President stated that the Commission would meet again on Monday, April 18, 1910, at 10 o'clock and 30 minutes antemeridian.

ADJOURNMENT.

Thereupon, at 10 o'clock and 30 minutes antemeridian,  
On motion by the President,  
The Commission adjourned.  
Attest:

WM. H. DONOVAN, *Secretary.*

Second Philippine Legislature,  
Special Session.

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JOURNAL OF THE COMMISSION.

BAGUIO, BENGUET, MONDAY, APRIL 18, 1910.

The Commission met pursuant to adjournment.

Present: Commissioners Gilbert, Worcester, Araneta, Palma, Branagan, Elliott, and the President.

Absent: Commissioners Luzuriaga and Sumulong (on leave).

READING OF JOURNAL.

The Journal of Sunday, April 17, 1910, was read and approved.

MESSAGES FROM THE ASSEMBLY.

BAGUIO, *April 15, 1910.*

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on April 15, 1910, passed the following bill (A. B. No. 56) in which it requests the concurrence of the Commission: An Act to provide for the establishment of classes for the instruction and training of male and female nurses under the supervision of the Director of Health.

Very respectfully,

GREGORIO NIEVA,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Assembly Bill No. 56 was read the first and second times.

On motion by Commissioner Worcester, unanimously carried, the bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called

and Assembly Bill No. 56 was unanimously passed and the title was read and approved.

The Secretary was directed to notify the Assembly thereof.

BAGUIO, *April 15, 1910.*

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on April 15, 1910, passed the following bill (A. B. No. 62), in which it requests the concurrence of the Commission: An Act to amend Act Numbered Fourteen hundred and seven, as amended, by extending to ten years the period during which timber, firewood, resin, stone, earth, and other forest products may be cut or taken from the public forests without the payment of forestry charges, subject to certain conditions.

Very respectfully,

GREGORIO NIEVA,

*Member and Acting Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

Assembly Bill No. 62 was read the first and second times.

On motion by Commissioner Araneta, unanimously carried, the bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 62 was unanimously passed and the title was read and approved.

The Secretary was directed to notify the Assembly thereof.

THIRD READING AND PASSAGE OF BILL.

Assembly Bill No. 58. An Act permanently fixing the rate of taxation on real estate in the city of Manila at one and one-half per centum.

The bill was read the third time in full, as amended.

Commissioner Araneta moved the adoption of the following amendment:

Insert new section 2, as follows:

"SEC. 2. The public good requiring the speedy enactment of this bill, the same shall take effect on its passage in accordance with section one of Act Numbered Nineteen hundred and forty-five of the Philippine Legislature."

The motion prevailed.

The question then being upon its passage, the roll was called and Assembly Bill No. 58 was unanimously passed, as amended.

Commissioner Branagan moved to amend the title to read as follows:

An Act providing that the annual tax on the assessed value of the real estate of the city of Manila for the year nineteen hundred and ten shall be one and one-half per centum thereof.

The motion prevailed.

The title, as amended, was then read and approved.

The Secretary was directed to request the concurrence of the Assembly in the amendments.

#### REPORT OF STANDING COMMITTEE.

[Committee Report No. 21.]

APRIL 18, 1910.

MR. PRESIDENT: Your Committee on Municipal and Provincial Governments, to which was referred on April 15, 1910, Assembly Bill No. 59, entitled "An Act further extending the powers of provincial governments organized under Act Numbered Eighty-three, entitled 'The Provincial Government Act,'" has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill do pass with the following amendments:

Section 1, page 2, line 15, strike out the words "Bureau of Port Works" and insert in lieu thereof the words "Bureau of Navigation."

Section 1, page 2, strike out lines 22 to 30, inclusive, and all of page 3, and insert in lieu thereof the following:

"To authorize municipal councils of the capitals of provinces and subprovinces, general provisions of law to the contrary notwithstanding, to fix the salaries of the municipal officers of said capitals at an amount higher than that authorized in the scale established by the Municipal Code according to the class of the municipality, providing that the salaries so authorized shall not be over fifty per centum in excess of those established by said scale;

"To exempt capitals of provinces, when such action is considered beneficial to the public interests, subject to such rules as the provincial board may provide, from compliance with that part of Act Numbered Sixteen hundred and ninety-one relating to salaries and wages which restricts the power of the municipal councils organized under Act Numbered Eighty-two, entitled 'The Municipal Code,' in the free disposition of their own funds;

"To extend, by resolution, whenever in its judgment the public interests require it, the time for the payment of the land tax without penalty, for a period not exceeding three months;

"To extend, also by resolution and for the same reasons and period, the time for the payment, without penalty, of the cedula personal tax;

"To provide by resolution in its discretion, subject to the conditions

and provisions of Act Numbered Sixteen hundred and fifty-two, for the increased tax authorized by said Act, and said resolution shall be and remain in force and effect during the year of its adoption and also subsequent years without further action by the board until repealed by another resolution of said board.

"No appropriation or resolution made pursuant to the provisions of this subsection (*nm*) shall be valid or take effect until it shall have been approved by the Governor-General or unless and until thirty days after receipt of notice thereof by the Governor-General shall have passed without the disapproval of the Governor-General having been given.

"SEC. 2. The public good requiring the speedy enactment of this bill, the same shall take effect on its passage, in accordance with section one of Act Numbered Nineteen hundred and forty-five of the Philippine Legislature."

Respectfully submitted.

RAFAEL PALMA,  
C. B. ELLIOTT,

*Committee on Municipal and Provincial Governments.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was accepted by unanimous vote.

Assembly Bill No. 59 was read the second time and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the amendments recommended by the Committee on Municipal and Provincial Governments.

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Worcester, unanimously carried, the bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 59 was unanimously passed, as amended.

Commissioner Gilbert moved to amend the title to read as follows:

An Act to amend Act Numbered Eighty-three, entitled "The Provincial Government Act," by further extending the powers of provincial governments in certain particulars.

The motion prevailed.

The title, as amended, was then read and approved.

The Secretary was directed to request the concurrence of the Assembly in the bill as amended.

## MESSAGES FROM THE GOVERNOR-GENERAL.

BAGUIO, April 16, 1910.

*To the Philippine Legislature:*

Provision was made by the last Legislature for scholarships for school-teachers. While cautioning the Legislature against increasing the expenditure by too many bills carrying appropriations, it is believed that it is not advisable to entirely discontinue this practice, and provision should be made for a certain number of scholarships for the ensuing year.

This subject is hereby designated as one to which the attention of the Legislature may be brought at its present special session.

Respectfully,

W. CAMERON FORBES,  
Governor-General.

*Ordered,* That the message be spread upon the Journal.

BAGUIO, April 16, 1910.

*To the Philippine Legislature:*

The last Legislature inaugurated the practice of making special provision for the instruction of teachers by means of special classes in the city of Manila. The Bureau of Education has already made a beginning, and it is believed that this matter should not be allowed to drop at the present time.

The subject of making provision for these special classes is hereby designated as one to which the attention of the Legislature may be directed at its present special session.

Care should be exercised not to increase the general expenditures, as there are too many special appropriation bills, and while it is recommended that provision be made for the same, it is not recommended that the number shall be increased.

Respectfully,

W. CAMERON FORBES,  
Governor-General.

*Ordered,* That the message be spread upon the Journal.

BAGUIO, April 18, 1910.

*To the Philippine Legislature:*

There has been difficulty in investing funds of the Postal Savings Bank in suitable and remunerative investments. It is believed that the development of the city of Manila in the near future will be such that opportunities to loan money upon structures on the new filled-in land, the title to which vests in the Government, will be many, and give a very safe method of investing the funds of the bank and at the same time help to develop the Philippine Islands.

The subject of amending the Postal Savings Bank Law in order to further increase the opportunity for investment is hereby designated as



a subject which may be considered at the present special session of the Legislature, and it is recommended that a law be passed making such authorization.

Respectfully,

W. CAMERON FORBES,  
*Governor-General.*

*Ordered,* That the message be spread upon the Journal.

BAGUIO, *April 18, 1910.*

*To the Philippine Legislature:*

The new concession and contract entered into with the Manila Railroad Company pursuant to Act No. 1905, passed by the last Legislature, provides for a very important additional construction of railroad in the Island of Luzon. At the present time the construction of this railroad is being delayed pending the filing of mortgages and the railroad company has asked for the passage of a law to expedite this in order that they may begin construction at an earlier date. In my judgment it is highly desirable that everything be done by the Government to expedite this railroad construction, and I accordingly designate the subject of filing railroad mortgages as one which may be considered at the present special session of the Legislature, and recommend the passage of the bill recommended by the Secretary of Commerce and Police.

The terms of this law are not new, because they are of similar purport to Act No. 1812, which provides for the filing of prior mortgages.

Respectfully,

W. CAMERON FORBES,  
*Governor-General.*

*Ordered,* That the message be spread upon the Journal.

RECESS.

At 12 o'clock meridian,

On motion by Commissioner Gilbert,

The President declared the Commission at recess until 2 o'clock postmeridian.

At 2 o'clock postmeridian, the Commission reconvened.

The President in the chair.

MESSAGES FROM THE ASSEMBLY.

BAGUIO, *April 16, 1910.*

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on April 16, 1910, passed the following bill (A. B. No. 64), in which it requests the concurrence of the Commission: An Act authorizing the appointment of certain high-school students as Government pupils while pursuing a course of training for teaching, and

authorizing expenditure for such pupils from funds designated by section twenty-six of Act Numbered Seventeen hundred and sixty-one, as amended.

Very respectfully,

GREGORIO NIEVA,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Assembly Bill No. 64 was read the first time and referred to the Committee on Matters Pertaining to the Department of Public Instruction, for report and recommendation.

BAGUIO, April 16, 1910.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on April 16, 1910, passed the following bill (A. B. No. 65), in which it requests the concurrence of the Commission: An Act authorizing the creation of special classes of superior instruction for municipal teachers and appropriating the sum of one hundred thousand pesos for such purpose.

Very respectfully,

GREGORIO NIEVA,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Assembly Bill No. 65 was read the first time and referred to the Committee on Matters Pertaining to the Department of Public Instruction, for report and recommendation.

#### INTRODUCTION AND PASSAGE OF BILLS.

Commissioner Elliott introduced the following bill:

Commission Bill No. 8. An Act to amend Act Numbered Fourteen hundred and ninety-three, entitled "The Philippines Postal Savings Bank Law," as amended.

The bill was read the first and second times and referred to the Committee of the Whole.

It was considered in committee, and reported to the Commission with the recommendation that it pass with the following amendments:

Section 1, page 1, in lines 3 and 4, strike out the words "by the addition at the end of paragraph (9) thereof of the following" and insert in lieu thereof the words "by adding at the end thereof the following"; same section, line 5, after the word "interests," insert the words "in lands."

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Elliott, unanimously carried, the bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Commission Bill No. 8 was unanimously passed, as amended.

The President moved to amend the title to read as follows:

An Act to amend Act Numbered Fourteen hundred and ninety-three, entitled "The Postal Savings Bank Act," as amended, by providing an additional class of securities for the investment of Postal Savings Bank funds.

The motion prevailed.

The title, as amended, was then read and approved.

The Secretary was directed to request the concurrence of the Assembly in the bill as passed.

Commissioner Elliott introduced the following bill:

Commission Bill No. 9. An Act providing for the filing, with the division of archives, patents, copyrights, and trade-marks of the Executive Bureau, of the first deed of mortgage, trust, or guaranty, and subordinating agreement, dated the nineteenth day of May, nineteen hundred and nine, executed by the Manila Railroad Company in favor of the Government of the Philippine Islands, and of the Farmers' Loan and Trust Company of New York, as trustees, creating upon the property mentioned in said instrument a lien from the date of its filing, modifying the provisions of Act Numbered Eighteen hundred and twelve, in regard to the lien of the mortgages filed heretofore, and exempting said instruments from the payment of stamp taxes, and the filing of the subordinating agreement.

Commission Bill No. 9 was read the first and second times and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass.

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Elliott, unanimously carried, the bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Commission Bill No. 9 was unanimously passed.

Commissioner Elliott moved to amend the title to read as follows:

An Act providing for the filing, with the division of archives, patents, copyrights, and trade-marks of the Executive Bureau, of the first deed of mortgage, trust, or guaranty, dated the nineteenth day of May, nineteen hundred and nine, executed by the Manila Railroad Company in favor of the Government of the Philippine Islands, and of the Farmers' Loan and Trust Company of New York, as trustees, creating upon the property mentioned in said instrument a lien from the date of its filing, modifying the provisions of Act Numbered Eighteen hundred and twelve in regard to the lien of the mortgages filed heretofore, and exempting said instruments from the payment of stamp taxes, and the filing of the subordinating agreement.

The motion prevailed.

The title as amended was then read and approved.

The Secretary was directed to request the concurrence of the Assembly in the bill as passed.

#### REPORTS OF STANDING COMMITTEES.

[Committee Report No. 22.]

April 18, 1910.

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Public Instruction, to which was referred on April 18, 1910, Assembly Bill No. 64, entitled "An Act authorizing the appointment of certain high-school students as Government pupils while pursuing a course of training for teaching and authorizing expenditure for such pupils from funds designated by section twenty-six of Act Numbered Seventeen hundred and sixty-one, as amended," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That in line 14 of page 1 the word "and" between the words "Palawan" and "Mindoro" be stricken out and the words "and Batanes" follow the word "Mindoro," and that the following be substituted for section 7:

"SEC. 7. The public good requiring the speedy enactment of this bill, the same shall take effect on its passage, in accordance with section one of Act Numbered Nineteen hundred and forty-five of the Philippine Legislature."

and that with these amendments the bill do pass.

Respectfully submitted.

NEWTON W. GILBERT,  
*Committee on Matters Pertaining to the  
Department of Public Instruction.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was accepted by unanimous vote.

Assembly Bill No. 64 was thereupon read the second time and referred to the Committee of the Whole.

It was considered in committee, and reported to the Commission with the recommendation that it pass with the amendments proposed by the Committee on Matters Pertaining to the Department of Public Instruction and the following additional amendments:

(1) Section 3, page 2, line 21, strike out the words "exceed two hundred" and insert in lieu thereof the words "exceed one hundred."

(2) Same section, same page, line 27, strike out the words "Palawan and Mindoro" and insert in lieu thereof the words "Palawan, Mindoro, and Batanes."

(3) Section 5, page 3, line 14, strike out the words "sixty thousand" and insert in lieu thereof the words "thirty thousand."

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

Commissioner Gilbert requested that he be recorded as having voted in the negative in the Committee of the Whole on amendments (1) and (3).

On motion by Commissioner Gilbert, unanimously carried, the bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 64 was unanimously passed, as amended, and the title was read and approved.

The Secretary was directed to request the concurrence of the Assembly in the bill as passed.

[Committee Report No. 23.]

APRIL 18, 1910.

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Public Instruction, to which was referred on April 18, 1910, Assembly Bill No. 65, entitled "An Act authorizing the creation of special classes of superior instruction for municipal teachers and appropriating the sum of one hundred thousand pesos for such purpose, so that the total number of teachers for the special classes in the fiscal year nineteen hundred and eleven shall be two hundred, and appropriating funds therefor," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That in line 16, on page 2, the word "and" be stricken out, and after the word "Palawan" the words "and Batanes" be inserted; that the following words be substituted for lines 1 and 2 of page 3: "On leaving

their municipalities, provided that the sum shall not exceed forty pesos per month;" that the following be substituted for section 6:

"SEC. 6. The public good requiring the speedy enactment of this bill, the same shall take effect on its passage, in accordance with section one of Act Numbered Nineteen hundred and forty-five of the Philippine Legislature.

And that with these amendments the bill do pass.

Respectfully submitted.

NEWTON W. GILBERT,  
*Committee on Matters Pertaining to the  
Department of Public Instruction.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was accepted by unanimous vote.

Assembly Bill No. 65 was thereupon read the second time and referred to the Committee of the Whole.

It was considered in committee, and reported to the Commission with the recommendation that it pass with the amendments proposed by the Committee on Matters Pertaining to the Department of Public Instruction and the following additional amendments:

(1) Section 3, page 2, line 11, strike out the word "two" and insert in lieu thereof the word "one."

(2) Section 5, page 3, line 3, strike out the words "one hundred thousand" and insert in lieu thereof the words "fifty thousand."

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

Commissioners Gilbert and Palma requested that they be recorded as having voted in the negative in Committee of the Whole on amendments Nos. (1) and (2).

On motion by Commissioner Gilbert, unanimously carried, the bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 65 was unanimously passed, as amended.

Commissioner Branagan moved to amend the title to read as follows:

An Act authorizing the creation of special classes of superior instruction for municipal teachers and appropriating the sum of fifty thousand pesos for such purpose.

The motion prevailed.

The title, as amended, was then read and approved.

The Secretary was directed to request the concurrence of the Assembly in the amendments.

INFORMAL CONSIDERATION OF THE PROPOSED LAW ON THE USE OF PUBLIC WATERS.

By unanimous consent, the Commission resolved itself into the Committee of the Whole for the purpose of resuming consideration informally of the proposed law entitled "An Act to provide a system for the regulation, control, distribution, use, and right of use of water and for the determination of existing rights thereto within the Philippine Islands, and to provide for surveys, for and the construction, maintenance, and operation of irrigation projects by the Government of the Philippine Islands, and for the repayment of money expended therein, and providing penalties for its violation."

After some time spent therein, the committee rose, reported progress, and asked leave to sit again.

Pending further consideration of the measure,

RECESS.

At 7 o'clock postmeridian,

On motion by Commissioner Worcester,

The President declared the Commission at recess until 8 o'clock postmeridian.

RECONVENED.

At 8 o'clock postmeridian,

The Commission reconvened.

The President in the chair.

MESSAGES FROM THE ASSEMBLY.

BAGUIO, *April 18, 1910.*

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on April 18, 1910, passed the following bill (A. B. No. 63), in which it requests the concurrence of the Commission: An Act making appropriations for sundry expenses of the Insular Government for the fiscal year ending June thirtieth, nineteen hundred and eleven, and other designated periods.

Very respectfully,

GREGORIO NIEVA,  
*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 63 was read the first time by title only.

On motion by the President, the Secretary was thereupon directed to furnish a copy of the bill to each Commissioner for examination and comparison with the estimates of the particular Departments in which he is interested.

On motion by Commissioner Worcester, unanimously carried,

The President thereupon declared the Commission at recess until 10 o'clock postmeridian to give opportunity for the study of the bill.

RECONVENED.

At 10 o'clock postmeridian,  
The Commission reconvened.  
The President in the chair.

Commissioner Gilbert moved that further consideration of Assembly Bill No. 63, entitled "An Act making appropriations for sundry expenses of the Insular Government for the fiscal year ending June thirtieth, nineteen hundred and eleven, and other designated periods," be postponed until the next legislative day to give opportunity for the study of its provisions by the several Commissioners.

The motion prevailed.

MESSAGES FROM THE ASSEMBLY.

BAGUIO, *April 18, 1910.*

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on April 18, 1910, passed with amendments, in which the concurrence of the Commission is requested, Commission Bill No. 5, entitled "An Act to provide for the creation of a commissioned and enlisted service within the Bureau of Navigation, the creation of a pension fund in connection therewith, and for the punishment of offenses against good order and discipline within such service."

The bill, with amendments certified thereon, is transmitted herewith.

Very respectfully,

GREGORIO NIEVA,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The amendments of the Assembly were as follows:

Section 3, page 2, line 24, add at the end of the section the following proviso: "*Provided, however, That the Director of Navigation shall not*



enlist any petty officer or member of the crew on any vessel, who is not a citizen of the United States or the Philippine Islands, or who has not taken the oath of allegiance to the United States."

Section 4, page 2, line 31, after the words "(or affirm)" add the following: "that I am a citizen of.....,"

Section 7, page 5, in lines 3 to 13 inclusive, strike out the words—

"In order that a fund may be provided for the purpose set forth in section six the following amounts shall be deducted and retained from the monthly pay of officers and enlisted men of vessels and light-keepers and light-house apprentices:

From the monthly pay of each (a) captain, four pesos; (b) first lieutenant, three pesos; (c) second lieutenant, two pesos; (d) third lieutenant, one peso; (e) petty officer, eighty centavos; (f) enlisted man, forty centavos; (g) light-keeper, eighty centavos; (h) apprentice of the light-house service, forty centavos."

and insert in lieu thereof the following:

"In order that a fund may be provided for the purpose set forth in section six there shall be deducted and retained two per centum of the monthly pay of all officers, petty officers, and enlisted men, light-keepers, and apprentices."

Page 5, line 13, strike out the word "Such" and insert in lieu thereof the word "The."

Section 9, page 6, line 27, strike out the words "ten thousand" and insert in lieu thereof the words "two thousand;" page 6, line 27, strike out the words "five years" and insert in lieu thereof the words "two years;" page 7, line 1, strike out the words "two thousand" and insert in lieu thereof the words "five hundred;" page 7, line 2, strike out the words "one year" and insert in lieu thereof the words "six months;" page 7, line 7, strike out the words "two thousand" and insert in lieu thereof the words "five hundred;" page 7, line 8, strike out the words "one year" and insert in lieu thereof the words "six months".

Section 11, page 9, lines 2 to 4, strike out the words "twenty days' confinement at hard labor and forfeiture of five pesos" and insert in lieu thereof the words "five days' confinement and reimbursement of the value of the accouterments or clothing lost".

The question being, Shall the Commission concur in the Assembly amendments to Commission Bill No. 5? the amendments were not concurred in, a majority having failed to vote in favor thereof.

On motion by Commissioner Elliott, it was,

*Resolved*, That the Assembly be informed that the Commission disagrees to the amendments of the Assembly to Commission Bill No. 5, entitled "An Act to provide for the creation of a commissioned and enlisted service within the Bureau of Navigation, the creation of a pension fund in connection therewith, and for the

punishment of offenses against good order and discipline within such service," and asks for a conference on the disagreeing votes of the two Houses thereon.

*Ordered*, That Commissioners Elliott and Palma be the conferees on the part of the Commission and that the Secretary notify the Assembly thereof.

MESSAGES FROM THE GOVERNOR-GENERAL.

BAGUIO, April 18, 1910.

*To the Philippine Legislature:*

The Philippine people are greatly interested in the development of proper health resorts, and the development of Sibal Springs is one of the most important which now confronts the Philippine people.

The subject of the improvement of Sibal Springs is hereby designated as one of the subjects which may be taken up at the present special session of the Legislature, and the passage of an Act providing for its improvement is recommended.

Respectfully,

W. CAMERON FORBES,  
Governor-General.

*Ordered*, That the message be spread upon the Journal.

BAGUIO, April 18, 1910.

*To the Philippine Legislature:*

Manila is one of the few cities of its size and importance that does not possess a gas plant, and the people of the Islands are thus deprived of the advantages which come from the ability to purchase gas. Gas is useful both for lighting and cooking purposes and should benefit the city of Manila very greatly.

Some responsible parties are willing to engage in the enterprise of constructing a gas plant in the city of Manila, provided they get a franchise.

The subject of the granting of a franchise for the manufacture of gas and the selling of the same, in the city of Manila, is hereby designated as one of the subjects which may be considered at the present special session of the Legislature, and the passage of such a franchise, to be put up at public auction and awarded to the highest bidder, is recommended.

Respectfully,

W. CAMERON FORBES,  
Governor-General.

*Ordered*, That the message be spread upon the Journal.

BAGUIO, April 18, 1910.

*To the Philippine Legislature:*

It is customary in all countries to perpetuate the memory of their great heroes by proper memorials. During the past year I have had occasion to visit the place of the sequestration of the great Filipino patriot Rizal,

in Dapitan, and made provision for the reservation of the site on which he lived and erected his school, as a public park. It is believed that this action will meet with the approval of the whole Philippine people and that further measures should be taken for the preservation of all places and monuments connected with his memory.

The subject of the expenditure of funds for such purpose is hereby designated as one of the subjects that may be taken up at the present special session of the Legislature.

Respectfully,

W. CAMERON FORBES,  
*Governor-General.*

*Ordered,* That the message be filed.

STATEMENT BY THE PRESIDENT.

Referring to announcement made by him on Tuesday, March 29, 1910, the President stated that the Commission would meet again on Tuesday, April 19, 1910, at 10 o'clock antemeridian.

ADJOURNMENT.

Thereupon, at 10 o'clock and 50 minutes postmeridian,  
On motion by Commissioner Elliott,  
The Commission adjourned.

Attest:

WM. H. DONOVAN, *Secretary.*

# Second Philippine Legislature, Special Session.

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## JOURNAL OF THE COMMISSION.

**BAGUIO, BENGUET, TUESDAY, APRIL 19, 1910.**

The Commission met pursuant to adjournment.

Present: Commissioners Gilbert, Worcester, Araneta, Palma, Branagan, Elliott, and the President.

Absent: Commissioners Luzuriaga and Sumulong (on leave).

### READING OF JOURNAL.

The Journal of Wednesday, April 18, 1910, was read and approved.

### MESSAGES FROM THE GOVERNOR-GENERAL.

*BAGUIO, April 19, 1910.*

#### *To the Philippine Legislature:*

In place of having an annual exposition of Philippine products managed by the Carnival Association, it is believed wise for the Government to undertake an annual exposition of Philippine products, and that a sum of money should be appropriated for this purpose. The money should be used for the expenses of bringing to Manila and exhibiting the products of the Islands, for paying prizes, and for purchasing the most important things.

It is recommended that an amount of twenty-five thousand pesos be appropriated for such expenses, and an additional amount of twenty-five thousand pesos from permanent improvements for the construction of buildings and other expenses that can properly come under the title of permanent improvements.

This subject is hereby designated as one of the subjects which may be considered at the present special session of the Legislature.

Respectfully,

**W. CAMERON FORBES,**  
*Governor-General.*

*Ordered*, That the message be spread upon the Journal.

BAGUIO, April 18, 1910.

*To the Philippine Legislature:*

In the exercise of the power vested in me by Congress, as Chief Executive of the Philippine Islands, I had occasion, on or about the 19th of last August, to cause the deportation of certain Chinamen whose antecedents, character, and conduct were such that said Chinamen were recognized as being undesirable, troublesome, and dangerous even by the Chinese Chamber of Commerce, to such an extreme that the deportation of the aforesaid Chinamen was then urgently requested by the representative of His Imperial Chinese Majesty, the Emperor of China, namely the Chinese consul-general resident in Manila. After careful investigation I found that the allegations were reasonable and that the presence of the said persons of Chinese nationality in the Philippines was not only liable to result in serious harm to the Chinese colony, but that it might, and as the investigation showed, did constitute a serious menace to public order and to the well-being of the whole community over which I, as Chief Executive, am called to watch.

Although I have no doubt as to my power in the matter, I believe that whereas the Legislature is in session and the matter is of certain importance, it would be good policy to submit it to both Houses of the Legislature in order to give them thus ample opportunity to express their opinion and sanction the proceeding with regard to the exercise of this power if such is their desire.

I therefore designate the deportation of such Chinese and the power to deport them, in this case and in others, as one of the subjects which may be considered at the present special session of the Legislature.

Respectfully,

W. CAMERON FORBES,  
*Governor-General.*

*Ordered*, That the message be spread upon the Journal.

MESSAGES FROM THE ASSEMBLY.

BAGUIO, April 19, 1910.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly insists upon its amendment to Commission Bill No. 5, entitled "An Act to provide for the creation of a commissioned and enlisted service within the Bureau of Navigation, the creation of a pension fund in connection therewith, and for the punishment of offenses against good order and discipline within such service," disagreed to by the Commission, and agrees to the conference asked by the Commission on the disagreeing votes

of the two Houses thereon, and has appointed as managers at the same on its part Delegates Ledesma and Manikan.

Very respectfully,

GREGORIO NIEVA,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

*Ordered,* That the message be referred to the committee of conference on the bill for their information.

BAGUIO, *April 19, 1910.*

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on April 19, 1910, passed without amendment Commission Bill No. 9, entitled "An Act providing for filing, with the division of archives, patents, copyrights, and trade-marks of the Executive Bureau, of the first deed of mortgage, trust, or guaranty, dated the nineteenth day of May, nineteen hundred and nine, executed by the Manila Railroad Company in favor of the Government of the Philippine Islands, and of the Farmers' Loan and Trust Company of New York, as trustees, creating upon the property mentioned in said instrument a lien from the date of its filing, modifying the provisions of Act Numbered Eighteen hundred and twelve, in regard to the lien of the mortgages filed heretofore, and exempting said instruments from the payment of stamp taxes, and the filing of the subordinating agreement."

Very respectfully,

GREGORIO NIEVA,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

*Ordered,* That Commission Bill No. 9 be enrolled and printed as an Act of the Legislature.

#### SECOND READING OF BILL.

Assembly Bill No. 63. An Act making appropriations for sundry expenses of the Insular Government for the fiscal year ending June thirtieth, nineteen hundred and eleven, and other designated periods.

The bill was read the second time and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following amendment:

Strike out all after the enacting clause and insert in lieu thereof the provisions of the bill prepared by the Commission in the Committee of the Whole when informally considering the estimates for appropriations for sundry expenses of the Insular Government for the fiscal year ending June 30, 1911.

By unanimous consent, the President directed that in view of the length of the amendment and the fact that the same is certified in full at the end of Assembly Bill No. 63, which is filed with the legislative records, it be not entered on the Journal, Rule XV, Rules of the Commission, to the contrary notwithstanding.

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Gilbert, unanimously carried, the bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 63 was unanimously passed, as amended, and the title was read and approved.

The Secretary was directed to request the concurrence of the Assembly in the amendment.

On motion by Commissioner Gilbert, seconded by Commissioner Araneta, it was unanimously,

*Resolved*, That request for conference be sent to the Assembly with the request for concurrence in the amendment.

*Ordered*, That Commissioners Gilbert, Worcester, Elliott, Araneta, and the President be the conferees on the part of the Commission, and that the Secretary notify the Assembly thereof.

#### REPORT OF CONFERENCE COMMITTEE.

##### CONFERENCE REPORT NO. 1.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Assembly to Commission Bill No. 5, entitled "An Act to provide for the creation of a commissioned and enlisted service within the Bureau of Navigation, the creation of a pension fund in connection therewith, and for the punishment of offenses against good order and discipline within such service," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

(1) That the Commission recede from its disagreement to the amendments of the Assembly to sections 3, 4, 7, and 11, and agree to the same.

(2) That the Assembly recede from its amendments to section 9, and agree to the section amended as follows, and that the Commission agree to the same.

Section 9, page 6, line 27, strike out the words "ten thousand" and insert in lieu thereof the words "five thousand;" and strike out the words "five years" and insert in lieu thereof the words "two years;" page 7, line

1, strike out the words "two thousand pesos" and insert in lieu thereof the words "one thousand pesos;" page 7, line 7, strike out the words "two thousand pesos" and insert in lieu thereof the words "one thousand pesos."

C. B. ELLIOTT,  
RAFAEL PALMA,

*Managers on the part of the Commission.*

C. LEDESMA,  
B. C. MANIKAN,

*Managers on the part of the Assembly.*

By unanimous consent, the Commission proceeded to consider the above report of the committee of conference.

On motion by Commissioner Worcester, it was

*Resolved*, That the Commission agree to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Assembly to Commission Bill No. 5, entitled "An Act to provide for the creation of a commissioned and enlisted service within the Bureau of Navigation, the creation of a pension fund in connection therewith, and for the punishment of offenses against good order and discipline within such service."

*Ordered*, That the Secretary notify the Assembly thereof.

RECESS.

At 12 o'clock postmeridian,

On motion by Commissioner Gilbert,

The President declared the Commission at recess until 1 o'clock and 30 minutes postmeridian.

RECONVENED.

At 1 o'clock and 30 minutes postmeridian,

The Commission reconvened.

The President in the chair.

MESSAGES FROM THE GOVERNOR-GENERAL.

BAGUIO, April 19, 1910.

*To the Philippine Legislature:*

On the 19th of June, 1911, will be the fiftieth anniversary of the birth of Rizal. It is believed proper that the Philippine people should observe that day in some suitable manner.

The question as to the proper manner of observing this occasion is deemed



to be a fitting subject for consideration by the present special session of the Legislature, and is hereby designated as such.

Respectfully,

W. CAMERON FORBES,  
*Governor-General.*

*Ordered,* That the message be spread upon the Journal.

BAGUIO, April 19, 1910.

*To the Philippine Legislature:*

Having received information that an early registration of some of the parcels of land on the so-called "burnt area" in Cebu is desired, and believing as I do that the registration of land is one of the most important things in the Philippine Islands which can be brought about, I especially designate the subject of amending Act No. 1393, creating the committee charged with the administration of the "burnt area," in such manner as to expedite the registration of titles and to facilitate the conduct of its business in other ways, as one of the subjects which may be considered at the present special session of the Legislature, and recommend that such change be made.

Respectfully,

W. CAMERON FORBES,  
*Governor-General.*

*Ordered,* That the message be spread upon the Journal.

INFORMAL CONSIDERATION OF THE PROPOSED LAW ON THE USE  
OF PUBLIC WATERS.

By unanimous consent, the Commission resolved itself into the Committee of the Whole for the purpose of resuming informal consideration of the proposed law on the use of public waters, entitled "An Act to provide a system for the regulation, control, distribution, use, and right of use of public waters, and for the determination of existing rights thereto within the Philippine Islands, and to provide for surveys for and the construction, maintenance, and operation of irrigation projects by the Government of the Philippine Islands, and for the repayment of money expended therein, and providing penalties for its violation."

After some time spent therein, the committee rose, reported completion of the informal consideration of the measure, and recommended that the Secretary be directed to write the bill as tentatively agreed to in the Committee of the Whole, and hold the same on file for further consideration.

The report and recommendation of the Committee of the Whole

were adopted by unanimous vote and the President instructed the Secretary accordingly.

MESSAGES FROM THE ASSEMBLY.

BAGUIO, April 19, 1910.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on April 18, 1910, passed the following bill (A. B. No. 51), in which it requests the concurrence of the Commission: An Act to provide a system for the regulation, control, distribution, use, and right of use of public waters and for the determination of existing rights thereto within the Philippine Islands, and to provide for surveys for and the construction, maintenance, and operation of irrigation projects by the Government of the Philippine Islands, and for the repayment of money expended therein, and providing penalties for its violation.

Very respectfully,

GREGORIO NIEVA,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The bill was read the first and second times and referred to the Committee of the Whole.

It was considered in committee, and reported to the Commission with the recommendation that it pass with the following amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"SECTION 1. Subject to existing rights, all public waters within the Philippine Islands may be appropriated for beneficial use, in the manner provided in this Act, and not otherwise: *Provided, however,* That the owner of land shall have the right to the reasonable use of the water percolating therein for the benefit and enjoyment of his land without conforming to the provisions of this Act.

"SEC. 2. Priority of appropriation shall give the better right as between those using water for the same purpose. In determining such priority the abandonment of the use for a period of five years shall extinguish any claim of priority. When the waters of any source of supply are not sufficient for the service of all those desiring the use of the same, the order of priorities shall be as follows:

- "(a) Domestic purposes;
  - "(b) Agricultural purposes or power development for agricultural purposes;
  - "(c) Mining purposes or milling connected with mining purposes;
  - "(d) Manufacturing purposes;
  - "(e) Ponds for fisheries.
- "Any controversy as to the relative rights of persons claiming right to

use of water for different purposes on streams designated in section three shall be submitted to the Secretary of Commerce and Police, and his decision thereon shall be final unless appeal therefrom be taken to the proper court within twenty days thereafter.

"SEC. 3. The Director of Public Works shall as soon as practicable prepare for such streams in the Philippine Islands as may be designated by the Secretary of Commerce and Police a list of the appropriations of water according to priority, and, in order to make such list he shall cause a public notice to all claimants of water rights upon such streams to be posted at the usual places for posting public notices in each municipality affected and at such other places as he may deem advisable. Such notice shall contain a statement of the information that is desired, the date before which all claims to be considered must be received, which date shall be at least six months after such notice, the condition under which such claims must be made and any further facts that may be deemed necessary and he shall inclose to each person known to have a claim to the waters of such streams a blank form on which said claimant shall present in writing all the particulars showing the amounts and dates of appropriations to the use of water of said stream to which he lays claim; the said statement to include the following information; if practicable:

"(a) The name and address of the claimant.

"(b) The nature of the use or title on which the claim for an appropriation is based.

"(c) The time of the commencement of such use, and if distributing works are required.

"(d) The date of beginning of survey.

"(e) The date of beginning of construction.

"(f) The date when completed.

"(g) The date of beginning and completion of enlargements.

"(h) The dimensions of the ditch as originally constructed and as enlarged.

"(i) The date when the water was first used for irrigation or other beneficial purposes, and, if used for irrigation, the amount of land irrigated the first year.

"(j) The amount in subsequent years, with the date of irrigation, and the amount of land such ditch is capable of irrigating.

"(k) The character of the soil and the kind of crops cultivated.

"(l) Such other facts as will show compliance with the law in acquiring the appropriation and the rank of the priority claimed.

"SEC. 4. Each of said claimants shall be required to certify to his statements under oath, and any officer authorized to administer oaths is hereby authorized to administer such oaths: *Provided, however*, That there shall be no charges for such oaths when administered by an officer of the Insular, provincial, or municipal governments authorized to administer oaths.

"SEC. 5. The blank form provided for in section three shall be forwarded to each known claimant accompanied by a notice that the information therein called for is required within thirty days from the receipt of the

said notice. The failure of any claimant to make such sworn statement within six months after notice shall, upon the complaint of the Director of Public Works, work a forfeiture of the claim: *Provided, however,* That in case any claimant is prevented from making such sworn statement for sufficient cause in the judgment of the Secretary of Commerce and Police, the Secretary of Commerce and Police shall have power to extend such time limit in his discretion.

"SEC. 6. It shall be the duty of the Director of Public Works as soon as practicable, to make an examination of such stream and the works diverting therefrom, said examination to include the measurements of the discharge of said stream, and of the carrying capacity of the various ditches and canals diverting water therefrom, an examination of the irrigated lands, and an approximate measurement of the lands irrigated and susceptible of irrigation from the various ditches and canals, which said observations and measurements shall be reduced to writing and made a matter of official record in his office; and it shall be the duty of the Director of Public Works to make a map or plat showing, with substantial accuracy, the course of said stream, the location of each ditch or canal diverting water therefrom, and the legal subdivisions of lands which have been irrigated or which are susceptible of irrigation from the ditches and canals already constructed: *Provided, however,* That it shall be the duty of the Director of Lands to supply the cadastral survey required by this section at the expense of the Bureau of Public Works.

"SEC. 7. As soon as practicable after the approval by the Secretary of Commerce and Police of the list of priorities of appropriation of the waters of any stream, it shall be the duty of the Director of Public Works to issue to each person represented in such list, a certificate signed by the Secretary of Commerce and Police setting forth: (a) The name and post-office address of the appropriator; (b) the priority number of such appropriation; (c) the amount of water appropriated; (d) the amount of prior appropriations; (e) and if such appropriations be for irrigation, a description of the legal subdivisions of the lands to which said water is to be applied. Such certificate shall be transmitted by the Director of Public Works, by registered mail, to the register of deeds of the province in which such appropriation shall have been made, and on the same date a notice of such transmittal shall be forwarded by the Director of Public Works to the appropriator, and it shall be the duty of the register of deeds, upon receipt of the recording fee, which fee shall be three pesos and be paid by the person to whom the certificate is issued, to record the same in a book specially prepared and kept for that purpose, and thereupon immediately transmit the same to the respective appropriators. If the water is to be wholly or partially used in another province than that in which the point of diversion is, the Director of Public Works shall forward a copy of such certificate by registered mail to the register of deeds of the province in which the water is to be used, and the register of deeds shall, upon receipt of the recording fee, which shall be three pesos and paid by the person to whom the certificate is issued, record and transmit

the certificate in the manner above mentioned: *Provided, however,* That if such recording fee shall not be paid within one year and a day after receipt of such notice from the Director of Public Works, the claimant shall lose all right to the priority of appropriation as recognized herein.

"SEC. 8. The Director of Public Works, in the discharge of his duties, in determining the priority of application, may examine witnesses under oath, and for this purpose may administer oaths to witnesses and take affidavits. In making examination of witnesses the Director of Public Works shall not be obliged to observe the technical rules of evidence. Any person who shall testify falsely or make any false affidavit or oath before the Director of Public Works shall be guilty of perjury, and, upon conviction thereof in a court of competent jurisdiction, shall be punished as provided by law.

"SEC. 9. The said Director of Public Works, for the purposes of this Act, may issue subpoenas and subpoenas duces tecum for witnesses in any matter of inquiry pending before him, and require the production of all books, papers, tariffs, contracts, agreements, and documents which he may legally demand. Such process shall be issued under the seal of the Director of Public Works and shall be executed and returned by any officer authorized by law to serve the process of courts of First Instance, and under like penalty of law for failure to execute or return the process of such courts.

"SEC. 10. In case of disobedience to a subpoena, the Director of Public Works may invoke the aid of any court of the Philippine Islands in requiring the attendance and testimony of witnesses and the production of books, papers, and documents under the provisions of this Act; and any court of First Instance of the Philippine Islands within the jurisdiction of which such inquiry is carried on may, in case of contumacy or refusal to obey a subpoena issued to any person in accordance with the provisions of this Act, issue an order requiring such person to appear before the Director of Public Works and produce books and papers if so ordered and give evidence touching the matter in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof.

"SEC. 11. Upon the application of said Director of Public Works to any court of record, or to any judge thereof, a subpoena may be issued directing any person in the Philippine Islands to appear as a witness before said Director of Public Works and to produce for the inspection of the Director of Public Works, any books, papers, documents, letters, or other records or things in his possession subject to the proviso contained in section nine hereof. Any witness failing to obey such subpoena shall be liable to punishment by the Supreme Court or the Court of First Instance, as the case may be, in the same manner and to the same extent as if he had disobeyed a subpoena issued out of the Supreme Court or the Court of First Instance in a matter pending before either of said courts.

"SEC. 12. Witnesses appearing before said Director of Public Works in obedience to a subpoena or subpoena duces tecum shall be entitled to receive

the same fees and mileage allowance as witnesses attending courts of First Instance in civil cases; witnesses summoned on behalf of the Director of Public Works shall be paid by the Insular Government under regulations prescribed by the Insular Auditor.

"SEC. 13. The said Director of Public Works may also order testimony to be taken by deposition in any proceeding or investigation. Such depositions may be taken in the manner provided by the Code of Civil Procedure.

"SEC. 14. Any person who may feel aggrieved by the determination of the Director of Public Works as approved by the Secretary of Commerce and Police, may bring an action in the Court of First Instance of the province in which his property is situated to have his rights determined. Such action must be brought within ninety days after the record of such list of priorities of appropriation has been recorded. Such action shall be tried as speedily as possible, and the court is hereby authorized to employ a hydraulic engineer or other expert to examine and make report under oath upon any subject-matter in controversy, the cost of such employment to be equitably apportioned by the court and charged against the parties to the suit as costs.

"SEC. 15. The Director of Public Works shall make apportionment of the waters of such stream according to the list of priorities recorded as aforesaid, unless such list be corrected by the judgment of some court having jurisdiction of the subject-matter. He shall measure and divide among the appropriators the water according to the priority of right, and the amount to which each is entitled and he shall make such rules and regulations as he may deem advisable for the equitable and economical administration of the apportionment and use of the water. The cost of making such apportionment shall be a lien upon the land of the water users and ditch owners in accordance with the distribution thereof as shown by the accounts of the Director of Public Works and shall be collected in the manner provided by law for the collection of taxes. The accounts of the Director of Public Works shall in all cases specify the distribution of the amounts charged based upon the quantity of water received by each water user and by each ditch owner in proportion to the total quantity delivered to all, and shall show the charges to be allotted to each water user and to each ditch owner.

"SEC. 16. Any person desiring to appropriate any public water shall, before performing any work in connection with such appropriation, make an application to the Secretary of Commerce and Police through the Director of Public Works for permission to make such appropriation, said application to set forth: (a) Name and post-office address of the applicant; (b) source from which said appropriation shall be made; (c) amount thereof; (d) location of proposed works in connection therewith; (e) the purpose for which the appropriation is desired; (f) if for irrigation, a description of the land to be irrigated and the area thereof, and any additional facts required by the Secretary of Commerce and Police. On receipt of this application which shall be in a form prescribed by the Secretary of Commerce and Police, and to be furnished by the Director

of Public Works without cost to the applicant, it shall be the duty of the Director of Public Works to make a record thereof in his office, and to carefully examine the same to ascertain whether it sets forth all facts necessary to determine the nature and amount of the proposed appropriation. If the application be defective it shall be the duty of the Director of Public Works to return the same to the applicant for correction, and sixty days after receipt thereof by said applicant shall be allowed for the refileing thereof. If refiled, corrected in proper form within such time, the application shall, upon being accepted, take priority as of date of original filing subject to compliance with the further provisions of the law and the regulations thereunder. If not corrected as required, no further proceedings shall be had upon such application.

"SEC. 17. When such application is filed in compliance with this Act, the Director of Public Works shall, within thirty days, at the expense of the applicant, publish or cause to be published in both the English and Spanish languages, and in the local dialect when advisable, in some newspaper having a general circulation in the district in which the water system in which said appropriation is to be made is situated, a notice of the application showing: (a) Name of applicant; (b) quantity of water sought to be appropriated; (c) stream from which the appropriation is to be made; (d) point on the stream from which the appropriation is to be made; (e) use for which the water is appropriated; (f) proposed method of appropriation; which notice shall be published once a week for four weeks, and shall contain a statement that any person interested may at any time within thirty days after completion of the publication of said notice, file with the Director of Public Works a written protest against the granting of said application, stating the reason therefor. Such notice in English, Spanish, and the local dialect, shall also be posted at the usual places for posting public notices in each municipality affected by said water system. Any written protest filed in accordance with this section shall be duly considered by the Director of Public Works, who shall report thereon to the Secretary of Commerce and Police. The Secretary of Commerce and Police may, in his discretion, hear evidence in support of or against such application, and shall take such action thereon as he may deem proper and just.

"SEC. 18. If there is no unappropriated water in the source of supply, the Secretary of Commerce and Police, through the Director of Public Works, shall refuse such appropriation, indorse his refusal on the application, make a record of his refusal and indorsement in his office, and return the application so indorsed to the applicant, who shall not prosecute the work under his application so long as such refusal shall be in force under penalty of being deemed guilty of and punished for a misdemeanor. If the source of supply be a navigable stream, which fact shall be determined by the Secretary of Commerce and Police, the application must be referred to the Director of Public Works, who shall return the application with his recommendation thereon. If there is unappropriated water in the source of supply named and the appropriation is not detrimental

to the public welfare, the Secretary of Commerce and Police, through the Director of Public Works, shall approve the application and set a date prior to which work of diversion and appropriation must be begun and a date prior to which such work must be completed, indorse such approval upon the application, make a record of such approval and indorsement in his office, and return the application so indorsed to the applicant, who shall, on receipt thereof, be authorized to take such measures as may be necessary to perfect such appropriations: *Provided, however,* That the Secretary of Commerce and Police, through the Director of Public Works, may approve an application for a less amount of water than that named in the application.

“SEC. 19. Upon satisfactory proof that any application to appropriate water has been perfected in accordance with the provisions of this Act, the Secretary of Commerce and Police, through the Director of Public Works, shall issue to the applicant a certificate setting forth the name of the appropriator, date, source, purpose and amount of the appropriation, and if for irrigation a description of the land to be irrigated, which certificate shall within one year and a day after its issuance be recorded in the province in which the point of diversion of the appropriation is, as well as in the province where the water is used, in the same manner as is provided in section seven for the registration of certificates of appropriation. The priority of such new appropriation shall date from the filing of the application in the office of the Director of Public Works.

“SEC. 20. After the approval of an application the applicant shall submit in duplicate to the Director of Public Works, for approval, the plans and specifications for the works necessary for the use of the water granted by the said approval. No work shall be begun by the applicant until the plans for the same have been approved, and no work shall be done at any time except in accordance with the approved plans. The Director of Public Works shall have authority to examine and inspect such works during construction, and to order the parties constructing such works to make any changes or additions which he may consider necessary for the security of the work, or the safeguarding of life or property. No water shall be turned into such works until the approval of the same by the Director of Public Works has been secured. Any failure to conform to the requirements laid down in this section shall be punishable as a misdemeanor upon the complaint of the Director of Public Works.

“SEC. 21. Should any person residing on or owning land in the neighborhood of any irrigation works apply to the Director of Public Works in writing desiring an inspection of such works, after completion, the Director of Public Works may order an inspection thereof. Before doing so he may require the applicant for such inspection to make a deposit of a sum of money sufficient to pay the expense of an inspection, and in case the application appears to him not to have been justified he may cause the whole or part of such expense to be paid out of such deposit. If the application appears to the Director of Public Works to have been justified,



he may require the owner or owners of the works to pay the whole or any part of the expenses of the inspection.

"SEC. 22. The use of works for the storage, diversion, or carriage of water, at any time after an inspection thereof by the Director of Public Works, and receipt of notice from him that the same are dangerous or prejudicial to the interests of other persons, until the receipt of a notice from him that in his opinion they have been made safe, shall be a misdemeanor, and it shall be the duty of the Director of Public Works to give prompt notice to the fiscal of the province in which such works are located in the event of such violation. The provincial fiscal shall at once proceed against the owner and all parties responsible therefor.

"If such works are deemed a menace to life or property, any person interested may call on the proper police authorities to take the necessary steps to remove the danger.

"SEC. 23. If an appropriation applied for in accordance with section sixteen shall be for the purpose of developing power, the application shall state, in addition to the information required by said section, (a) the amount of power it is proposed to develop, (b) the probable amount of power available at mean low water in the stream from which the water is to be taken between the points of diversion and restoration.

"SEC. 24. Appropriations for power purposes shall be divided into two classes, which shall be known as small developments and large developments. Any appropriation for the development of less than one hundred horsepower shall be classed as a small development. Any appropriation for the development of one hundred horsepower or over shall be classed as a large development.

"SEC. 25. The applicant for an appropriation for the purpose of developing power, in the case of a small development, shall be allowed one year from the date of approval of such application by the Secretary of Commerce and Police in which to complete surveys and designs and to begin actual construction, and such projects must be completed and ready for operation within four years from the date of said approval. In the case of a large development the applicant shall be allowed two years from the date of the approval of the application in which to complete surveys and designs and to begin actual construction, and such projects shall be completed and ready for operation within five years from the date of such approval: *Provided, however,* That the Secretary of Commerce and Police may, for good cause shown, extend the time for the completion of such projects for such period as he may deem just and equitable.

"SEC. 26. If the appropriator shall fail to complete the surveys and plans, or to complete the installation of the plant ready for operation as specified in section twenty-five, the appropriation shall become null and void: *Provided, however,* That in case such delay is caused by *force majeure*, the Secretary of Commerce and Police may extend the time for completion as he may deem just and equitable.

"SEC. 27. The appropriator of water for power purposes for a small

development shall pay to the Government of the Philippine Islands a rental of twenty-five centavos Philippine currency per horsepower per year for the first ten years, beginning on the first day of January after the plant is ready for operation; and thereafter the rental shall become one peso Philippine currency per horsepower per year. The appropriator of water for power purposes for a large development shall pay to the Government of the Philippine Islands a rental of fifty centavos Philippine currency per horsepower per year for the first ten years, beginning on the first day of January after the plant is ready for operation. At the end of the first ten years and of each ten-year period thereafter, the Secretary of Commerce and Police shall appoint a board to examine the records of operation of any power plant and to make recommendations to the Secretary of Commerce and Police as to the rental to be charged for the succeeding ten years. This board shall consist of three members: The Director of Public Works, who shall be chairman of the board, a representative of the appropriator, and a member to be selected by the other two members and approved by the Secretary of Commerce and Police, and in the event of failure by said two members to select the third member within a period of ten days, such third member shall be selected by the Governor-General. Upon the receipt of said report, the Secretary of Commerce and Police shall determine the rate of rental which shall be charged for the succeeding ten years, and his decision shall be final: *Provided*, That in no case shall the rental rate be less than seventy-five centavos Philippine currency, nor more than two pesos Philippine currency per horsepower per year. The amount of power upon which rental shall be charged shall be determined as follows: The normal rated water capacity of the water wheels installed expressed in second liters shall be multiplied by the difference in level of water surveys in forebay and tailrace expressed in meters, and the product divided by one hundred, the quotient representing the developed horsepower on the basis of an efficiency of seventy-six per centum for the plant.

"SEC. 28. The rental herein specified shall be paid at the time and in the manner directed by the Secretary of Commerce and Police. If at any time payment shall not be made when the same shall have become due, said payment shall become a lien upon the right of use and all the works, lands, buildings and machinery of all kinds which constitute the property appurtenant thereto, which lien shall be enforced in the manner prescribed in section thirty-three hereof.

"SEC. 29. If the Secretary of Commerce and Police determines that any irrigation canal is suitable for the development of water power he may authorize the construction and operation thereon of a power plant by the Government or by any individual or corporation upon such terms and conditions as he may prescribe.

"SEC. 30. Upon request of any provincial board, municipal council, or group of inhabitants in a locality interested and upon determination by the Secretary of Commerce and Police that the Government construction of any irrigation project is advisable, the said Secretary of Commerce and

Police shall give public notice of (a) the lands irrigable under such project; (b) the estimated approximate annual charge per hectare to cover the cost of construction; (c) and also a statement that objections to the construction of said project may be filed with the Governor-General within sixty days after the completion of the publication.

"At the time of the commencement of the publication of said notice there shall be filed in the office of the municipal secretary of each municipality interested a map showing the lands to be affected by the proposed irrigation project, and such map shall be subject to inspection at any time by interested parties.

"SEC. 31. The Secretary of Commerce and Police shall publish or cause to be published in both the English and Spanish languages and in the local dialect, when advisable, in some newspaper having a general circulation in the district in which the project is situated, the public notice provided in section thirty hereof, which notice shall be published once a week for four weeks. Such notice in English, Spanish, and the local dialect shall also be posted at the usual places for posting public notices in each municipality affected by said project. The owner of any land included as "irrigable" in the public notice shall be allowed sixty days after completion of the publication of said notice in which to file with the Governor-General objections to the construction of such project, to the inclusion of his land, or to the estimated approximate charge or charges. The Governor-General shall refer such objections to the provincial board of the Province in which such land is situated to report to him on the reasonableness of such objections. After consideration of all objections filed, the Governor-General shall decide whether or not the project shall be constructed, and what changes, if any, shall be made in the conditions as stated in the public notice. The decision of the Governor-General shall be final: *Provided, however,* That no project shall be constructed if the owners of one-half of the irrigable land under such project object to its construction within the sixty-day period specified above.

"SEC. 32. After the decision by the Governor-General that a project shall be constructed, the Secretary of Commerce and Police shall authorize the construction thereof in accordance with the procedure provided by section six of Act Numbered Five hundred and eighty-four for the construction of public works.

"SEC. 33. Upon the completion of the construction of any project, or sufficient part thereof, the Secretary of Commerce and Police shall issue a second public notice, which shall be posted and published in the same manner as provided in section thirty-one hereof. This notice shall announce (a) the lands irrigable under such project, or part thereof; (b) the charges which shall be made per hectare upon said lands: *Provided, however,* That such charges shall in no case be calculated on a basis to repay the cost of construction, with interest at four per centum per annum on the money invested, in less than twenty years; (c) the conditions of payment thereof; (d) the time at which such payment shall commence. The construction charge which shall be included shall be such as

will repay the actual cost of construction of the project with interest at four per centum. If an installment payable on a parcel of land shall remain unpaid at the date specified in the second public notice, the same shall become a lien against said land. Such lien shall have preference over all other liens, except that for taxes on the land and any mortgage lien in favor of the Philippine Agricultural Bank, and such preferred lien shall not be removed until all charges are paid or the property is sold for payment thereof. Within one year after default in payment of an installment payable on any parcel of land, the Director of Lands shall file with the clerk of the Court of First Instance of the district in which the land is situated a list of all lands upon which default has been made. The clerk of the court shall thereupon publish in the manner provided for the publication of a summons in a civil action a list of the land so filed by the Director of Lands, accompanied by a notice requiring the owners to file an answer thereto within thirty days after completion of the publication. Upon the filing of an answer by any person interested the action in respect to such person shall proceed to judgment as provided for other actions by the Code of Civil Procedure. Upon termination of such thirty days, judgment shall be entered against such persons as have not answered and their land will be sold after ten days public notice at public auction by the sheriff to satisfy such preferred lien. Any excess over the amount of such lien and the cost of this procedure shall be returned to the interested person, who shall have one year thereafter to redeem his land by payment of the amount of the judgment and costs with interest at ten per centum. Whenever by reason of shortage of water or other fortuitous event a failure of crops shall occur on lands included in any irrigation system, or any portion of the system, the Secretary of Commerce and Police may postpone that part of the annual charge corresponding to the cost of construction: *Provided, however,* That if such payment is so deferred the same shall not be added to the amount due for the ensuing year or years, but that such deferring of payment for any given year shall act to defer all payments for ensuing years in the same manner.

“SEC. 34. The irrigation works constructed under the provisions of sections thirty-one, thirty-two, and thirty-three of this Act shall be operated and maintained by the Government at the expense of the land owners: *Provided,* That when the payments for construction required by this Act are completed for all the irrigable lands included in any project, the operation and maintenance of such project may be delegated by the Secretary of Commerce and Police to the owners of the lands irrigated thereby for administration at their expense under such form of organization and under such rules and regulations as may be acceptable to him.

“SEC. 35. The Director of Public Works shall have supervision and direction of the investigations for and construction of irrigation systems by the Government of the Philippine Islands, and shall perform such duties as are prescribed herein. Upon the completion of the construction of any such system the Director of Public Works will certify the same to the

Secretary of Commerce and Police. The Secretary of Commerce and Police shall so notify the Director of Lands, who shall take charge of said system and administer it for the benefit of the landowners under regulations to be issued by the said Director with the approval of the Secretary of the Interior. Complaints arising among consumers of water derived from such system shall be settled by the Director of Lands, and the decisions of said Director shall be appealable to the Governor-General.

“Sec. 36. In aid of the construction, development, or maintenance of irrigation projects, the Government of the Philippine Islands may exercise the right of eminent domain and thus acquire for public use property not already appropriated to such use. Such property or rights may be acquired in the manner provided by law for the taking of private property for public use. Upon filing condemnation proceedings the Government shall have the right of immediate entry and occupation pending the determination by the court of the amount of compensation and damages.

“Any person may exercise the right of eminent domain when the project for which the right is invoked contemplates and provides for the supplying of water to all persons desiring and paying for the same: *Provided, however,* That the right of immediate entry and occupation pending the determination by the court of the amount of compensation and damages shall be granted only upon such person filing with the court an approved bond to pay such subsequently determined amount.

“Sec. 37. If any person shall construct works for the diversion and distribution of water to the public for irrigation purposes, the Secretary of Commerce and Police shall fix the rates to be charged by such person for such service after investigation and report by a board appointed as prescribed in section twenty-seven hereof, and the said rates shall be readjusted at the end of each ten-year period in the manner prescribed in the aforesaid section.

“Sec. 38. The Governor-General, for reasons of public policy, may from time to time by proclamation designate as non-alienable any water or waters in the Philippine Islands not previously appropriated, and thereafter the same shall be withdrawn from appropriation for any use whatsoever under this Act until again made subject to appropriation by a similar proclamation: *Provided, however,* That said proclamation shall not apply to the use of water for domestic purposes.

“In the case of artesian wells drilled for public purposes the use of any excess water over the amount necessary for domestic purposes may be granted for other purposes by the province or municipality, as the case may be, or in the case of Insular wells by the Director of Public Works, under such rules and regulations as may be approved by the Secretary of Commerce and Police.

“Sec. 39. The standard of measurement of flow of water shall be the liter per second of time; the standard of measurement of the volume of water shall be the hectare-meter, being the amount of water required to cover one hectare one meter in depth.

“Sec. 40. Water turned into any natural or artificial water course or

reservoir by any person entitled to the use of such water may be reclaimed below and diverted therefrom by such person, subject to existing rights, due allowance for losses being made as determined by the Director of Public Works.

"SEC. 41. When the person entitled to the use of water fails to beneficially use all or any part of the water claimed by him for a period of five years, such unused water shall revert to the public and shall be regarded as unappropriated water.

"SEC. 42. The right to use of water for irrigation purposes shall remain appurtenant to the land for which the said right of use is established. If however it should at any time become impracticable to use all or any part of said water beneficially or economically for the irrigation of any land to which the right of use of the same is appurtenant, all or any part of said right may be severed from the said land and simultaneously transferred, and become appurtenant to other land, without losing priority of right heretofore established: *Provided*, That no such transfer shall be made at any time to the detriment of existing rights. The appropriator desiring such transfer shall make application for the same through the Director of Public Works to the Secretary of Commerce and Police and notice of such application shall be published as provided in section seventeen hereof. If no detriment to existing rights shall appear, the Secretary of Commerce and Police shall approve said transfer, and certificate of same shall be issued and recorded in the manner provided in section nineteen hereof.

"SEC. 43. No appropriator of water shall at any time make use of the same for any other purpose than that for which it was appropriated, nor make any change in the place of diversion, storage, use, or restoration, nor in the works necessary for the use of the same, except upon the approval of the Secretary of Commerce and Police in the manner prescribed in section forty-two hereof: *Provided, however*, That no such change shall at any time be approved when the same shall act to the detriment of existing rights. In the event of the approval of changes in the works necessary for the use of water, such changes shall be made upon approved plans, and subject to the inspection of the Director of Public Works, as provided in section twenty hereof.

"SEC. 44. Whenever directed to do so by the Director of Public Works any ditch owner shall construct and maintain a substantial headgate at the point where the water is diverted, and shall construct a measuring device, all in accordance with designs approved by the Director of Public Works, at the most practicable point or points for measuring and apportioning the water as determined by the Director of Public Works. The Director of Public Works may order the construction of such headgate and measuring device by the ditch owner, and if not completed within sixty days thereafter he may refuse to deliver water to such owner. The taking of water by such ditch owner after such refusal by the Director of Public Works until the construction of such device and the approval thereof by the Director of Public Works shall be a misdemeanor. Such

devices shall be so arranged that they can be locked in place, and when locked by the proper authority, it shall be a misdemeanor for any unauthorized person to interfere with, disturb, or change the same, and the use of water through such device after having been interfered with, disturbed, or changed, shall be prima facie evidence of the guilt of the person benefited by such interference, disturbance, or change.

“SEC. 45. Any person interfering with or injuring or destroying any dam, headgate, weir, benchmark, or other appliance for the diversion, carriage, storage, apportionment, or measurement of water, or for any hydrographic or topographic surveys, or who shall interfere with any person engaged in the discharge of duties connected therewith, shall be guilty of a misdemeanor, and shall also be liable for the injury or damage resulting from such unlawful act. The Director of Lands, the Director of Public Works, or their representatives, shall have power to arrest any person offending against the provisions of this section, and deliver him to the nearest peace officer of the province. It shall be the duty of the person making the arrest to make complaint at once before a court having jurisdiction thereof. The Director of Lands or the Director of Public Works may enter upon private property for the performance of his duties, under this Act, doing no unnecessary injury thereto: *Provided, however,* That the owner of such private property shall be indemnified for any actual damage so caused by the Government.

“SEC. 46. The use of water by any person not legally entitled to the same, or the willful waste of water, including that from artesian wells, to the detriment of another or the public, shall be a misdemeanor.

“SEC. 47. Any person hereafter boring an artesian well shall keep a record of the same on a form provided by the Director of Public Works, and shall file such record with the Director of Public Works within thirty days after the completion of the well. The proprietor of an artesian well heretofore bored is hereby required to furnish the Director of Public Works such reasonable information connected therewith as he may desire.

“SEC. 48. All violations of the provisions of this Act, declared herein to be misdemeanors, shall be punished by a fine not exceeding one thousand pesos nor less than twenty pesos, or by imprisonment not exceeding six months, or by both such fine and imprisonment, and the Court of First Instance of the province in which such misdemeanor has been committed shall have jurisdiction thereof.

“SEC. 49. The Director of Public Works shall receive the following fees, to be collected in advance, and to be paid by him into the general irrigation appropriation, within a reasonable time:

“(a) For examining an application for permit to appropriate waters, five pesos.

“(b) For filing and recording certificates and other water right instruments, two pesos for the first one hundred words, and twenty centavos for each additional one hundred words and fraction thereof.

“(c) For making copy of any document recorded or filed in his office, twenty-five centavos for each one hundred words or fraction thereof.

“(d) For certifying to copies of documents, records, or maps, one peso for each certificate.

“(e) For blue-print copy of any map or drawing, two centavos per square decimeter or fraction thereof: *Provided*, That the minimum charge for any such copy shall be twenty centavos.

“(f) For the examination and inspection of plans and works, the actual cost of examination and inspection, plus ten per centum which shall include both salary and actual and necessary expenses.

“SEC. 50. The Secretary of Commerce and Police is hereby authorized to perform any and all acts, and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this Act into full force and effect.

“SEC. 51. Should there hereafter be created a Bureau of Irrigation, the Governor-General is hereby authorized to transfer to the Director of Irrigation any powers and duties by this Act granted to and imposed upon the Director of Public Works or Director of Lands.

“SEC. 52. Wherever required by the sense of the context the word ‘person’ in this Act shall be construed to mean person, association, or public or private corporation, the words ‘Director of Public Works’ shall be construed to mean the Director of Public Works or any authorized agent of the Director of Public Works, and the words ‘Director of Lands’ shall be construed to mean the Director of Lands or any authorized agent of the Director of Lands.”

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Elliott, unanimously carried, the bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 51 was unanimously passed, as amended.

Commissioner Elliott moved to amend the title to read as follows:

An Act to provide a system for the appropriation of public water and for the determination of existing rights thereto within the Philippine Islands, the creation and use of water power, to provide for surveys for and the construction, maintenance, and operation of irrigation projects by the Government of the Philippine Islands, for the repayment of money expended therein, for the construction of irrigation projects by private persons, and providing penalties for its violation, and for other purposes.

The motion prevailed.

The title, as amended, was read and approved.

The Secretary was directed to request the concurrence of the Assembly in the amendment.



On motion by Commissioner Elliott, seconded by Commissioner Araneta, it was unanimously

*Resolved*, That a request for conference be sent to the Assembly with the request for concurrence in the amendment.

*Ordered*, That Commissioners Elliott, Araneta, and Gilbert be the conferees on the part of the Commission and that the Secretary notify the Assembly thereof.

BAGUIO, April 19, 1910.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on April 19, 1910, passed the following bill (A. B. No. 67), in which it requests the concurrence of the Commission: An Act providing for the expense of the construction of a national park at Dapitan, and for other purposes.

Very respectfully,

GREGORIO NIEVA,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Assembly Bill No. 67 was read the first time.

Commissioner Gilbert moved that the bill be laid on the table.

The motion was seconded by Commissioner Worcester and, being put to a vote, was unanimously carried.

The Secretary was directed to notify the Assembly thereof.

BAGUIO, April 19, 1910.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has disagreed to the amendment of the Commission to Assembly Bill No. 64, entitled "An Act authorizing the appointment of certain high-school students as Government pupils while pursuing a course of training for teaching, and authorizing expenditure for such pupils from funds designated by section twenty-six of Act Numbered Seventeen hundred and sixty-one, as amended."

It asks a conference with the Commission on the disagreeing votes of the two Houses thereon, and has appointed as managers at the same on its part Delegates Singson, Sotto, and Kalaw.

Very respectfully,

GREGORIO NIEVA,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

On motion by Commissioner Gilbert, it was

*Resolved*, That the Commission insist on its amendment to Assembly Bill No. 64, entitled "An Act authorizing the appointment of certain high-school students as Government pupils while pur-

suing a course of training for teaching, and authorizing expenditure for such pupils from funds designated by section twenty-six of Act Numbered Seventeen hundred and sixty-one, as amended," disagreed to by the Assembly, and agree to the conference asked by the Assembly on the disagreeing votes of the two Houses thereon.

*Ordered*, That Commissioners Worcester, Araneta, and Branagan be the conferees on the part of the Commission, and that the Secretary notify the Assembly thereof.

BAGUIO, April 19, 1910.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has disagreed to the amendment of the Commission to Assembly Bill No. 65, entitled "An Act authorizing the creation of special classes of superior instruction for municipal teachers and appropriating the sum of one hundred thousand pesos for such purpose."

It asks a conference with the Commission on the disagreeing votes of the two Houses thereon, and has appointed as managers at the same on its part Delegates Singson, Sotto, and Kalaw.

Very respectfully,

GREGORIO NIEVA,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

On motion by Commissioner Gilbert, it was

*Resolved*, That the Commission insist on its amendment to Assembly Bill No. 65, entitled "An Act authorizing the creation of special classes of superior instruction for municipal teachers and appropriating the sum of one hundred thousand pesos for such purpose," disagreed to by the Assembly, and agree to the conference asked by the Assembly on the disagreeing votes of the two Houses thereon.

*Ordered*, That Commissioners Worcester, Araneta, and Branagan, be the conferees on the part of the Commission, and that the Secretary notify the Assembly thereof.

BAGUIO, April 19, 1910.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has disagreed to the amendment of the Commission to Assembly Bill No. 63, entitled "An Act making appropriations for sundry expenses of the Insular Government for the fiscal year ending June thirtieth, nineteen hundred and eleven, and other designated periods."

It agrees to the conference asked by the Commission on the disagreeing votes of the two Houses thereon, and has appointed as managers at the

same on its part Delegates Barretto, Singson, Concepción, Apacible, and Veyra.

Very respectfully,

GREGORIO NIEVA,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

*Ordered*, That the message be referred to the Commission conferees on the bill for their information.

BAGUIO, April 19, 1910.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has disagreed to the amendment of the Commission to Assembly Bill No. 51, entitled "An Act to provide a system for the regulation, control, distribution, use, and right of use of public waters and for the determination of existing rights thereto within the Philippine Islands, and to provide for surveys for and the construction, maintenance, and operation of irrigation projects by the Government of the Philippine Islands, and for repayment of money expended therein, and providing penalties for its violation."

It agrees to the conference asked by the Commission on the disagreeing votes of the two Houses thereon, and has appointed as managers at the same on its part Delegates Guanco, Reyes, and Valle.

Very respectfully,

GREGORIO NIEVA,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

*Ordered*, That the message be referred to the Commission conferees for their information.

#### INTRODUCTION AND PASSAGE OF BILL.

Commissioner Elliott introduced the following bill:

Commission Bill No. 10. An Act to provide for an Annual Philippine Exposition and appropriating funds therefor, and for other purposes.

By unanimous consent, Commission Bill No. 10 was read the first and second times.

On motion by Commissioner Gilbert, unanimously carried, the bill was considered urgent, under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Commission Bill No. 10 was unanimously passed and the title was read and approved.

The Secretary was directed to request the concurrence of the Assembly in the bill as passed.

## RECESS.

At 4 o'clock and 30 minutes postmeridian,

On motion by Commissioner Araneta,

The President declared the Commission at recess until 7 o'clock postmeridian, to give opportunity for the conference committees to meet on Assembly Bill No. 63, making appropriations for the current expenses of the Insular Government for the fiscal year ending June 30, 1911.

## RECONVENED.

At 7 o'clock postmeridian,

The Commission reconvened.

The President in the chair.

## MESSAGES FROM THE ASSEMBLY.

BAGUIO, *April 19, 1910.*

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on April 19, 1910, agreed to the amendment of the Commission to Assembly Bill No. 58, entitled "An Act permanently fixing the rate of taxation on real estate in the city of Manila at one and one-half per centum."

Very respectfully,

GREGORIO NIEVA,

*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

*Ordered,* That the message be filed.

BAGUIO, *April 19, 1910.*

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on April 19, 1910, agreed to the amendment of the Commission to Assembly Bill No. 59, entitled "An Act further extending the powers of provincial governments organized under Act Numbered Eighty-three, entitled 'The Provincial Government Act.'"

Very respectfully,

GREGORIO NIEVA,

*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

*Ordered,* That the message be filed.

BAGUIO, *April 19, 1910.*

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has agreed to the report of the committee of conference

on the disagreeing votes of the two Houses to the amendment of the Assembly to Commission Bill No. 5, entitled "An Act to provide for the creation of a commissioned and enlisted service within the Bureau of Navigation, the creation of a pension fund in connection therewith, and for the punishment of offenses against good order and discipline within such service."

Very respectfully,

GREGOBIO NIEVA,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

*Ordered*, That Commission Bill No. 5 be enrolled and printed as an Act of the Legislature.

BAGUIO, *April 19, 1910.*

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on April 19, 1910, passed the following bill (A. B. No. 68), in which it requests the concurrence of the Commission: An Act providing for the establishment of a sanitarium at Sibal, San Miguel de Mayumo, Province of Bulacan, and for other purposes.

Very respectfully,

GREGOBIO NIEVA,  
*Member and Acting Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Assembly Bill No. 68 was read the first and second times and referred to the Committee of the Whole.

It was considered in committee and reported with the recommendation that it pass.

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Palma, unanimously carried, the bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 68 was unanimously passed and the title was read and approved.

The Secretary was directed to notify the Assembly thereof.

RECESS.

At 8 o'clock postmeridian, on motion by Commissioner Elliott, The President declared the Commission at recess until 9 o'clock and 30 minutes postmeridian.

## RECONVENED.

At 9 o'clock and 30 minutes postmeridian,  
The Commission reconvened.  
The President in the chair.

## MESSAGE FROM THE GOVERNOR-GENERAL.

BAGUIO, April 19, 1910.

*To the Philippine Legislature:*

The subject of relief of delinquents in payment of land and cedula tax is one of the subjects which may be considered at the present special session of the Legislature.

Respectfully,

W. CAMERON FORBES,  
*Governor-General.*

*Ordered,* That the message be spread upon the Journal.

## MESSAGES FROM THE ASSEMBLY.

BAGUIO, April 19, 1910.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on April 19, 1910, passed the following bill (A. B. No. 69), in which it requests the concurrence of the Commission: An Act providing for the celebration of the fiftieth anniversary of the birth of Doctor José Rizal, and for other purposes.

Very respectfully,

GREGORIO NIEVA,  
*Member and Acting Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Assembly Bill No. 69 was read the first and second times.

On motion by Commissioner Worcester, unanimously carried, the bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 69 was unanimously passed and the title was read and approved.

The Secretary was directed to notify the Assembly thereof.

BAGUIO, April 19, 1910.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on April 19, 1910, passed the following bill (A. B. No. 70), in which it requests the concurrence of the Commission: An Act

amending Act Numbered Thirteen hundred and ninety-three, entitled "An Act providing for the widening of the streets and the adjustment of ownership of land located within certain specified limits in the municipality of Cebu, Province of Cebu," as amended.

Very respectfully,

GREGORIO NIEVA,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Assembly Bill No. 70 was read the first time.

Commissioner Gilbert moved that further consideration be postponed, until after consideration of the public works and permanent improvements bill.

The motion prevailed.

REPORTS OF CONFERENCE COMMITTEES.

CONFERENCE REPORT NO. 2.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Commission to Assembly Bill No. 64, entitled "An Act authorizing the appointment of certain high-school students as Government pupils while pursuing a course of training for teaching, and authorizing expenditure for such pupils from funds designated by section twenty-six of Act Numbered Seventeen hundred and sixty-one, as amended," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Assembly recede from its disagreement to the amendments of the Commission and agree to the same.

DEAN C. WORCESTER,  
GREGORIO ARANETA,  
FRANK A. BRANAGAN,  
*Managers on the part of the Commission.*  
VICENTE SINGSON,  
TEODORO M. KALAW,  
*Managers on the part of the Assembly.*

BAGUIO, April 19, 1910.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has agreed to the report of the committee of conference on the disagreeing votes of the two Houses to the amendment of the Commission to Assembly Bill No. 64, entitled "An Act authorizing the appointment of certain high-school students as Government pupils while pursuing a course of training for teaching, and authorizing expenditure

for such pupils from funds designated by section twenty-six of Act Numbered Seventeen hundred and sixty-one, as amended."

Very respectfully,

GREGORIO NIEVA,

*Member and Acting Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

On motion by Commissioner Gilbert, it was

*Resolved*, That the Commission agree to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Commission to Assembly Bill No. 64, entitled "An Act authorizing the appointment of certain high-school students as Government pupils while pursuing a course of training for teaching, and authorizing expenditure for such pupils from funds designated by section twenty-six of Act Numbered Seventeen hundred and sixty-one, as amended."

*Ordered*, That the Secretary notify the Assembly thereof.

CONFERENCE REPORT NO. 3.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Commission to Assembly Bill No. 65, entitled "An Act authorizing the creation of special classes of superior instruction for municipal teachers and appropriating the sum of one hundred thousand pesos for such purpose," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Assembly recede from its disagreement to the amendments of the Commission and agree to the same;

That the title be amended to read as follows: "An Act authorizing the creation of special classes of superior instruction for municipal or Insular teachers and appropriating the sum of fifty thousand pesos for such purpose."

DEAN C. WORCESTER,

GREGORIO ARANETA,

FRANK A. BRANAGAN,

*Managers on the part of the Commission.*

VICENTE SINGSON,

TEODORO M. KALAW,

*Managers on the part of the Assembly.*

BAGUIO, April 19, 1910.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has agreed to the report of the committee of conference on the disagreeing votes of the two Houses to the amendment of the



Commission to Assembly Bill No. 65, entitled "An Act authorizing the creation of special classes of superior instruction for municipal teachers and appropriating the sum of one hundred thousand pesos for such purpose."

Very respectfully,

GREGORIO NIEVA,  
*Member, and Acting Secretary,*  
*Philippine Assembly.*

To the Honorable,  
 the PRESIDENT OF THE PHILIPPINE COMMISSION.

On motion by Commissioner Gilbert, it was

*Resolved*, That the Commission agree to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Commission to Assembly Bill No. 65, entitled "An Act authorizing the creation of special classes of superior instruction for municipal teachers and appropriating the sum of one hundred thousand pesos for such purpose."

*Ordered*, That the Secretary notify the Assembly thereof.

MESSAGES FROM THE ASSEMBLY.

BAGUIO, *April 19, 1910.*

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on April 19, 1910, passed the following bill (A. B. No. 57), in which it requests the concurrence of the Commission: An Act appropriating funds for sundry expenses of the University of the Philippines during the fiscal year ending June thirtieth, nineteen hundred and eleven, and for other purposes.

Very respectfully,

GREGORIO NIEVA,  
*Secretary, Philippine Assembly.*

To the Honorable,  
 the PRESIDENT OF THE PHILIPPINE COMMISSION.

Assembly Bill No. 57 was read the first time and referred to the Committee on Matters Pertaining to the Department of Public Instruction, for report and recommendation.

BAGUIO, *April 19, 1910.*

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on April 19, 1910, passed the following bill (A. B. No. 71), in which it requests the concurrence of the Commission: An Act appropriating funds for public works and permanent improvements, and for other purposes.

Very respectfully,

GREGORIO NIEVA,  
*Secretary, Philippine Assembly.*

To the Honorable,  
 the PRESIDENT OF THE PHILIPPINE COMMISSION.

Assembly Bill No. 71 was read the first and second times and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"SECTION 1. The following sums, or so much thereof as may be necessary, are hereby appropriated out of any funds in the Insular Treasury not otherwise appropriated, for the following-named public works and permanent improvements, and for other purposes of the Insular Government.

"BUREAU OF PUBLIC WORKS.

"For the construction, improvement, and, where necessary, maintenance of roads and bridges in those provinces which shall accept the provisions of Act Numbered Sixteen hundred and fifty-two, and which shall by resolution of the provincial board guarantee, by continuing annual appropriations the establishment of such conservation system as may be necessary in the judgment of the Director of Public Works on all first-class roads now or hereafter constructed and declared to be such by the Director of Public Works, including the construction, improvement, and maintenance of roads and bridges in the Provinces of Mindoro, Palawan, and Batanes, to be allotted in the discretion of the Secretary of Commerce and Police, one million five hundred thousand pesos, five hundred thousand pesos of which shall be a continuing annual appropriation: *Provided*, That in case in any year in the judgment of the Governor-General, the revenues will not be sufficient to justify the expenditure of this amount for such purposes, he shall have power to reduce the same.

"For the drilling of artesian wells and to obtain water by other means, including the cost of new equipment and pumping plants when necessary, to be allotted in the discretion of the Secretary of Commerce and Police, two hundred and seventy-five thousand pesos.

"For works for the control of rivers and for reclaiming waste lands, and for the necessary engineering investigations preliminary thereto, to be allotted in the discretion of the Secretary of Commerce and Police, seventy-five thousand pesos: *Provided*, That such allotments may be made reimbursable in the discretion of the Secretary of Commerce and Police.

"For surveys and investigations made prior to appropriation or allotment, the sum of one hundred thousand pesos, to be reimbursable if project is developed and appropriation or allotment made.

"For the construction of a contagious disease ward at the San Lazaro Hospital in Manila, forty thousand pesos.

"For the construction of an addition to the Ayuntamiento building, twenty thousand six hundred and thirty pesos.

"For the construction of an immigration station (custom-house), eleven thousand five hundred pesos.

“For the construction of a residence for the physicians and nurses employed at the San Lazaro Hospital, twenty thousand pesos.

“BUREAU OF PRISONS.

“Funds of the industrial division of the Bureau of Prisons may be used, upon approval of the Governor-General, for the extension of the shop used by such division within Bilibid Prison.

“For placing new reinforced-concrete roofs on three cell houses, four thousand five hundred pesos.

“For rearranging window sash, repairing roofs, replacing of wooden partitions with cement or expanded metal, surface drains from down spouts, painting interior of hospital with enamel paint, cutting doors, remodeling kitchen, placing limestone screenings over roads and walks, roofing over veranda, wire-netting partitions, medicine closets, installing food elevator, and incidentals, ten thousand pesos.

“For the completion of the installation of the sewer system, five thousand pesos.

“BUREAU OF NAVIGATION.

“To improve ports and dredge navigable rivers and canals, and for the purposes provided in Act Numbered Thirteen hundred and ninety-three, to be allotted in the discretion of the Secretary of Commerce and Police, five hundred thousand pesos.

“For the construction of lights, buoys, and beacons (including keepers' houses, and so forth, as approved by the Light-house Board), forty thousand pesos.

“For the reconstruction of the cutter ‘Corregidor,’ for use as a buoy ship for laying and overhauling buoys and constructing beacons, twenty thousand pesos.

“BUREAU OF CONSTABULARY.

“For permanent buildings and sites, to be allotted in the discretion of the Secretary of Commerce and Police, one hundred thousand pesos.

“BUREAU OF EDUCATION.

“For the construction of new buildings and purchase of equipment for the Philippine Normal School, two hundred thousand pesos.

“BUREAU OF SCIENCE.

“For the purchase of machinery for testing compression and tensile strength of stone, concrete, road materials, steel, and so forth, fifteen thousand pesos.

“For additional stacks and steel and glass gangway, staircase, and railing for the scientific library, to be transferred to the new wing of the laboratory building, seventeen thousand five hundred pesos.

“For one new air pump and one precision lathe in the engine room, three thousand six hundred pesos.

"For additional metal insect cases, two thousand pesos.

"For stables for animals used in investigations of contagious diseases, seven thousand five hundred pesos.

"BUREAU OF LANDS.

"For the construction and reconstruction of interior roads on friar estates, fifty-four thousand pesos.

"BUREAU OF CUSTOMS.

"For the construction and equipment of a revenue cutter, two hundred and twenty-five thousand pesos.

"BUREAU OF HEALTH.

"For the continuance of the construction of hospital, bodegas, and additional houses to provide accommodations for lepers, fifty thousand pesos: *Provided*, That the Bureau of Health is hereby authorized to continue construction work without the intervention of the Bureau of Public Works or the Consulting Architect, existing law to the contrary notwithstanding.

"EXECUTIVE BUREAU.

For the purchase of fireproof filing furniture, ten thousand pesos.

"BUREAU OF AGRICULTURE.

"For alterations and improvements, Iloilo quarantine station, fifteen thousand and five hundred pesos.

"For the construction of a quarantine station at Cebu, purchase of land claims, and construction of a septic tank and windmill, sixteen thousand pesos.

"At Alabang stock farm: For the construction of one isolation ward, one reinforced-concrete reservoir, residence for employees of the serum laboratory, one barn, ten laborers' houses of light material, and fencing, sixteen thousand pesos.

"BUREAU OF POSTS.

"For the construction of new telegraph lines, the construction of wireless telegraph stations, and for the purchase of post-office boxes and cabinets, street letter boxes, telegraph instruments, and wireless telegraph instruments, to be allotted in the discretion of the Secretary of Commerce and Police, fifty thousand pesos.

"UNIVERSITY OF THE PHILIPPINES.

"For the construction of new buildings for the college of agriculture at Los Baños, ten thousand pesos.

"For the purchase and installation of an electric light and power plant for the College of Agriculture, at Los Baños, twelve thousand pesos.

"Total appropriations for public works and permanent improvements, three million four hundred and twenty-five thousand seven hundred and thirty pesos.

"Whenever, in the judgment of the Governor-General, the public interest so requires, he may by order direct that any unexpended balances from the moneys received from the sale of public improvement bonds be used to pay for any part of the public works or permanent improvements mentioned in this Act.

"SEC. 2. By request of the provincial board and on recommendation of the Secretary of Commerce and Police and the Director of Public Works, the Governor-General may direct that not more than fifty per centum of the road and bridge fund of any province and of whatever sum may be allotted under the provisions of the second paragraph of section one hereof for the construction, improvement, and maintenance of roads and bridges shall be used in the improvement of waterways and construction of wharves.

"SEC. 3. No part of the appropriations herein provided shall be available for use in any of the works herein authorized without prior authorization of the Governor-General.

"SEC. 4. All balances remaining unexpended when any public works or permanent improvements appropriated for by this Act are completed shall be returned at once to the Insular Treasury and shall not be available for withdrawal or disbursement thereafter, but shall be carried to the general revenues of the Islands.

"SEC. 5. The public good requiring the speedy enactment of this bill, the same shall take effect on its passage in accordance with section one of Act Numbered Nineteen hundred and forty-five of the Philippine Legislature, but the appropriations herein made shall not be available until July first, nineteen hundred and ten."

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Araneta, unanimously carried, the bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 71 was unanimously passed and the title was read and approved.

The Secretary was directed to request the concurrence of the Assembly in the amendment.

BAGUIO, April 19, 1910.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on April 19, 1910, passed the following Assembly Bill (A. B. No. 72), in which it requests the concurrence of the Commission: An Act remitting the penalties for the nonpayment of the land or cedula taxes

which have accrued prior to the year nineteen hundred and ten, under certain conditions.

Very respectfully,

GREGORIO NIEVA,  
*Member and Acting Secretary,*  
*Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Assembly Bill No. 72 was read the first time.

Commissioner Branagan moved that the bill be laid on the table.

The motion was seconded by Commissioner Gilbert and being put to a vote was unanimously carried.

The Secretary was directed to notify the Assembly thereof.

BAGUIO, *April 19, 1910.*

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on April 19, 1910, passed without amendment Commission Bill No. 8, entitled "An Act to amend Act Numbered Fourteen hundred and ninety-three, entitled 'The Postal Savings Bank Act,' as amended, by providing an additional class of securities for the investment of Postal Savings Bank funds."

Very respectfully,

GREGORIO NIEVA,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

*Ordered,* That Commission Bill No. 8 be enrolled and printed as an Act of the Legislature.

BAGUIO, *April 19, 1910.*

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on April 19, 1910, passed the following bill (A. B. No. 73), in which it requests the concurrence of the Commission: An Act confirming the action of the Governor-General in deporting from the Philippine Islands, by request of the imperial Chinese consul-general, on August nineteenth, nineteen hundred and nine, certain persons of Chinese nationality.

Very respectfully,

GREGORIO NIEVA,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Assembly Bill No. 73 was read the first and second times.

On motion by Commissioner Worcester, unanimously carried, the bill was considered urgent, under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 73 was unanimously passed and the title was read and approved.

The Secretary was directed to notify the Assembly thereof.

## REPORTS OF STANDING COMMITTEES.

[Committee Report No. 24.]

APRIL 19, 1910.

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Public Instruction, to which was referred on April 19, 1910, Assembly Bill No. 57, entitled "An Act appropriating funds for sundry expenses of the University of the Philippines during the fiscal year ending June thirtieth, nineteen hundred and eleven, and for other purposes," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill do pass with the following amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"SECTION 1. The following sums, or so much thereof as may be respectively necessary, are hereby appropriated, out of any funds in the Insular Treasury not otherwise appropriated, for the University of the Philippines, to be expended by the Board of Regents of said university, for the ends specified by law, in accordance with section six, letter (a), of Act Numbered Eighteen hundred and seventy, during the fiscal year ending June thirtieth, nineteen hundred and eleven.

"For the office of the Board of Regents, one thousand five hundred pesos; for the College of Agriculture, sixty-eight thousand eight hundred pesos; for the School of Fine Arts, twenty-eight thousand and ten pesos; for the College of Veterinary Science, eighteen thousand one hundred pesos; for the College of Philosophy, Science, and Letters, sixty-seven thousand six hundred pesos; for the College of Civil Engineering, six thousand pesos; in all, one hundred and ninety thousand and ten pesos: *Provided*, That the Board of Regents may, in its discretion, transfer the whole or any part of the appropriation for any college, school, or office of the University of the Philippines to any other college, school, or office of the University of the Philippines and expend the same in the manner which the said Board shall deem most necessary and expedient: *And provided further*, That the Board of Regents is hereby authorized to appoint employees of the Departments and Bureaus of the Government to positions in the University of the Philippines at such compensation as may be fixed by said Board of Regents, which compensation shall be paid to such employees from the appropriation for the University of the Philippines, Act Numbered One hundred and forty-eight to the contrary notwithstanding.

"SEC. 2. The public good requiring the speedy enactment of this bill,

the same shall take effect on its passage, in accordance with section one of Act Numbered Nineteen hundred and forty-five of the Philippine Legislature."

Respectfully submitted.

NEWTON W. GILBERT,  
*Committee on Matters Pertaining to the  
Department of Public Instruction.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report of the committee was adopted by unanimous vote.  
Assembly Bill No. 57 was thereupon read the second time.

On motion by Commissioner Gilbert, unanimously carried, the bill was considered urgent, under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 57 was unanimously passed, as amended, and the title was read and approved.

The Secretary was directed to request the concurrence of the Assembly in the amendment.

RECESS.

At 10 o'clock postmeridian,  
On motion by Commissioner Araneta,

The President declared the Commission at recess until 11 o'clock postmeridian to give opportunity for meetings of the conference committees on general appropriation and irrigation bills.

RECONVENED.

At 11 o'clock postmeridian,  
The Commission reconvened.  
The President in the chair.

MESSAGES FROM THE ASSEMBLY.

BAGUIO, April 19, 1910.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has disagreed to the amendment of the Commission to Assembly Bill No. 71, entitled "An Act appropriating funds for public works and permanent improvements, and for other purposes."

It asks a conference with the Commission on the disagreeing votes of



the two Houses thereon, and has appointed as managers at the same on its part Delegates Adriático, Barretto, and Singson.

Very respectfully,

GREGORIO NIEVA,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

On motion by Commissioner Gilbert, it was

*Resolved*, That the Commission insist on its amendment to Assembly Bill No. 71, entitled "An Act appropriating funds for public works and permanent improvements, and for other purposes," disagreed to by the Assembly, and agree to the conference asked for by the Assembly on the disagreeing votes of the two Houses thereon.

*Ordered*, That Commissioners Elliott, Palma, and the President be the conferees on the part of the Commission.

BAGUIO, April 19, 1910.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on April 19, 1910, agreed to the amendment of the Commission to Assembly Bill No. 57, entitled "An Act appropriating funds for sundry expenses of the University of the Philippines during the fiscal year ending June thirtieth, nineteen hundred and eleven, and for other purposes."

Very respectfully,

GREGORIO NIEVA,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

*Ordered*, That the message be filed.

#### SECOND READING OF ASSEMBLY BILL.

Assembly Bill No. 70. An Act amending Act Numbered Thirteen hundred and ninety-three, entitled "An Act providing for the widening of the streets and the adjustment of ownership of land located within certain specified limits in the municipality of Cebú, Province of Cebú," as amended.

On motion by Commissioner Gilbert, the bill was read the second time and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following amendments:

Section 1, page 2, strike out lines 1 to 12, inclusive, and insert in lieu thereof the following:

"*And provided further*, That the committee may, in its discretion, file

one or more applications and include in each of them one or more parcels or squares as in its judgment may be most expeditious and equitable in the interests of the landholders."

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Araneta, unanimously carried, the bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 70 was unanimously passed and the title was read and approved.

The Secretary was directed to request the concurrence of the Assembly in the amendment.

#### REPORTS OF CONFERENCE COMMITTEES.

##### CONFERENCE REPORT NO. 4.

Your committee of conference on the irrigation bill has the honor to report that it has been unable to arrive at a definite agreement. Certain amendments have been made in the Commission bill which were taken from certain provisions of the Assembly bill. These amendments have been adopted by the members of the committee. The question now arises whether or not the Commission bill, as amended, should be adopted by the Legislature.

C. B. ELLIOTT,  
NEWTON W. GILBERT,  
GREGORIO ARANETA,

*Managers on the part of the Commission.*

ESPIRIDION GUANCO,  
HERMOGENES REYES,  
JOSÉ MA. DE VALLE,

*Managers on the part of the Assembly.*

On motion by Commissioner Elliott, it was

*Resolved*, That the report be laid on the table awaiting notice of action by the Assembly on the report of the Assembly conference committee on the bill.

##### CONFERENCE REPORT NO. 5.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Commission to Assembly Bill No. 71, entitled "An Act making appropriations for public works and permanent improvements, and for other purposes," having met, after full and free conference

have agreed to recommend and do recommend to their respective Houses, as follows:

That the Assembly recede from its disagreement to the amendment of the Commission and agree to the same amended to read as follows, and that the Commission agree to the same:

“SECTION 1. The following sums, or so much thereof as may be necessary, are hereby appropriated, out of any funds in the Insular Treasury not otherwise appropriated, for the following named public works and permanent improvements, and for other purposes of the Insular Government: *Provided*, That no part of the appropriations herein made shall be available for use in any of the works herein authorized without prior authorization of the Governor-General.

“BUREAU OF HEALTH.

“For the continuance of the construction of hospital, bodegas, and additional houses to provide accommodations for lepers, fifty thousand pesos: *Provided*, That the Bureau of Health is hereby authorized to continue construction work without the intervention of the Bureau of Public Works or the Consulting Architect, existing law to the contrary notwithstanding.

“BUREAU OF SCIENCE.

“For additional stacks and steel and glass gangway, staircase, and railing for the scientific library, to be transferred to the new wing of the laboratory building, seventeen thousand five hundred pesos.

“For stables for animals used in investigation of contagious diseases, five thousand pesos.

“BUREAU OF CONSTABULARY.

“For permanent buildings and sites, to be allotted in the discretion of the Secretary of Commerce and Police, fifty thousand pesos.

“BUREAU OF PUBLIC WORKS.

“For the construction, improvement, and, where necessary, maintenance of roads and bridges in those provinces which shall accept the provisions of Act Numbered Sixteen hundred and fifty-two, and which shall by resolution of the provincial board guarantee, by continuing annual appropriations the establishment of such conservation system as may be necessary in the judgment of the Director of Public Works on all first-class roads now or hereafter constructed and declared to be such by the Director of Public Works, including the construction, improvement, and maintenance of roads and bridges in the Provinces of Mindoro, Palawan, and Batanes, to be allotted in the discretion of the Secretary of Commerce and Police, one million five hundred thousand pesos: *Provided*, That with the approval of the Secretary of Commerce and Police first had, not exceeding one hundred thousand pesos of the aforesaid sum may be expended to aid provinces which have appropriated money from provincial funds to assist in the construction

of important roads in their respective provinces: *And provided further*, That five hundred thousand pesos of the one and one-half million hereinbefore appropriated shall be considered as a continuing annual appropriation so long as the resolutions of all the provincial boards adopted under Act Numbered Sixteen hundred and fifty-two shall continue the tax authorized in the said Act in favor of and for the exclusive benefit of the provinces and municipalities.

“For the construction of specific interprovincial roads, to be allotted in the discretion of the Secretary of Commerce and Police, three hundred thousand pesos.

“For the drilling of artesian wells and to obtain water by other means, including the cost of new equipment and pumping plants, when necessary, to be allotted in the discretion of the Secretary of Commerce and Police, three hundred thousand pesos.

“For the construction of new buildings and the purchase of equipment for the Philippine Normal School, two hundred thousand pesos.

“For the improvement and preservation of the old Magallanes Monument on the Island of Mactan, municipality of Opon, and the wagon roads thereof, as well as the road leading to said monument, five thousand pesos.

“For the construction of a contagious disease ward at the San Lazaro Hospital in Manila, forty thousand pesos.

“For the construction of an addition to the Ayuntamiento Building, twenty thousand six hundred and thirty pesos.

“Total for the Bureau of Public Works, two million three hundred and sixty-five thousand six hundred and thirty pesos.

#### “BUREAU OF NAVIGATION.

“For the improvement of ports, dredging of navigable rivers and canals, opening of new canals, construction of breakwaters, sea walls, dams, and containing walls for the prevention of inundations, and the taking of soundings and preliminary surveys for such purposes, including the continuation of the construction of the sea wall in the port of Cebú, and the objects provided in Act Numbered Thirteen hundred and ninety-three, subject to the terms of the appropriation in Act Numbered Nineteen hundred and fifty-four, and for the improvement of the port of Iloilo, to be allotted in the discretion of the Secretary of Commerce and Police, seven hundred thousand pesos.

“For the construction of lights, buoys, and beacons (including keepers' houses, and so forth, as approved by the Light-house Board), forty thousand pesos.

#### “BUREAU OF POSTS.

“For the construction of new telegraph lines, the construction of wireless telegraph stations, and for the purchase of post-office boxes and cabinets, street letter boxes, telegraph instruments, and wireless telegraph instru-

ments, to be allotted in the discretion of the Secretary of Commerce and Police, fifty thousand pesos.

“BUREAU OF EDUCATION.

“To aid the municipal governments in the construction of central school buildings, to be allotted by the Secretary of Public Instruction, one hundred thousand pesos.

“UNIVERSITY OF THE PHILIPPINES.

“For the construction of new buildings for the College of Agriculture at Los Baños, ten thousand pesos.

For the purchase and installation of an electric light and power plant for the College of Agriculture, at Los Baños, twelve thousand pesos.

“BUREAU OF AGRICULTURE.

“For the alterations and improvements, Iloilo quarantine station, fifteen thousand five hundred pesos.

“For the construction of a quarantine station at Cebú, purchase of land claims, and construction of a septic tank and windmill, sixteen thousand pesos.

“At Alabang stock farm: For the construction of one isolation ward, one reinforced-concrete reservoir, residence for employees of the serum laboratory, one barn, ten laborers' houses of light material, and fencing, sixteen thousand pesos.

“BUREAU OF PRISONS.

“For placing new reinforced-concrete roofs on three cell houses, four thousand, five hundred pesos.

“For the completion of the installation of the sewer system, five thousand pesos.

“Total appropriations for public works and permanent improvements, three million four hundred and fifty-seven thousand one hundred and thirty pesos.

“SEC. 2. All balances remaining unexpended when any public works or permanent improvements appropriated for by this Act are completed shall be returned at once to the Insular Treasury and shall not be available for withdrawal or disbursement thereafter, but shall be carried to the general revenues of the Islands.

“SEC. 3. The public good requiring the speedy enactment of this bill, the same shall take effect on its passage in accordance with section one of Act Numbered Nineteen hundred and forty-five of the Philippine Legislature, but the appropriations herein made shall not be available until July first, nineteen hundred and ten.”

The above includes the whole of the Assembly bill with several amend-

ments, and a number of the provisions contained in the substitute bill of the Commission.

C. B. ELLIOTT,  
 RAFAEL PALMA,  
 W. CAMERON FORBES,

*Managers on the part of the Commission.*

MACARIO ADRIÁTICO,  
 ALBERTO BARRETTO,  
 VICENTE SINGSON,

*Managers on the part of the Assembly.*

BAGUIO, April 19, 1910.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has agreed to the report of the committee of conference on the disagreeing votes of the two Houses to the amendment of the Commission to Assembly Bill No. 71, entitled "An Act appropriating funds for public works and permanent improvements, and for other purposes."

Very respectfully,

GREGORIO NIEVA,

*Member and Acting Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

On motion by Commissioner Elliott, it was

*Resolved*, That the Commission agree to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Commission to Assembly Bill No. 71, entitled "An Act appropriating funds for public works and permanent improvements, and for other purposes."

*Ordered*, That the Secretary notify the Assembly thereof.

CONFERENCE REPORT NO. 6.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Commission to Assembly Bill No. 63, entitled "An Act making appropriations for sundry expenses of the Insular Government for the fiscal year ending June thirtieth, nineteen hundred and eleven, and other designated periods," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Assembly recede from its disagreement to the amendment of the Commission and agree to the same with the following amendments, and that the Commission agree to the same:

(1) Reduce the total for the Executive Bureau from ₱538,000 to ₱530,000.

(2) Reduce the total for the Bureau of Civil Service from ₱77,200 to ₱77,000.

(3) Under the heading Bureau of Health "emergency funds," strike out the paragraph in the Commission amendment and insert in lieu thereof the following:

"Fifty thousand pesos for the purchase of equipment, medicines, and disinfectants and for the payment of sanitary employees to be used in those municipalities which are invaded by epidemic diseases and which lack sufficient funds to combat them, and for the suppression of epidemic diseases and pests."

(4) Reduce the total for the Bureau of Health from ₱1,450,000 to ₱1,417,000.

(5) Reduce the total for the Bureau of Lands from ₱675,000 to ₱648,000.

(6) Reduce the total for the Bureau of Forestry from ₱150,000 to ₱143,000.

(7) Reduce the total for the Weather Bureau from ₱131,910 to ₱131,900.

(8) Reduce the total for the Bureau of Constabulary from ₱2,600,000 to ₱2,450,000.

(9) Reduce the total for the Bureau of Public Works from ₱290,000 to ₱286,000.

(10) BUREAU OF CUSTOMS: The positions authorized for the divisions and sections of the Bureau of Customs and for the Iloilo and Cebu custom-houses to conform to those appearing in the Assembly Bill as sent to the Commission, with the following exceptions:

In the appraisers' division, instead of six examiners, class nine, insert seven examiners, class nine.

In the office of the Surveyor of the Port, instead of one berthing officer, class six, insert one harbormaster, class four.

In the statistical division, instead of one clerk, Class D, insert two clerks, class D.

Reduce the total for the Bureau of Customs from ₱780,000, appearing in the Commission amendment, to ₱760,000.

(11) BUREAU OF INTERNAL REVENUE: The positions and items authorized for the Bureau of Internal Revenue to conform to those appearing in the Assembly bill as sent to the Commission, with the exception that there shall be included fourteen agents, at ₱3,200 per annum each, inadvertently omitted.

Reduce the total for the Bureau of Internal Revenue from ₱575,000 to ₱572,000, appearing in the Commission amendment.

(12) TREASURY BUREAU: The positions and items authorized for the Treasury Bureau to conform to those appearing in the Assembly Bill as sent to the Commission with the exception that there shall be included six employees, class six, instead of four employees, class six.

Reduce the total for the Treasury Bureau from ₱126,000 to ₱123,000, appearing in the Commission amendment.

Add the following proviso:

"*Provided*, That hereafter, and until specifically otherwise provided by law, the funds of the Bureau of the Insular Treasury shall be available for the payment of additional compensation, upon the approval of the Governor-General, to such persons as shall be designated to make an examination of the books and accounts of the Insular Treasurer and Insular Auditor, and an examination and account of the moneys in the hands of the Insular Treasurer; and to count and verify mutilated currency unfit for further circulation in the Treasury prior to the destruction thereof as required by law, the provisions of existing law to the contrary notwithstanding."

(13) BUREAU OF EDUCATION: Increase the total from ₱3,525,000 to ₱3,610,000.

(14) Reduce the total for the Bureau of Prisons from ₱611,678 to ₱596,678.

(15) PHILIPPINES LIBRARY: Strike out one assistant cataloguer, at ₱1,200 per annum.

Reduce the total for the Philippines Library from ₱65,860 to ₱57,500.

(16) JUDICIARY: The positions and items authorized to conform to those appearing in the Assembly bill, with the addition of one employee at ₱1,140 per annum in the Fifth Judicial District.

Reduce the total for the Judiciary from ₱900,000 to ₱896,000.

(17) MISCELLANEOUS (at end of bill): After the words "For the salaries of the chief and assistant chief of police of the municipality of Cavite, as provided by Act Numbered Twelve hundred and eighty-one," add the words, "and for the salaries of substitutes, when necessary."

(18) Strike out the words "For the expenses of specific scientific investigations regarding dangerous communicable diseases among domestic animals; twenty-two thousand five hundred pesos."

(19) After words "Total miscellaneous," insert words "eighty-five thousand pesos."

(20) After words "Total of appropriations for all purposes," insert words "seventeen million four hundred and twenty-seven thousand seven hundred and eighty-eight pesos."

NEWTON W. GILBERT,  
DEAN C. WORCESTER,  
C. B. ELLIOTT,  
GREGORIO ARANETA,  
W. CAMERON FORBES,

*Managers on the part of the Commission.*

ALBERTO BARRETTO,  
VICENTE SINGSON,  
VENANCIO CONCEPCIÓN,  
GALICANO APACIBLE,  
JAYME C. DE VEYRA,

*Managers on the part of the Assembly.*



BAGUIO, April 19, 1910.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has agreed to the report of the committee of conference on the disagreeing votes of the two Houses to the amendment of the Commission to Assembly Bill No. 63, entitled "An Act making appropriations for sundry expenses of the Insular Government for the fiscal year ending June thirtieth, nineteen hundred and eleven, and other designated periods."

Very respectfully,

GREGORIO NIEVA,  
*Member and Acting Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

On motion by Commissioner Worcester, it was

*Resolved*, That the Commission agree to the report of the committee of conference on the disagreeing votes of the two Houses to the amendment of the Commission to Assembly Bill No. 63, entitled "An Act making appropriations for sundry expenses of the Insular Government for the fiscal year ending June thirtieth, nineteen hundred and eleven, and other designated periods."

*Ordered*, That the Secretary notify the Assembly thereof.

MESSAGES FROM THE ASSEMBLY.

BAGUIO, April 19, 1910.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on April 19, 1910, indefinitely postponed Commission bill (C. B. No. 10), entitled "An Act to provide for an annual Philippine Exposition and appropriating funds therefor, and for other purposes."

Very respectfully,

GREGORIO NIEVA,  
*Member and Acting Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

BAGUIO, April 19, 1910.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on April 19, 1910, indefinitely postponed Commission bill (C. B. No. 6), entitled "An Act to amend Act Numbered One hundred and eighty-three, entitled 'An Act to incorporate the city of Manila,' as amended,

by authorizing said city to grant certain franchises for rendering public services."

Very respectfully,

GREGORIO NIEVA,  
*Member and Acting Secretary,*  
*Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

BAGUIO, April 19, 1910.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on April 19, 1910, agreed to the amendment of the Commission to Assembly Bill No. 70, entitled "An Act amending Act Numbered Thirteen hundred and ninety-three, entitled 'An Act providing for the widening of streets and the adjustment of ownership of land located within certain specified limits in the municipality of Cebú, Province of Cebú,' as amended."

Very respectfully,

GREGORIO NIEVA,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

#### REPORT OF STANDING COMMITTEE.

[Committee Report No. 25.]

BAGUIO, April 19, 1910.

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on April 11, 1910. Assembly Bill No. 44, entitled "An Act appropriating the sum of fifty thousand pesos for the relief of sufferers from public calamities," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill do pass.

Respectfully submitted.

GREGORIO ARANETA,  
*Committee on Matters Pertaining to the*  
*Department of Finance and Justice.*

The Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted by unanimous vote.

Assembly Bill No. 44 was read the second time.

On motion by Commissioner Araneta, unanimously carried, the bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 44 was unanimously passed and the title was read and approved.

The Secretary was directed to notify the Assembly thereof.

## MESSAGES FROM THE ASSEMBLY.

BAGUIO, *April 19, 1910.*

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on April 19, 1910, laid on the table the Commission amendment to Assembly Bill No. 51, entitled "An Act to provide a system for the regulation, control, distribution, use and right of use of public waters and for the determination of existing rights thereto within the Philippine Islands, and to provide for surveys for and the construction, maintenance, and operation of irrigation projects by the Government of the Philippine Islands, and for the repayment of money expended therein, and providing penalties for its violation."

Assembly Bill No. 51 accompanied the amendment to the table.

Very respectfully,

GREGORIO NIEVA,  
*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

BAGUIO, *April 19, 1910.*

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on April 19, 1910, passed the following concurrent resolution (A. C. R. No. 1), in which it requests the concurrence of the Commission: Providing for the adjournment of the special session of the Legislature, on Tuesday, April nineteenth, nineteen hundred and ten, at twelve o'clock postmeridian, and for other purposes.

Very respectfully,

GREGORIO NIEVA,  
*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, the resolution was read once and put upon its passage.

Assembly Concurrent Resolution No. 1 was unanimously adopted and the title agreed to.

The President thereupon appointed Commissioners Gilbert, Araneta, and Palma to join the Assembly committee appointed to wait on the Chief Executive in accordance with the foregoing resolution.

## READING OF JOURNAL.

The Journal of to-day, Tuesday, April 19, 1910, was read and approved.

## ADJOURNMENT SINE DIE OF THE COMMISSION AS A CHAMBER OF THE PHILIPPINE LEGISLATURE.

The hour of 12 o'clock postmeridian having arrived,

Pursuant to the proclamation of the Governor-General issued on February 28, 1910, calling the present special session of the Legislature, and Assembly Concurrent Resolution No. 1, adopted by the Commission on this date,

The President declared the Commission, as a Chamber of the Philippine Legislature, adjourned *sine die*.

## ADJOURNMENT OF THE COMMISSION ACTING WITHIN ITS EXCLUSIVE GENERAL LEGISLATIVE JURISDICTION OVER ALL THAT PART OF THE PHILIPPINE ISLANDS INHABITED BY MOROS OR OTHER NON-CHRISTIAN TRIBES.

Thereupon,

On motion by Commissioner Branagan,

The Commission, acting within its exclusive general legislative jurisdiction over all that part of the Philippine Islands inhabited by Moros or other non-Christian tribes, adjourned to meet at the call of the President.

Attest:

WM. H. DONOVAN, *Secretary*.

Approved.

W. CAMERON FORBES, *President*.

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**JOURNAL**  
**OF THE**  
**PHILIPPINE COMMISSION**

**BEING THE**  
**FIRST SESSION OF THE SECOND PHILIPPINE**  
**LEGISLATURE**

**OCTOBER 17, 1910, TO FEBRUARY 3, 1911**



# Second Philippine Legislature, First Session.

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Begun and held at the city of Manila on Monday, the seventeenth day of October, in the year of our Lord nineteen hundred and ten, being the first regular session of the Second Philippine Legislature, held under the Act of the Congress of the United States approved July first, nineteen hundred and two.

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## JOURNAL OF THE COMMISSION.

**MONDAY, OCTOBER 17, 1910.**

The Commission met at the call of the President at 4 o'clock and 30 minutes postmeridian.

Present: Commissioners Gilbert, Worcester, Araneta, Palma, Branagan, Elliott, and the President.

Absent: Commissioners Luzuriaga and Sumulong (on leave).

### MESSAGE FROM THE ASSEMBLY BY THE SECRETARY.

The Secretary of the Assembly appeared and stated that he had been instructed by the Assembly to announce to the Commission that, a quorum of the Assembly being present, the Assembly was ready for the transaction of such business as might come before it.

### ANNOUNCEMENT TO THE ASSEMBLY.

The President introduced the following resolution:

Commission Resolution No. 43. *Resolved*, That the Secretary inform the Philippine Assembly that a quorum of the Commission is assembled and that the Commission is ready to proceed to business.

The resolution was unanimously adopted, and the Secretary repaired to the Assembly Hall and notified the Assembly accordingly.

## MESSAGE FROM THE ASSEMBLY BY COMMITTEE.

Delegates Adriatico, Perez, and Ledesma were announced and being admitted to the Session Chamber stated that they had been appointed a special committee of three to join a similar committee of the Commission to wait upon the Governor-General and notify him that the Legislature was ready for business and awaited any communication that he might desire to make and also to request him to notify the President of the United States through the Secretary of War of the convening of the first regular session of the Second Philippine Legislature on this the 17th day of October, 1910.

## RESOLUTION.

Commissioner Araneta introduced the following resolution:

Commission Resolution No. 44. *Resolved*, That in conformity with the request of the Assembly, the President of the Commission be, and hereby is, requested to appoint a committee of three to meet the committee appointed by the Assembly for the purpose of waiting upon the Governor-General and requesting him to communicate by telegraph to the President of the United States, through the Secretary of War, the information that in accordance with the Act of Congress of July first, nineteen hundred and two, as amended by the Act of Congress of February twenty-seventh, nineteen hundred and nine, and Act of the Philippine Legislature Numbered Nineteen hundred and twenty-nine, passed by authority thereof, the first regular session of the Second Philippine Legislature was opened this the seventeenth day of October, nineteen hundred and ten, at four o'clock and thirty minutes postmeridian, the sixteenth day of October, as fixed by said Act Numbered Nineteen hundred and twenty-nine, being a legal holiday.

The resolution was unanimously adopted.

The President thereupon appointed Commissioners Worcester, Palma, and Branagan, as such committee, and the proceedings of the Commission were temporarily suspended while the Commission waited upon the Governor-General and delivered the message of the Legislature.

## MESSAGE FROM THE GOVERNOR-GENERAL.

The Governor-General read his message to the Legislature as follows:

MANILA, October 17, 1910.

GENTLEMEN: Upon the occasion of the opening of the first regular session of the Second Philippine Legislature, I have the honor to submit the



customary message of the Chief Executive, containing a brief statement of existing conditions and my recommendations as to future legislation.

I am glad to be able to inform the Legislature that there now reigns a condition of utter tranquillity throughout the length and breadth of the Archipelago, a tranquillity that does not seem to be threatened with interruption of any sort, either from internal or external disturbances.

The people are devoting themselves more and more to the cultivation of the soil and the development of their resources and are giving practical evidence of their belief that the true and proper course for the Philippine people is devotion to its immediate needs, namely, the material development of the country.

Especial impetus has been given to this direction of the people's energies by the approval by the President of the United States of the Act of Congress of August 5 of last year, known as the Payne Bill, which extended to the people of the Philippine Islands the advantages of the market of the United States for their products. Although this law set a limit to the amount of tobacco and sugar admitted free of duty, yet the amounts now authorized are sufficient for the immediate needs of the country, and the result has been an unprecedented revival of the agriculture of the Islands.

The first effect of the passage of this law was a sharp increase in the prices of tobacco and sugar, an increase which has enabled the people of the Islands to greatly increase their production, and the owners of land to largely pay off their debts, to purchase greater numbers of carabaos, and to raise the rate of wages which they pay to laborers on their farms. Certain sections of the Islands are now comparatively prosperous.

The gloomy forebodings of many who believed that the Insular finances were going to suffer too heavy a loss have not been borne out by facts.

The reduction in customs receipts amounted to only ₱1,429,000, which was more than offset by an increase in internal revenue of ₱2,320,000 and an increase in miscellaneous receipts of ₱248,000 leaving a net increase of ₱1,139,000 in the revenues over last year. These figures do not show collections that do not accrue to the Insular Treasury.

At the end of the first quarter of the present fiscal year the internal revenue accruing to the Insular Treasury has shown a gratifying increase over the collections for the same part of the preceding year of ₱620,000, and there has been as yet no falling off of customs receipts, but, on the contrary, a moderate increase of ₱150,519. It is, however, wise for us to assume that the maintenance of the present rate of customs collections is temporary only and not to be permanently depended upon. It can be explained by the fact that trade relations are slow in forming and the inertia of existing business is likely to maintain trade in old channels even though conditions are such as to favor a change and the flow of business through new channels which will open up and supersede the old ones.

## EVIDENCES OF COMMERCIAL AND INDUSTRIAL ACTIVITY.

The Payne Bill also has had a surprising effect on the commercial and industrial activity of the Islands. The increase in the percentage of internal-revenue taxes collected from merchants and manufacturers of 20 per cent indicates an increase of ₪78,000,000 in the gross volume of goods sold by merchants and manufacturers throughout the Islands, exclusive of liquor and tobacco products and of exports. The increase of imports and exports amounts to about ₪36,000,000 for the last fiscal year, or an increase of 30 per cent over that of the preceding year, an unexpected feature of which was that the imports, from Europe and countries other than the United States, instead of falling off, showed an actual increase of ₪6,370,000 in value. Trade with the United States increased from ₪29,895,000 to ₪59,055,000.

## FINANCIAL CONDITION.

The surplus at the beginning of the fiscal year 1910 was ₪2,602,433. During the year bonds to the par value of ₪3,000,000 were sold, at a premium of ₪9,075.20, and the money was paid into the Treasury and is now being expended upon public works, in accordance with Act No. 1954 of the last Legislature. On July 1, 1910, the surplus was ₪3,870,458.52. As ₪4,000,000 is the reserve which it is estimated should be held in the Insular Treasury against contingencies, it will be seen that the present figures are eminently satisfactory and prove that the Treasury is in a safe financial condition. The estimate for the present fiscal year is as follows:

*Fiscal year 1911.*

## RESOURCES.

Cash available for appropriation June 30, 1910 .....		₪3,870,458.52
Estimated revenue .....	₪25,235,000.00	
Receipts, etc. ....	74,000.00	
		<hr/> 25,309,000.00
Total estimated resources .....		<hr/> 29,179,458.52

## LIABILITIES.

Fixed charges .....	2,965,131.84	
Permanent improvements:		
Continuing .....	₪1,000,000.00	
Fiscal year 1911 .....	3,872,730.00	
		<hr/> 4,872,730.00
Current expenses:		
Continuing .....	391,750.00	
Fiscal year 1911 .....	18,859,598.00	
		<hr/> 19,251,348.00
Total liabilities .....		<hr/> 27,089,209.84
Balance .....		<hr/> 2,090,248.68

The estimated Insular revenue is ₱25,235,000—₱8,500,000 of this is internal revenue, the increase estimated being ₱1,292,000; ₱16,000,000 is the estimate of the Collector of Customs, an increase of ₱300,000. As both Bureaus have collected half the estimated increase in the first quarter of the year, it is reasonable to believe that this estimate is conservative and will be considerably exceeded.

The total appropriations for current expenses for the present fiscal year were ₱19,251,000, and for fixed charges ₱2,965,000, of which ₱1,250,000 is the Insular contribution toward the annual expenses of the city of Manila. The guaranty of interest on bonds issued by the railroads, and the provision for payment of interest on bonds issued by the railroads, and the provision for payment of interest and principal of the Insular Government bonds issued for permanent improvements, and the subsidy paid by the Insular Government to interisland steamers are the other important items classified as fixed charges.

The amount of Insular appropriation called upon for payment of interest and sinking funds on the bonds issued for the purchase of the friar lands is rapidly diminishing, owing to the rapid disposition of these lands by sale and lease and the collections in the matter of rentals and of installments on the purchase price by the Bureau of Lands. The credit for this satisfactory state of affairs is due to the very efficient administration of that Bureau.

The total appropriations for public works are ₱4,872,730, all of which are to be paid out of the current revenues of the present fiscal year. One million pesos of this amount is authorized by the continuing annual appropriation for irrigation and the construction of barrio schools. Act No. 1988, the permanent improvement bill passed by the Legislature in Baguio, provided that none of the appropriations authorized in the bill should be available for use until released by the Governor-General. Only ₱1,967,000 have been thus far released, as it is thought advisable to make sure that a possible falling off of customs will not make it necessary to postpone some of the needed permanent improvements. Of these appropriations the following amounts were passed by the Commission in its exclusive legislative capacity: ₱1,237,800 for current expenses; ₱415,600 for public works, this latter figure including the appropriations for the repair and maintenance of the Benguet Road.

#### OTHER PROVISIONS OF THE PAYNE BILL.

In view of the fact that under the operation of free trade with the United States, it was expected that the internal revenue would become the principal source of revenue for the Insular Government and that the customs would take a relatively unimportant place, it was believed necessary that the proportion allotted to the provinces and municipalities should be changed so that there should not be an embarrassing reduction of Insular revenues and at the same time a very large increase in the revenues of the provinces and municipalities. To obviate this the Congress of the United States inserted in the Payne Bill a clause to the effect that all

internal revenue collected in the Philippine Islands should accrue to the Insular Treasury, to be distributed in accordance with future Acts of the Legislature; but pending action by the Legislature, the Commission was given authority to distribute these funds. By this authority the Commission passed Act No. 1964, which provides that the provinces and municipalities shall get the same proportion of internal revenue collected by the Insular Government as they formerly received, with the proviso that in no case should it exceed the amount received by them in the fiscal year 1909. This excepts the collections from all local taxes and the cedula. The increase for 1910 in the internal revenues of provinces and municipalities was ₱208,786 over the collections of the fiscal year 1909.

It is not recommended that any change in the distribution of the internal revenue be made at the present time. Although the expected reduction of revenues has not taken place, and on the contrary, there has been a marked increase in the Insular revenues, it is wise to wait until conditions have readjusted themselves and the Government knows what it may safely rely upon for its annual revenue before permanently fixing the new proportion of division between the Insular Government, the provinces, and municipalities. Moreover, a very considerable part of the Insular money is now being expended in the provinces and for their benefit. This is especially true of money for public works, which is allotted directly to the road and bridge funds of the provinces, and for the construction of irrigation systems and artesian wells; the appropriations for the Bureau of Agriculture, which has stationed veterinarians in all the provinces; the Constabulary, which maintains order; the Bureau of Health, which has under contemplation the construction of new hospitals in the provinces; and the Bureau of Education.

The last Legislature passed Act No. 1940, amending the Internal Revenue Law of 1904 (No. 1189), as amended, and imposing additional taxes, the most important of which is a tax on imported wines and liquors. This law also made provision for the increase in the tax rates on distilled spirits and cigarettes provided for in Act No. 1338, amending the Internal Revenue Law of 1904 (No. 1189), which had been postponed from time to time by Acts of the Commission and of the Legislature. The new internal-revenue law was passed in anticipation of the passage of the Payne Bill, and section 7 provided that it should be put into effect by a proclamation of the Governor-General, it being understood that this was not to be done unless the Payne Bill was passed by Congress. Immediately upon receipt of the news of the passage of the Payne Bill, the proclamation was issued as of date August 7, 1909. The increase in the total collections of internal revenue, including collections for provinces and municipalities and the city of Manila, was ₱2,866,627, of which the sum of ₱1,787,946 was due to increase in tax rates and receipts from new sources, and the sum of ₱1,078,681 was due to increase in the manufactures of taxable

articles and increased commercial operations. This indicates a rapid improvement in business conditions due largely to the establishment of free trade between the United States and these islands.

Another precaution taken by the First Philippine Legislature was the passage of Act No. 1902, which confers upon the Governor-General for three years the power to revert to the Treasury any or all of the unexpended balances of any appropriation, and to use any balances left over after the end of any fiscal year, to be transferred to increase accounts of Bureaus or Offices needing additional money. The first power has been very sparingly used, only two reversions to the Treasury having been made, and both of these were not made for the purposes of economy, but because the appropriations were no longer needed. The aggregate amount involved was less than ₱20,000. The following table shows the transfers made for the two last fiscal years:

*Transfers between appropriation accounts by direction of the Governor-General.*

FISCAL YEAR 1909.	
Executive Bureau .....	₱4,946.02
Transfer to Bureau of Civil Service.....	₱4,946.02
Bureau of Health .....	54,250.94
Transfer to Bureau of Agriculture .....	54,250.94
Bureau of Lands .....	40,668.97
Transfer to Weather Bureau (wireless station) ..	20,640.96
Transfer to Bureau of Agriculture.....	12,000.00
Transfer to Bureau of Forestry.....	8,028.01
Bureau of Justice .....	12,000.00
Transfer to Consulting Architect .....	12,000.00
Bureau of Customs .....	120,284.66
Transfer to Bureau of Prisons (purchase of cattle) .....	11,000.00
Transfer to roads and bridges, Leyte Province..	80,000.00
Transfer to Bureau of Public Works .....	29,284.66
The Judiciary .....	306,160.14
Transfer to Bureau of Public Works .....	60,715.34
Transfer to Bureau of Constabulary.....	15,000.00
Transfer to Repairs Public Buildings.....	150,000.00
Transfer to Constabulary barracks and quarters, Act No. 1688 .....	5,444.80
Transfer to Philippine Assembly.....	75,000.00
Total .....	538,310.73
	<u>538,310.73</u>

## FISCAL YEAR 1910.

The Executive .....	₱49,701.58	
Transfer to Executive Bureau.....		₱46,084.76
Transfer to Bureau of Civil Service .....		3,616.82
Bureau of Health .....	55,512.96	
Transfer to Bureau of Science.....		3,156.80
Transfer to Bureau of Agriculture .....		45,845.89
Transfer to Bureau of Forestry .....		6,510.27
Bureau of Posts .....	87,526.92	
Transfer to Bureau of Constabulary.....		10,850.45
Transfer to Bureau of Public Works.....		76,676.47
Bureau of Science .....	27,324.34	
Transfer to Bureau of Agriculture (veterina- rians, inoculators, and serum cattle).....		27,324.34
Bureau of Justice .....	5,786.91	
Transfer to Bureau of Customs .....		5,786.91
Bureau of the Treasury .....	30,000.00	
Transfer to Bureau of Prisons (purchase of cattle) .....		30,000.00
Bureau of Labor .....	11,798.00	
Transfer to Bureau of Constabulary .....		11,798.00
The Judiciary .....	101,513.31	
Transfer to Bureau of Agriculture (veterina- rians, inoculators, and serum cattle) .....		75,216.13
Transfer to maguey plants, Cebu .....		14,000.00
Transfer to Bureau of Education .....		12,297.18
Bureau of Lands .....	58,459.53	
Transfer to Bureau of Agriculture (veterina- rians, inoculators, and serum cattle).....		58,459.53
Total .....	427,623.55	427,623.55

The aggregate amounts were ₱538,310.73 in 1909 and ₱427,623.55 in 1910. A very large proportion of this was to enable the Bureaus to transfer from current expense to public works.

The public works undertaken with this money involve the construction of a wireless station for the Weather Bureau; work in connection with the improvement of the General Hospital in Manila; increase of money for roads and bridges for assistance to the provinces; and the reconstruction of Malacañan and the Oriente Building, both of which were in such condition as to make them positively dangerous to occupy in case there should be an earthquake; and the construction of the Government Center and buildings in Baguio.

The only Bureau to which a large transfer has been made for the purpose of increasing its current expenses has been the Bureau of Agriculture, to which the amount of ₱66,000 was transferred for the

year 1909 and ₱206,845 for the year 1910. These sums were necessary in order to successfully fight the rinderpest, an effort which I am glad to say is meeting with success.

By virtue of the authority granted by section 4 of Acts Nos. 1955 and 1989, the Secretaries of Departments have transferred from current expense to permanent improvement the following sums:

1909 .....	₱260,673.72
1910 .....	1,052,229.02

BAGUIO.

Until last year the Filipino people have reaped no advantage from the construction and maintenance of the Benguet Road, owing to the fact that no facilities had been provided for the use of Baguio, once there. All modern and progressive tropical countries maintain a resort at an altitude which assures a cool climate, and that of Baguio is ideal. There is no doubt as to the benefit derived by Filipinos from an annual sojourn in the mountains, not only for those who are suffering from disease, but also those who are enjoying ordinary health.

Contracts have been signed with the Manila Railroad Company for the construction of a railroad line to Baguio and favorable reports have been received from the engineers of the feasibility of constructing the railroad line in the near future. With this additional facility, the value of Baguio should be greatly enhanced to the Filipinos.

Its effect on people suffering from tuberculosis is most beneficial, and it is believed that as a tuberculosis resort alone, it will ultimately justify every expense that has been put upon it.

It is my belief that the Legislature should seriously consider making Baguio the site for a university, with the object of giving the students the advantage of developing their bodies and minds under the favorable conditions which prevail in a temperate climate. I am not prepared to make any recommendations, however, for immediate legislation to this end.

The cost of the Government buildings and improvements at Baguio has been taken from the revenues of 1909, ₱204,000; 1910, ₱304,000, including some ₱90,000 in equipment; and 1911, ₱160,000, which it is expected to expend in the course of the year.

These improvements, the larger part of which have been completed, include a system of Government buildings, with office and residence facilities for a considerable proportion of the personnel of the Government Bureaus, exceeding 800; water works; sewers; the necessary roads, etc.

The development of the road system of the city of Baguio is paid for from the funds pertaining to the city, a considerable part of which has been derived from a special assessment upon the real estate of the city, paid by the owners of lots.

The cost of the Benguet Road was much greater last year than before

and than it is hoped to be in the future, owing to the unprecedented typhoon of October, 1909, which destroyed work estimated to have cost ₱300,000.

#### HEALTH CONDITIONS.

Health conditions in the Archipelago are steadily improving. The policy of using the Constabulary as a quarantine guard has assisted very greatly in the prevention of the spread of cholera where it has appeared, and at the present writing the Islands are comparatively free of that disease. Other epidemic diseases are decreasing in extent, and the recent discoveries as to the cause of beriberi give promise that that disease will soon be very greatly decreased. Its prevalence here has been largely due to the use of polished rice as a principal article of diet, and it has been found that the use of unpolished rice will prevent its appearance where used, and result in the cure of people who were sick of that disease if supplied to them.

The segregation of lepers has had the effect of reducing the number of new cases from between 700 and 800 a year to an estimated number of 300 for the present year, or less than half. As leprosy sometimes takes many years to develop, it is probable that most of these cases were contracted before the segregation of the lepers began and that there will be a marked decrease each year in the number of new lepers.

A society known as the Philippine Islands Anti-Tuberculosis Society has been recently started by private enterprise to wage a campaign against what is probably the most prevalent and dangerous disease to-day menacing the Philippine Islands. The figures of the economic loss to the Islands from this disease alone are staggering. It is estimated that 400,000 Filipinos are afflicted with this disease and that 40,000 die every year. Economists estimating the value of human life to the Islands would tell us that ₱20,000,000 a year is the economic loss due to the prevalence of this disease, a loss which is wholly preventable in the light of modern scientific and medical knowledge.

The society has the hearty approval and promise of coöperation of the Government. Its plan is to establish tuberculosis camps in various places, where sufferers can get careful medical treatment, proper nourishment, and hygienic surroundings, and will be taught the proper method of caring for themselves, and of curing this disease.

It is believed that each of these camps will be a center of information which will disseminate the knowledge thus acquired. It is also intended to carry on a general campaign of education to teach the people the methods of life necessary to cure the disease and to prevent its appearance.

The work of this society will merit legislative assistance, and a reasonable appropriation to assist the society in its work is recommended.

The measures taken toward the suppression of rinderpest in the Islands bid fair to wipe out this disease, although we are still far from safe, and reinfection of localities is constantly occurring.



It is now recommended that animals found afflicted with rinderpest be immediately killed, and their carcasses destroyed. The very fact of their being alive in the community is a menace. The attendants are likely to carry the disease on their feet and clothes; birds might carry it, and it is better that chance of infection be eliminated. It is proposed that the Bureau of Agriculture be authorized to immediately kill any animal as soon as the disease is detected, giving from the Insular Treasury a reasonable compensation to the owner thereof. I approve this recommendation, and urge that a special appropriation of the sum of ₱75,000 be made to meet the expense incurred for this purpose during the remainder of the present fiscal year, and that in the appropriation for the ensuing fiscal year an allowance of ₱100,000 be included for this purpose.

Doctor Ward, a very competent veterinarian, has been secured, who is giving his whole attention to the matter of animal diseases. On June 1 an order was issued prohibiting the importation of any diseased cattle into the Islands. It was later found that a shipment of cattle from Australia contained several cases of pleuropneumonia. This disease is more insidious than rinderpest, owing to the long time it takes for incubation after exposure, the consequent difficulty of tracing the cause of the infection, and the fact that it is more difficult to identify. It has caused great losses in England, the United States, Australia, and other countries, and its introduction in the Philippine Islands would be nothing less than a calamity.

But few cases had been brought in when the matter came to the attention of the Government, and the Bureau of Agriculture ordered a ninety days' quarantine on importations of cattle from Australia, which has had the practical effect of totally excluding them. An expert veterinarian has been sent to Australia to study the whole problem and report.

It is noteworthy that in spite of this action of the Government, the price of the cheaper grade of meat is considerably lower than it was before, said to be due in part to the fact that there was an oversupply of the meat on the market about that time, and also to the fact that people are learning to use frozen meat.

Although it is desirable that cattle should be imported from many countries, it is essential that the Philippine Islands should be protected from the introduction of any further contagious diseases.

The Bureau of Agriculture now estimates that ₱1,318,700 will be needed for next year. The last Legislature increased the appropriation for this Bureau by ₱325,000 over the amount for the preceding year, and I should recommend a further increase in order to continue this work.

More than 20,000 draft animals have been imported into the Islands in the past year, which indicates a cost value of over ₱2,000,000, and their productive value is worth many times their cost so that it can be readily seen the Islands can not afford to discourage the new upward movement by loss of the draft animals.

## NEW LEGISLATION RECOMMENDED.

I have the honor to recommend the passage of a law regulating the use of water for private and public purposes, and the terms upon which water for the purpose of irrigation may be taken from the public streams and distributed among landowners. A bill intended to accomplish this purpose was presented at the first session of the Legislature and at the extraordinary session in Baguio, and both times failed of passage. A committee upon which three distinguished members of the Assembly have been working throughout the summer months is preparing a plan to meet those objections which arose in connection with the first two bills, and it is hoped that the bill will now meet the approval of the Legislature.

At the first session of the Legislature also there was offered a commercial shipping bill to define the status of seamen and creating the office of shipping commissioner. It is believed that this would be of great assistance to the shipping interests, and the passage of this bill is recommended.

It is not believed advisable that concessions or charters for public-service corporations should contain provision for the distribution of the percentage paid to the Government in lieu of taxes between the Insular, provincial, and municipal treasuries, as the proportions would be different in different charters and would not follow any regular rule. It is therefore recommended that a general law be enacted providing for such proportionment.

At the last regular session of the Legislature a bill was introduced authorizing the banks to keep the 20 per cent reserve required by section 125 of Act No. 1459 of the Philippine Commission, known as the Corporation Law, against only the current accounts and the fixed deposits coming due within thirty days. The passage of this Act would relieve the banks in a great measure, and afford sufficient security for the depositors. The banks at the present time give full security for all Government deposits, and should not be required by law to keep a reserve of 20 per cent against such deposits so secured. I recommend that legislation be passed to remedy this injustice.

It is believed that were the penalty for stealing cattle to be increased, much of the cattle stealing now prevalent in the Islands would cease. This has been the result in the Moro Province, where, by Act of the Moro council, the penalty has been very greatly increased; and an amendment to existing legislation on the subject is recommended.

Manila is one of the few large cities in the world of great importance that has not a gas plant. It is understood that parties are ready to construct a gas plant in Manila provided a suitable franchise is granted to them by the Legislature. It is recommended that legislation be enacted to enable the granting of a properly guarded franchise, so drawn as to protect the interests of the people.

By recent decision of the Supreme Court of the United States, the punishment imposed by the laws in force in the Philippine Islands for falsification of a public document is declared to be cruel and unusual. The penalty imposed by existing law for this crime is out of proportion

to the magnitude of the crime and to penalties imposed for other similar crimes. It is recommended that an amendment be made to the Penal Code modifying the penalty in these cases, as the decision of the Supreme Court may have the result of liberating certain persons who ought to undergo punishment, and yet who can not be punished to the extreme now provided for in the law. This amendment of law is recommended by the Code Committee.

It has been suggested that the Government should use its resources to assist the owners of sugar estates to combine so as to construct modern mills for the treatment of the sugar cane.

It is an established fact that the present mills recover only about a half of the recoverable sugar in the cane and that the construction of modern mills would be extremely profitable to the Philippine people, as it would give them very much greater return for their labor.

It is believed that an experiment might be made in this direction, and it is recommended that the authorization be granted by law for the investment by the Government of the accretions to the gold-standard fund from interest and exchange and that this money should be made available for the purchase of bonds of companies organized to construct and operate modern sugar mills.

The law should be carefully drawn to provide that all profits, after payment of a reasonable rate of interest on the capital invested should be expended in the redemption of the bonds, and with other safeguards.

If such authority is granted it is proposed to ask the owners of groups of sugar estates to make propositions to the Government, and to purchase the bonds of that company offering the best terms.

The accretions to the gold-standard fund derived from the above-mentioned sources have reached a very substantial sum, which is now lying idle in the United States drawing a low rate of interest. It is believed that this money could be used advantageously in the Philippine Islands; and the passage of a law is recommended authorizing the investment of these funds in the same securities as are the sinking funds on Government bonds. This would make them available for loans to provinces and municipalities.

Act No. 817 provides a means to fight locusts and gives the provincial governors the necessary authority to enforce the work on the part of the community, incurring certain expenses. The law, however, provides that these expenses shall be defrayed from the congressional relief fund, which has now been exhausted, a fact which renders the law ineffective. Locusts have appeared in several provinces and the necessary money has been advanced from the Insular Treasury to save the crops in one or two instances. Authorization for these advances is requested, and it is recommended that a fund be created that can be used in the future for such purposes.

The matter of control of labor is one of the serious problems which confront the Philippine Islands. In the First Legislature the Assembly passed a bill which was calculated to remedy the present difficulty, but

which was not approved by the Commission, on the ground of doubt as to its constitutionality. It is hoped that some Act can be framed which will penalize failure to fulfill the contract for the performance of labor for which money has been advanced, providing always that the terms have been just and reasonable.

The Government, and incidentally the people of the Philippine Islands, are continually suffering loss of their good employees. Good men are hard to get and hold, as they are always sought for other positions, and the service which can attract the best class of men and hold them is the one which is going to prosper most. In the Tropics there is the additional risk of losing the health, and a great many valuable American employees have left the Philippine service because of the fact that they feared, after twelve, fifteen, or twenty years of faithful service, that they would go back and find that they were unfitted for the kind of work which remained for them to do in the homeland. The cost of living here is such that very few people are able to save much money from their salaries, and the result is that many men are willing to accept a position in the United States at a lower salary and with less responsible work. Could those who had given their lives to the service of the Philippine Islands be assured that a pension would be given to them on retirement, it would result in a marked economy in the matter of holding good men in the service, and in the long run would be beneficial to the Islands and result in economies and saving and betterment of administration in excess of the cost of paying the pensions to those who availed themselves of the privilege. I therefore recommend that the Legislature pass an Act providing for a reasonable pension which would be proportioned on the length of service and on the salary received.

There is no express provision of law prohibiting slavery or involuntary servitude in the Philippine Islands. While the law provides certain methods of punishing the practice of slavery, as for example, the law for illegal detention, yet it does not seem right that an enlightened and modern country should have no way of punishing the purchase or sale of human flesh. It is recommended that this be remedied by appropriate legislation at the coming session.

The present justice of the peace laws are unsatisfactory. The emoluments are not sufficient to always attract the best men, or to hold all the good men obtained. The number of changes of justices of the peace is a serious matter, and menaces the efficient administration of justice in the lesser units and for the lesser offenses. The passage of a law remedying these defects is of great necessity, and this should be done as soon as finances will justify it.

Another crying evil in the administration of justice lies in the fact that witnesses are not paid for the time they are taken away from their work, which renders it not only a difficult matter to obtain justice, but also makes it a hardship on innocent persons, who are compelled to leave their work in order to see that justice is done. It is customary in all civilized countries to pay the fees of witnesses during the time they are

engaged in a case. The only reason this has not been done before is on account of the expense. It will take an increased appropriation for the Bureau of Justice, but it is an expense which the Filipino people should take as soon as the finances will justify it.

On June 14, 1910, the President of the United States approved an Act of Congress providing that the terms for Deputies and Resident Commissioners should be four years. It is recommended that the Legislature pass an Act making the term for elective officers in the Philippine Islands conform to that provided for by Act of Congress.

There are many amendments to existing legislation which will be presented by the Secretaries of the Departments, with their reasons. These involve among others, sundry changes in regard to the mining, forestry, customs, internal revenue, sanitary, and land laws.

W. CAMERON FORBES,  
*Governor-General of the Philippine Islands.*

To the PHILIPPINE LEGISLATURE.

The message was ordered spread upon the Journal of the Commission, and

On motion by Commissioner Gilbert, it was

*Resolved*, That the message of the Governor-General be referred to committees of the Commission for the preparation of such legislation as said committees may deem advisable, as follows:

That so much of said message as relates to the granting of a gas franchise for the city of Manila, to irrigation and to questions pertaining to the labor situation, including the creation of the office of shipping commissioner and the definition of the status of seamen, be referred to the Committee on Matters Pertaining to the Department of Commerce and Police;

That so much of said message as relates to the reserve which banks are required by law to carry, to accretions to the gold-standard fund, to amendments to the Penal Code, to aid to sugar growers, to amendment of the law as to justices of the peace, and to the payment of witnesses' fees be referred to the Committee on Matters Pertaining to the Department of Finance and Justice;

That so much of said message as relates to the theft of animals and to destruction by locusts be referred to the Committee on Matters Pertaining to the Department of Public Instruction;

That so much of said message as refers to the civil service and to pensions be referred to the Committee on Taxation and Revenue;

That so much of said message as relates to the necessity for a law

against involuntary servitude be referred to the Committee on Non-Christian Tribes;

That so much of said message as relates to the amendment of the Election Law be referred to a special committee on elections, if such committee shall hereafter be appointed, and

That so much of said message as relates to the distribution of moneys paid by public-service corporations in lieu of taxes be referred to a select committee composed of the Committees on Matters Pertaining to the Department of Finance and Justice and on Matters Pertaining to the Department of Commerce and Police.

#### RESOLUTION.

Commissioner Gilbert introduced the following resolution:

Commission Resolution No. 45. *Resolved*, That the Executive Secretary be, and he hereby is, directed to have printed in pamphlet form six thousand copies in Spanish and five thousand copies in English of the message of the Governor-General to the Philippine Legislature delivered at the opening of the First Session of the Second Philippine Legislature on Monday, October seventeenth, nineteen hundred and ten, one thousand or more copies in English to be furnished the honorable the Secretary of War as may be directed by the Governor-General, one hundred copies in Spanish to the Philippine Assembly, and the remainder to be distributed in the same manner as distribution was made of the message of the Governor-General delivered at the opening of the inaugural session of the First Philippine Legislature, in accordance with Commission Resolution Numbered Two, adopted on October seventeenth, nineteen hundred and seven, or as may be directed by the Governor-General.

The resolution was unanimously adopted.

#### AMENDMENT OF RULES.

Commissioner Gilbert stated that in view of the repeal of Act No. 6 of the Commission, the amendment of Rule XXIX of the Standing Rules of the Commission, relating to the procedure to be followed in the passage of bills, resolutions, and so forth, concerning territory inhabited by Moros and other non-Christians, had become necessary and proposed the following amendment:

Strike out of Rule XXIX the last lines, reading "but under such circumstances, in the case of an Act, the Act itself shall declare that the public good required its speedy enactment."

In accordance with Rule XXVIII, the proposed amendment to Rule XXIX was ordered referred to the Committee on Rules for report and recommendation.

## EXECUTIVE SESSION.

On motion by the President,

The Commission proceeded to the consideration of executive business.

After the consideration of executive business, the Commission returned to regular session.

(For appointments confirmed in executive session see pp. 824, 825.)

## ADJOURNMENT.

Thereupon, at 5 o'clock and 50 minutes postmeridian,

On motion by Commissioner Worcester,

The Commission adjourned to meet at 9 o'clock antemeridian, Tuesday, October 18, 1910.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

# Second Philippine Legislature, First Session.

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## JOURNAL OF THE COMMISSION.

TUESDAY, OCTOBER 18, 1910.

The Commission met pursuant to adjournment.

Present: Commissioners Gilbert, Worcester, Araneta, Palma, Branagan, Elliott, and the President.

Absent: Commissioners Luzuriaga and Sumulong (on leave).

### READING OF JOURNAL.

The Journal of Monday, October 17, 1910, was read and approved.

### MORO PROVINCE.

### REPORTS OF STANDING COMMITTEES.

[Committee Report No. 38.]

OCTOBER 18, 1910.

MR. PRESIDENT: Your Committee on Affairs Pertaining to the Moro Province, to which was referred on October 7, 1910, Moro council Act No. 252, entitled "An act making appropriations for sundry expenses of the government of the Moro Province, for the fiscal year ending June thirtieth, nineteen hundred and eleven, and for other designated periods," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the act be approved by the Commission, as it is in proper form and the passage thereof deemed advisable and within the legislative authority of the Moro legislative council.

Respectfully submitted.

FRANK A. BRANAGAN, *Chairman.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.



Commissioner Branagan stated that though he recommended the approval of the act as passed by the legislative council of the Moro Province, he desired to call the attention of the Commission to section 3, which provides as follows:

SEC. 3. The governor of the Moro Province, may, by executive order, transfer any part of any unexpended portion of any sum herein appropriated under any subdivision of any section hereof entitled "Contingent" to any other subdivision of the same section, and thereafter such sum so transferred shall be available for expenditure under such latter subdivision in like manner as if originally appropriated therefor.

Commissioner Worcester moved that the act be amended by striking out section 3 in its entirety, for the reason that the legislative council is in session the whole year and can itself if it desire authorize the transfer sought to be provided for in the said section.

The motion was seconded by Commissioner Araneta, and, being put to a vote, was carried.

Commissioner Branagan voted in the negative.

Commissioner Elliott was temporarily absent from the Session Chamber during the consideration of the amendment.

Thereupon, on motion by Commissioner Worcester, seconded by Commissioner Araneta, it was

*Resolved*, That, under and by virtue of the provisions of the Act of Congress of July first, nineteen hundred and two, and in accordance with the provisions of section thirty-two of Act of the Philippine Commission Numbered Seven hundred and eighty-seven, Act Numbered Two hundred and fifty-two of the legislative council of the Moro Province, entitled "An act making appropriations for sundry expenses of the government of the Moro Province, for the fiscal year ending June thirtieth, nineteen hundred and eleven, and for other designated periods," enacted September twenty-third, nineteen hundred and ten, be, and is hereby, approved as amended.

[Committee Report No. 39.]

OCTOBER 18, 1910.

MR. PRESIDENT: Your Committee on Affairs Pertaining to the Moro Province, to which was referred on October 17, 1910, Moro council Act No. 253, entitled "An act appropriating the sum of forty-four thousand nine hundred ninety-one pesos and forty-five centavos Philippine currency, or so much thereof as may be necessary, for certain public works, permanent improvements, and other purposes of the government of the Moro Province,"

has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the act be approved by the Commission, as it is in proper form and the passage thereof deemed advisable and within the legislative authority of the Moro legislative council.

Respectfully submitted.

FRANK A. BRANAGAN, *Chairman.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

On motion by Commissioner Worcester, seconded by Commissioner Araneta, the report was accepted, and it was

*Resolved*, That under and by virtue of the provisions of the Act of Congress of July first, nineteen hundred and two, and in accordance with the provisions of section thirty-two of Act of the Philippine Commission Numbered Seven hundred and eighty-seven, Act Numbered Two hundred and fifty-three of the legislative council of the Moro Province, entitled "An act appropriating the sum of forty-four thousand nine hundred ninety-one pesos and forty-five centavos Philippine currency, or so much thereof as may be necessary, for certain public works, permanent improvements, and other purposes of the government of the Moro Province," enacted October eleventh, nineteen hundred and ten, be, and the same hereby is, approved.

#### INTRODUCTION AND REFERENCE OF BILLS.

Commissioner Palma introduced the following bill:

Commission Bill No. 21. An Act amending section four, paragraph (b), section six, and section ten of Act Numbered Eighteen hundred and seventy, entitled "An Act for the purpose of founding a university for the Philippine Islands, giving it corporate existence, providing for a board of regents, defining the board's responsibilities and duties, providing higher and professional instruction, and for other purposes."

Commission Bill No. 21 was, by unanimous consent, read the first time by title only, and referred to the Committee on Matters Pertaining to the Department of Public Instruction, for report and recommendation.

Commissioner Worcester introduced the following bills:

Commission Bill No. 22. An Act amending section two of Act Numbered Six hundred and twenty-four of the Philippine Commission, designating who shall perform the duties of mining recorder, and adding a new

section to said Act by providing the manner in which patents for mining claims shall issue.

Commission Bill No. 22 was, by unanimous consent, read the first time by title only and referred to the Committee on Matters Pertaining to the Department of the Interior, for report and recommendation.

Commission Bill No. 23. An Act prohibiting slavery, involuntary servitude, peonage, or the sale of human beings in the Philippine Islands.

It appearing that this bill was passed by the Commission during the second session of the First Philippine Legislature and laid on the table by the Assembly, Commissioner Worcester suggested that before taking action on the bill, the reasons of the Assembly for tabling the measure be first obtained.

Consideration of the bill was thereupon postponed.

Commission Bill No. 24. An Act providing for the appointment of registers of deeds in subprovinces and districts in the Provinces of Agusan, Nueva Vizcaya, and the Mountain Province and ratifying, confirming, and validating all Acts performed as register of deeds by the deputy provincial treasurer of the Mountain Province at and in the subprovince of Benguet.

Commission Bill No. 24 was read the first time and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, for report and recommendation.

#### MISCELLANEOUS.

At the direction of the President, the Secretary submitted the following:

A communication, dated April 9, 1910, and signed by Messrs. Martin Egan and Harold M. Pitt, as a committee of the Manila Merchants Association, requesting the modification of the Weights and Measures Act and certain sections of the Customs Administrative Act.

After some discussion, the papers were referred to the Governor-General at his request.

Reports of the joint committee appointed under Act No. 1955 for the consideration during the recess of the Legislature of such matters as should be referred to it by the President of the Commission and the Speaker of the Assembly on various subjects.

On motion by Commissioner Gilbert, seconded by Commissioner Elliott,

The Secretary was directed to refer all reports of the Joint Legislative Committee appointed under Act No. 1955 to the committees properly having jurisdiction of their subject-matter, for report and recommendation.

Petitions of conventions of municipal presidents, municipal councils, and other municipal officers on various subjects.

On motion by Commissioner Gilbert, seconded by Commissioner Worcester,

The Secretary was directed to refer each petition to the committee properly having jurisdiction of its subject-matter, for report and recommendation.

ADJOURNMENT.

Thereupon, at 10 o'clock and 16 minutes antemeridian,

On motion by Commissioner Worcester,

The Commission adjourned to meet at the call of the President.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

# Second Philippine Legislature,

## First Session.

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### JOURNAL OF THE COMMISSION.

FRIDAY, OCTOBER 21, 1910.

The Commission met, at the call of the President, at 9 o'clock and 10 minutes antemeridian.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Elliott, and the President.

Absent: Commissioners Worcester (on official business), Luzuriaga and Sumulong (on leave).

#### READING OF JOURNAL.

The Journal of Tuesday, October 18, 1910, was read, corrected, and approved.

#### TELEGRAM.

At the direction of the President, the Secretary read the following telegram for the information of the Commission:

MANILA, *October 17, 1910.*

SECWAR, *Washington:*

In accordance with resolution of the Second Philippine Legislature, I have the honor to send the greetings of the Philippine Legislature to the President of the United States, and to inform him, through you, that the majority of both Houses are now convened in regular session at Manila, organized and ready for business.

FORBES.

Ordered filed.

#### MISCELLANEOUS COMMUNICATIONS.

At the direction of the President, the Secretary read the following communications:

Petition dated March 23, 1910, signed by representatives of

the Banco Español-Filipino; Chartered Bank of India, Australia and China; Hongkong and Shanghai Banking Corporation, and the International Banking Corporation, that Saturday of each year following Thursday and Friday of Holy Week, and the 31st of December of each year, coming between Rizal Day and New Year's Day, be made bank holidays.

Ordered referred to the Committee on Matters Pertaining to the Department of Finance and Justice for report and recommendation.

A communication from the fiscal of the First Judicial District, dated November 1, 1909, recommending that the Election Law be amended to provide clearly and definitely that, for the purpose of registering for election, it shall be necessary for qualification as a taxpayer to have all taxes paid up to date, which proposed amendment the Attorney-General deemed worthy of consideration.

It was moved by Commissioner Gilbert, seconded by Commissioner Elliott,

That a special committee on elections be appointed by the President to which shall be referred all proposed amendments to the Election Law, and that said committee shall also prepare such amendments as it may deem advisable, having in mind not only bills introduced but also the recommendations contained in the message of the Governor-General.

The motion prevailed, and

The communication of the fiscal for the First Judicial District was ordered referred to said committee when appointed.

#### REPORTS OF STANDING COMMITTEES.

[Committee Report No. 40.]

MR. PRESIDENT: The Committee on Rules, to which was referred on October 17, 1910, the following resolution to amend Rule XXIX of the Philippine Commission, viz: "Strike out of Rule XXIX, the last lines, reading, 'but under such circumstances in the case of an Act, the Act itself shall declare that the public good required its speedy enactment,'" has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the following resolution be substituted and when so substituted, be adopted:

Rule XXIX shall be amended to read as follows:

"All laws and resolutions relating to territory inhabited by Moros and

other non-Christians, shall, under the provisions of the Act of Congress, of July first, nineteen hundred and two, be passed by the Philippine Commission; resolutions may be read once and adopted on the same day, and in the case of Acts, the procedure shall be that prescribed by Rule X for Commission Bills."

NEWTON W. GILBERT,

RAF. PALMA,

C. B. ELLIOTT,

*Committee on Rules.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report and the amendment to the rules contained therein were unanimously adopted.

#### INTRODUCTION OF BILLS.

The President introduced the following bills:

Commission Bill No. 25. An Act regulating the registration, branding, conveyance, and slaughter of large cattle; providing for the disposition, care, custody, and sale of estrays and large cattle captured or seized; providing for the surrender of certificates of ownership, and so forth, of dead cattle and those transferred, slaughtered, lost, and so forth, providing penalties for noncompliance with its provisions and for theft, robbery, and so forth, of large cattle; repealing all prior laws, ordinances, and regulations inconsistent with its provisions, and for other purposes.

By unanimous consent, Commission Bill No. 25 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, for report and recommendation.

Commission Bill No. 26. An Act to amend Act Numbered Six hundred and sixty-six, entitled "An Act defining property in trade-marks and in trade-names and providing for the protection of the same, defining unfair competition and providing remedies against the same, providing registration for trade-marks and trade-names, and defining the effect to be given to registration under the Spanish royal decree of eighteen hundred and eighty-eight relating to the registration of trade-marks, and the effect to be given to registration under this Act," by providing for the publication of applications for registration of trade-marks and trade-names and for the filing of opposition to such registration by persons considering themselves damaged thereby, and forbidding the importation of merchandise which shall copy or simulate the name of any domestic manufacture or

manufacturer or trader, or any manufacture or manufacturer or trader in and of the United States or any foreign country, and for other purposes.

By unanimous consent, Commission Bill No. 26 was read the first time by title only and referred to Commissioner Araneta as a select committee for report and recommendation.

Commissioner Elliott introduced the following bill:

Commission Bill No. 27. An Act making it unlawful, without authority from the Director of Navigation, to establish, erect, or maintain in the navigable waters of the Philippine Islands, any light as an aid to navigation or any other aid to navigation similar to any of those maintained by the Bureau of Navigation, and providing a penalty therefor.

Commission Bill No. 27 was read the first time in full.

By unanimous consent it was read the second time by title only and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following amendment:

Strike out in lines 3 and 4 of section 1, page 1, the words, "not under the control of the Bureau of Navigation."

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

The bill was thereupon ordered on file for third reading.

#### DISCUSSION OF RECOMMENDATIONS OF CODE COMMITTEE.

At the direction of the President, the Secretary submitted the recommendation of the Code Committee that there be adopted in the Philippine Islands the uniform laws on negotiable instruments and warehouse receipts prepared by the American Bar Association and in force in a number of the United States.

After some discussion,

On motion by Commissioner Gilbert, seconded by Commissioner Elliott,

Consideration of the matter was temporarily postponed.

#### EXECUTIVE SESSION.

The Commission then proceeded to the consideration of executive business.



After the consideration of executive business, the Commission returned to regular session.

## ADJOURNMENT.

Thereupon, at 10 o'clock and 55 minutes antemeridian,

On motion,

The Commission adjourned to meet again at 9 o'clock antemeridian, Saturday, October 22, 1910.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

# Second Philippine Legislature, First Session.

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## JOURNAL OF THE COMMISSION.

SATURDAY, OCTOBER 22, 1910.

The Commission met pursuant to adjournment.

Present: Commissioners Gilbert, Araneta (after roll call), Palma, Branagan, Elliott, and the President.

Absent: Commissioner Worcester (on official business), and Commissioners Luzuriaga and Sumulong (on leave).

### READING OF JOURNAL.

The Journal of Friday, October 21, 1910, was read, corrected, and approved.

### THIRD READING OF BILLS.

Commission Bill No. 27. An Act making it unlawful without authority from the Director of Navigation, to establish, erect, or maintain in the navigable waters of the Philippine Islands, any light as an aid to navigation or any other aid to navigation similar to any of those maintained by the Bureau of Navigation, and providing a penalty therefor.

The bill was read the third time in full as amended.

Commissioner Elliott moved the adoption of the following amendment:

Strike out in line 15 of page 1, section 1, and in lines 1 and 2 of section 1, page 2, the following words: "one hundred pesos for each offense, and each day during which such violation shall continue shall be considered a new offense," and insert in lieu thereof the words, "two hundred pesos for each offense."

The motion prevailed.

The question then being upon its passage, the roll was called and Commission Bill No. 27 was unanimously passed as amended and the title was read and approved.

The Secretary was directed to request the concurrence of the Assembly in the bill as passed.

## REPORTS OF STANDING COMMITTEES.

[Committee Report No. 42.]

MR. PRESIDENT: Your Committee on Taxation and Revenue, to which was referred on October 21, 1910, a petition by the convention of municipal presidents of Rizal Province, dated May 26, 1910, requesting an amendment to existing law allowing for an increase in the portion of internal revenue allotted to municipalities, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the petition be laid on the table.

Internal revenue is now distributed to the provinces and municipalities as provided by Act No. 1964, which was enacted on August 11, 1909, for the purpose of saving to the Insular Government the whole of the increase in internal revenue accruing under the recent additional internal-revenue legislation, which was deemed necessary in view of the probable falling off in customs collections because of the passage of the Payne Bill. Your committee is of the opinion that the Payne Bill has not been in operation long enough to justify any change in the existing arrangement for distributing internal revenue.

Respectfully submitted.

FRANK A. BRANAGAN, *Chairman.*

To the Honorable,  
the PRESIDENT OF THE COMMISSION.

The report was adopted.

[Committee Report No. 43.]

MR. PRESIDENT: Your Committee on Taxation and Revenue, to which was referred on October 21, 1910, a petition by the convention of municipal presidents of Tarlac Province, dated April 23, 1910, requesting an amendment to existing law allowing for an increase in the portion of internal revenue allotted to municipalities, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the petition be laid on the table.

Internal revenue is distributed to the provinces and municipalities as provided by Act No. 1964, which was enacted on August 11, 1909, for the purpose of saving to the Insular Government the whole of the increase

in internal revenue accruing under the recent additional internal-revenue legislation, which was deemed necessary in view of the probable falling off in customs collections because of the passage of the Payne Bill. Your committee is of the opinion that the Payne Bill has not been in operation long enough to justify any change in the existing arrangement for distribution of internal revenue.

Respectfully submitted.

FRANK A. BRANAGAN, *Chairman.*

To the Honorable,  
the PRESIDENT OF THE COMMISSION.

The report was adopted.

[Committee Report No. 44.]

MR. PRESIDENT: Your Committee on Taxation and Revenue, to which was referred on October 21, 1910, a petition by the convention of municipal presidents of Capiz Province, dated July 6, 1910, requesting the amendment of section 19 of Act No. 1791 so as to extend the time for the redemption of property forfeited because of the nonpayment of the land tax, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the petition be laid on the table.

Section 78 of Act No. 82, as amended by section 18 of Act No. 1791, allows delinquents six months after notice of delinquency in which to pay their land tax, and section 79 of Act No. 82, as amended by section 19 of Act No. 1791, provides for a delay of one year after delinquency (six months after notice) before the delinquent is ejected, and gives him ninety days after ejection in which to redeem the land. Your committee is of the opinion that this notice and these periods of grace are sufficiently liberal.

This petition is similar, and to like effect, as one referred to your committee on March 31, 1910, an adverse report on which was submitted and unanimously adopted by the Commission on April 14, 1910. (Report No. 17, p. 70 ante.)

Respectfully submitted.

FRANK A. BRANAGAN, *Chairman.*

To the Honorable,  
the PRESIDENT OF THE COMMISSION.

The report was adopted.

[Committee Report No. 45.]

MR. PRESIDENT: Your Committee on Taxation and Revenue, to which was referred on October 21, 1910, a petition by the convention of municipal presidents of Capiz Province, dated July 7, 1910, suggesting an amendment to the Internal Revenue Law extending the period for the payment of

the cedula tax, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the petition be laid on the table.

Under existing law the cedula tax becomes delinquent on the last Saturday in April, thus allowing a period of four months for its payment without penalty. This tax is insignificant in amount, and even when doubled does not become burdensome. The principal effect of the change suggested in the petition would be to extend to eight months the period for the payment of the tax without the present penalty of 100 per cent attaching. Your committee is of the opinion that the existing law allows ample time for the payment of the tax.

Respectfully submitted.

FRANK A. BRANAGAN, *Chairman.*

To the Honorable,  
the PRESIDENT OF THE COMMISSION.

The report was adopted.

[Committee Report No. 46.]

MR. PRESIDENT: Your Committee on Taxation and Revenue, to which was referred on October 21, 1910, a resolution adopted by the convention of municipal presidents of Rizal Province on May 26, 1910, requesting the Philippine Legislature to reconsider Act No. 1970 and give provincial boards exclusive jurisdiction over the matter of the extension of time for the payment without penalty of the land and cedula taxes, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the petition be laid on the table.

Section 1 of Act No. 1970 empowers the provincial boards, among other things, "to extend, by resolution, whenever in its judgment the public interests require it, the time for the payment of the land tax without penalty, for a period not exceeding three months" and "to extend, also by resolution and for the same reasons and period, the time for the payment without penalty of the cedula personal tax."

This Act was passed April 19, 1910, and has therefore been in force only about six months, and it is the opinion of your committee that it is too soon to amend it so radically.

Respectfully submitted.

FRANK A. BRANAGAN, *Chairman.*

To the Honorable,  
the PRESIDENT OF THE COMMISSION.

The report was adopted.

[Committee Report No. 47.]

MR. PRESIDENT: Your Committee on Taxation and Revenue, to which was referred on October 21, 1910, a petition by the convention of municipa

presidents of Capiz Province, dated July 5, 1910, requesting the concurrence of the Commission in Assembly Bill No. 532,<sup>1</sup> passed by the Assembly at the second session of the First Philippine Legislature, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the petition be laid on the table.

Assembly Bill No. 532 was laid on the table by the Commission at its session of May 20, 1909, upon the recommendation of the Committee on Matters Pertaining to the Department of Finance and Justice. (Report No. 205, p. 639, Legislative Journal, Second Session, First Legislature.) From the report of that committee it appears that the relief asked for in the petition may be afforded by administrative order of the Secretary of Finance and Justice, and your committee is of the opinion that no legislation is necessary.

Respectfully submitted.

FRANK A. BRANAGAN, *Chairman.*

To the Honorable,  
the PRESIDENT OF THE COMMISSION.

The report was adopted.

#### INTRODUCTION AND REFERENCE OF BILL.

Commissioner Gilbert introduced the following bill:

Commission Bill No. 28. An Act defining habitual criminals and fixing the punishment for the same.

Commission Bill No. 28 was read the first time in full, and referred to the Committee on Matters Pertaining to the Department of Finance and Justice.

Commissioner Araneta entered the Session Chamber at this point.

#### FRIAR LANDS REPORT.

At the direction of the President, the Secretary read a communication from the Director of Lands, dated October 17, 1910, and an inclosed report on the administration of the friar estates for the quarter ending September 30, 1910.

Ordered filed.

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<sup>1</sup>An Act amending Act No. 1189, entitled "The Internal Revenue Law of Nineteen hundred and four," by adding several paragraphs to section 125 of the said Act.

ADJOURNMENT.

Thereupon, at 10 o'clock and 14 minutes antemeridian,  
On motion by Commissioner Gilbert,  
The Commission adjourned to meet again at 9 o'clock ante-  
meridian on Monday, October 24, 1910.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

# Second Philippine Legislature, First Session.

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## JOURNAL OF THE COMMISSION.

MONDAY, OCTOBER 24, 1910.

The Commission met pursuant to adjournment.

Present: Commissioners Araneta, Palma, Branagan, Elliott, and the President.

Absent: Commissioner Gilbert (excused), Commissioner Worcester (on official business), Commissioner Luzuriaga (on leave) and Commissioner Sumulong (excused).

### READING OF JOURNAL.

The Journal of Saturday, October 22, 1910, was read and approved.

### MESSAGE FROM THE GOVERNOR-GENERAL.

At the direction of the President, the Secretary read the following communication from the Governor-General:

OCTOBER 24, 1910.

GENTLEMEN: I have the honor to recommend that the Legislature authorize by legislative enactment the establishment of an annual Philippine industrial and commercial exposition, to be held in the city of Manila at some convenient date, at which the Insular Government and its various Bureaus, including the school department, should make a suitable exhibition of their activities and progress and the provinces and municipalities should exhibit their products and resources. At the same time individuals and corporations should be invited to exhibit their industries.

The advantages of such an exposition would be: First, a tendency to draw all the people of the Philippine Islands together and let them know



more about each other and the possibilities and resources of their own country. People of different provinces could come and see what the other provinces are doing. Each province would be stimulated to outstrip the others in the excellence of its products and manufactures.

This exposition will have the economic advantage of creating a market for products and manufactures which are little known now, and for which there is little sale. It is believed that this feature alone would justify the appropriation by the Insular Government of a considerable sum.

Another object is to enable the people of the Philippine Islands to see what the Government is doing and to know the work which is being done for them by the different Bureaus, as, for example, that of Agriculture, Education, Science, Forestry, Navigation, Public Works, etc.

It is expected to offer opportunities to other countries to join in this exposition and send samples of their goods, and that gradually this exposition might result in an increase in the international trade and the volume of exports and imports.

If the exposition becomes, as it is hoped, an annual feature of industrial importance, it will attract to the Philippine Islands the eyes of all the neighboring peoples of the Orient and bring the Islands to the attention of other countries in a way which will undoubtedly prove beneficial both to the trade and to the prestige of the Philippine people.

Most expositions are made self-supporting by collecting from the public an admission fee. It is believed that greater good can be accomplished by having free admission, and to this end it is recommended that the sum of ₱100,000 be made immediately available, and that the bill provide for the appointment of a committee, of which the Secretary of Commerce and Police shall be ex officio chairman, which shall have the general direction of the use of the funds and the organization of the exposition.

This money should be used to purchase the most important exhibits shown by the provinces, which could form the nucleus for a permanent industrial and commercial museum to be maintained in the city of Manila.

It is recommended that the bill provide that the committee be authorized to make such purchases and encourage the provinces to send the best class of exhibits.

This matter has already been presented to the provinces and to some of the municipalities, and great interest has been shown already and many are now preparing a local provincial exposition, at which the provincial exhibits will be drawn together and selections made for the general exposition.

Respectfully,

W. CAMERON FORBES,  
*Governor-General.*

To the PHILIPPINE LEGISLATURE, *Manila.*

The message was ordered referred to the Committee on Matters Pertaining to the Department of Commerce and Police, for report and recommendation, including the preparation of such legislation as may be advisable.

ADJOURNMENT.

Thereupon, at 9 o'clock and 25 minutes antemeridian,

On motion,

The Commission adjourned to meet at the call of the Chair.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

# Second Philippine Legislature, First Session.

## JOURNAL OF THE COMMISSION.

WEDNESDAY, OCTOBER 26, 1910.

The Commission met at the call of the Chair at 10 o'clock and 15 minutes antemeridian.

Present: Commissioners Gilbert, Worcester (after roll call), Araneta (after roll call), Palma, Sumulong, Branagan, and Elliott. Commissioner Gilbert in the chair.

Absent: Commissioner Luzuriaga (on leave) and the President.

### READING OF JOURNAL.

The Journal of Monday, October 24, 1910, was read and approved.

### REPORTS OF STANDING COMMITTEES.

[Committee Report No. 48.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Public Instruction, to which was referred on October 18, 1910, Commission Bill No. 21, entitled "An Act amending section four, paragraph (b), section six and section ten of Act Numbered Eighteen hundred and seventy entitled 'An Act for the purpose of founding a university for the Philippine Islands, giving it corporate existence, providing for a board of regents, defining the board's responsibilities and duties, providing higher and professional instruction, and for other purposes,'" has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That it do pass.

Respectfully submitted.

NEWTON W. GILBERT,

*Committee on Matters Pertaining to the  
Department of Public Instruction.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

Commission Bill No. 21 was then read the second time in full and referred to the Committee of the Whole.

(Commissioners Worcester and Araneta entered the Session Chamber during the reading of the bill.)

The bill was considered in committee and reported to the Commission with the recommendation that it pass with the following amendments:

Page 1, section 1, lines 10 and 11, strike out the words "a justice of the Supreme Court" and insert in lieu thereof the words "and a justice of the Supreme Court to be designated by the Governor-General."

Page 2, section 2, lines 20 and 21, strike out the words "a College of Law and of Social and Political Science" and insert in lieu thereof the following: "a College of Law; a College of Social and Political Science."

Page 3, section 3, line 11, insert after the word "elected" the words "from the members of such faculty."

The report and recommendation of the Committee of the Whole were adopted.

On motion by Commissioner Palma, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Commission Bill No. 21 was passed, as amended.

Commissioner Worcester was excused from voting at his request.

Commissioner Elliott moved to amend the title to read as follows:

An Act amending section four, paragraph (b) of section six, and section ten, of Act Numbered Eighteen hundred and seventy, entitled "An Act for the purpose of founding a university for the Philippine Islands, giving it corporate existence, providing for a board of regents, defining the board's responsibilities and duties, providing higher and professional instruction, and for other purposes."

The motion prevailed.

The title as amended was then read and approved.

The Secretary was directed to request the concurrence of the Assembly in the bill as passed.

[Committee Report No. 49.]

MR. PRESIDENT: The Committee on Matters Pertaining to the Department of Public Instruction, to which was referred on October 18, 1910, resolution No. 4 of the convention of municipal presidents of Batangas petitioning that persons sentenced for offenses within the jurisdiction of

justice of the peace courts serve sentences in the municipal jails; and resolution No. 9 of the convention of municipal presidents of Capiz petitioning to the same effect; has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That these petitions be laid upon the table, a bill similar in effect having last year been ordered tabled by the Commission.

Respectfully submitted.

NEWTON W. GILBERT,  
*Committee on Matters Pertaining to the  
Department of Public Instruction.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 50.]

MR. PRESIDENT: The Committee on Matters Pertaining to the Department of Public Instruction, to which was referred on October 18, 1910, resolution No. 16 of the convention of municipal presidents of Rizal recommending that Act No. 1866 be amended so that in order to obtain the benefits of said Act the daily school attendance of 60 at present required be reduced to 40 and that the distance of 2 kilometers specified by the Act be reduced to 1 kilometer, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That this matter be laid upon the table, inasmuch as the money appropriated by Act No. 1866 has been spent and an amendment to this Act would serve no purpose.

Respectfully submitted.

NEWTON W. GILBERT,  
*Committee on Matters Pertaining to the  
Department of Public Instruction.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 51.]

MR. PRESIDENT: The Committee on Matters Pertaining to the Department of Public Instruction, to which was referred on October 18, 1910, a resolution of a convention of municipal presidents of Capiz, requesting an amendment of Act No. 1801 to the effect that first-class municipalities shall contribute only 50 per cent, second class 40 per cent, third class 30 per cent, and fourth class 20 per cent in order to obtain the benefits of that Act, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That this petition be laid upon the table.

As the law is drawn at present a municipality may make its con-

tribution in money, materials, or labor, and if it is not sufficiently interested in obtaining a school building to donate one-third of its total cost in materials or labor if it has not the cash, it is believed that the limited sums which the Insular Government has available for assisting local governments in erecting school buildings could be spent to better advantage elsewhere.

Respectfully submitted.

NEWTON W. GILBERT,  
*Committee on Matters Pertaining to the  
Department of Public Instruction.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 52.]

MR. PRESIDENT: The Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on October 20, 1910, the resolution of the convention of municipal presidents of Rizal held on May 26, 1910, praying that legislation be passed setting aside 25 per cent of the fines imposed upon and collected by the court in gambling cases for the persons who denounced and raided the game, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That consideration of this proposed legislation be indefinitely postponed.

Rewards should not be given to informers save in exceptional cases and for very good reasons. The only grounds which would justify the giving of a reward to informers of violations of the law against gambling would be that such informers had given information leading to the discovery of prohibited games which the participants had taken every precaution to keep hidden. In the opinion of the undersigned if those whose duty it is to suppress gambling were to fulfill their duty in every respect nothing would be gained by encouraging private individuals to give information in regard to gambling offenses.

If the resolution passed by the convention of municipal presidents of Rizal has for its object the remuneration of peace officers or others whose duty it is to suppress gambling, to the end that they might be stimulated in the performance of their duty, I do not think this would be good policy. It must also be borne in mind that in the majority of cases no fines are collected in gambling cases, either for the reason that only a sentence of imprisonment has been imposed or that the accused are insolvent.

Respectfully submitted.

GREGORIO ARANETA,  
*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 53.]

MR. PRESIDENT: The Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on October 18, 1910, resolution of the assembly of justices of the peace held at Nueva Caceres, Ambos Camarines, on February 11, 1910, recommending that the Philippine Assembly amend Act No. 1627 so that auxiliary justices of the peace when attending justice of the peace assemblies shall be paid the same traveling expenses as are paid to justices of the peace, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That consideration of the proposed amendment be postponed indefinitely.

Act No. 1627 provides that auxiliary justices of the peace are not required to attend justice of the peace assemblies, and no reason is seen why they should attend, they not filling the office of justice of the peace. On the contrary, when the justices of the peace are absent in attendance at justice of the peace assemblies, the auxiliary justices of the peace are required to take charge of the office. If the auxiliary justices of the peace were also required to attend these assemblies there would be no one to perform the duties of justice of the peace. In case where the auxiliary justice of the peace is acting as justice of the peace, and attends the assembly, he is entitled to the traveling expenses provided by law.

Respectfully submitted.

GREGORIO ARANETA,  
*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 54.]

MR. PRESIDENT: The Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on October 18, 1910, resolution No. 9 of the convention of municipal presidents of Capiz, adopted July 6, 1910, recommending that jurisdiction over trials for violations of municipal ordinances be transferred from justices of the peace to municipal presidents, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That consideration of the proposed amendment be postponed indefinitely.

The convention of municipal presidents based this recommendation on the ground of economy; that is to say, that the municipalities may avoid paying to justices of the peace fees for the trial of cases arising from violations of municipal ordinances. This feature of the law was taken into consideration at the time of the passage of Act No. 1627, which took from the municipal presidents the jurisdiction to try cases for violation of

municipal ordinances, and conferred it upon justices of the peace. The separation of the executive and judicial power in municipalities—which undoubtedly was the reason for this legislation—amply justifies the expense to the municipalities of the payment of the fees. The office of the municipal president being an elective one, the incumbent is in many instances not free from political influences which impede the impartial administration of justice.

No good reason is seen why any further action should be taken on the proposed amendment.

Respectfully submitted.

GREGORIO ABANETA,  
*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 55.]

MR. PRESIDENT: The Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on October 18, 1910, resolution No. 21 of the convention of municipal presidents of Capiz, adopted July 7, 1910, praying that the term of office for justices of the peace and auxiliary justices of the peace be fixed at four years, and that the appointments be proposed by the municipal council, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That consideration of the proposed amendment be indefinitely postponed.

No good reason is seen why the law should be changed so as to make the term of office of justices of the peace four years. With respect to elective offices there are reasons why the duration of their terms should be definitely fixed, but with regard to justices of the peace the same rule should hold as applies to other appointive officials, namely; they should hold office as long as there is no justifiable grounds for removing them.

Neither is any good reason seen why appointments of justices of the peace should be proposed by the municipal council instead of the judge of the Court of First Instance as at present provided. The recommendation of the judge of the Court of First Instance is more likely to be unbiased, he being more independent and free from all political influence, which is not always the case with municipal councils.

Respectfully submitted.

GREGORIO ABANETA,  
*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.



[Committee Report No. 56.]

MR. PRESIDENT: The Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on October 18, 1910, resolution of the assembly of justices of the peace of Ambos Camarines of February 11, 1910, recommending to the Philippine Assembly an amendment of section 5 of Act No. 1627, so that justices of the peace may be relieved from the duty of collecting fees, costs, and fines of all kinds, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That consideration of the proposed amendment be indefinitely postponed.

The reasons alleged in support of this proposed amendment are that the mission of a justice of the peace is solely to administer justice. This duty of the justice of the peace, however, is not incompatible with the duty now imposed upon him of collecting fees and costs. The passage of the proposed amendment would render the collection of fees and costs more complicated, would be a source of annoyance to litigants and would make necessary a double examination, one of the accounts of the municipal treasurer with respect to the collection of fees and costs, and another as to whether the justice of the peace had rendered his services after the fees has been paid.

Respectfully submitted.

GREGORIO ARANETA,

*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 57.]

MR. PRESIDENT: The Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on October 18, 1910, resolution No. 1 of the convention of municipal presidents of Capiz, adopted July 1, 1909, petitioning the Legislature (1) to confer jurisdiction on justices of the peace to try matters relative to intestate estates provided the estate does not exceed the sum of ₱600, and (2) to confer upon justices of the peace jurisdiction to try matters concerning the rendition of accounts provided the capital invested by the partners in merchandise does not exceed the sum of ₱600, and the report of the Joint Legislative Committee that no action be taken thereon, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the recommendation of the said joint committee be adopted.

Respectfully submitted.

GREGORIO ARANETA,

*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 58.]

MR. PRESIDENT: The Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on October 18, 1910, resolution No. 8 of the convention of municipal presidents of Capiz, adopted July 2, 1909, praying (1) that section 33 of Act No. 1627 be amended so that the justice of the peace assembly therein provided for be made to include municipal presidents; (2) that the justice of the peace assemblies be permitted to present recommendations, petitions, etc., to the proper authorities, and (3) that the convention of municipal presidents be abolished and the justice of the peace assembly be retained and denominated "assembly of municipal presidents and justices of the peace," and the report of the Joint Legislative Committee thereon, that the same be laid on the table, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the recommendation of the said joint committee be adopted.  
Respectfully submitted.

GREGOBIO ABANETA,  
*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

#### RESOLUTION.

Commissioner Worcester introduced the following resolution:

Commission Resolution No. 47. Whereas, on September first, nineteen hundred and ten, the Secretary of the Interior was of the opinion that it would be in the public interests to reserve a town site at Boso-Boso, municipality of Antipolo, Province of Rizal, and so informed the Director of Lands; and

Whereas, on September first, nineteen hundred and ten, the Secretary of the Interior directed the Director of Lands to cause a survey to be made of the exterior boundaries of the land which he deemed it wise to reserve; and

Whereas the Director of Lands on August thirty-first, nineteen hundred and ten, reported to the Secretary of the Interior that the survey of the proposed town site was undertaken at the request of the Municipal Board of the city of Manila, and was completed on April twenty-fourth, nineteen hundred and ten; and

Whereas said survey was approved by the Secretary of the Interior on September first, nineteen hundred and ten, and the plan thereof was approved by the Director of Lands on October eleventh, nineteen hundred and ten; and

Whereas the Secretary of the Interior, under date of October twentieth,

nineteen hundred and ten, recommended that a town site be established at Boso-Boso, Province of Rizal, under Chapter V, of Act Numbered Nine hundred and twenty-six, in accordance with said plan, the exterior boundaries of which are shown to be as follows:

Beginning at point 1, a cement monument 15 by 15 by 60 cm., thence S. 8° 29' W. 201.8 m. to point 2; S. 44° 24' E. 5.3 m. to point 3; S. 80° 26' W. 27.7 m. to point 4; N. 72° 08' W. 25.7 m. to point 5; S. 79° 01' W. 16.8 m. to point 6; N. 53° 37' W. 21.2 m. to point 7; S. 87° 57' W. 66.9 m. to point 8; S. 71° 57' W. 23.6 m. to point 9; S. 79° 00' W. 22.0 m. to point 10; S. 21° 17' W. 31.1 m. to point 11; N. 66° 21' W. 143.1 m. to point 12; S. 78° 28' W. 34.5 m. to point 13; N. 49° 56' W. 22.2 m. to point 14; N. 31° 58' W. 39.8 m. to point 15; N. 46° 49' W. 42.2 m. to point 16; N. 30° 31' W. 54.0 m. to point 17; N. 46° 46' W. 34.5 m. to point 18; N. 5° 45' W. 13.0 m. to point 19; N. 14° 38' E. 69.7 m. to point 20; S. 77° 07' E. 19.3 m. to point 21; N. 29° 30' E. 22.7 m. to point 22; S. 85° 30' E. 17.9 m. to point 23; N. 24° 17' E. 61.8 m. to point 24; N. 6° 18' E. 27.4 m. to point 25; N. 20° 27' E. 26.9 m. to point 26; N. 4° 06' W. 23.8 m. to point 27; N. 31° 00' W. 31.3 m. to point 28; N. 63° 57' W. 24.8 m. to point 29; N. 26° 52' W. 16.8 m. to point 30; N. 1° 28' W. 43.1 m. to point 31; N. 66° 12' W. 29.7 m. to point 32; N. 7° 47' E. 59.0 m. to point 33; N. 32° 15' W. 35.2 m. to point 34; N. 16° 52' E. 12.7 m. to point 35; N. 48° 28' E. 24.6 m. to point 36; N. 78° 10' E. 34.6 m. to point 37; N. 33° 28' E. 51.7 m. to point 38; N. 34° 48' W. 35.6 m. to point 39; S. 85° 39' W. 59.4 m. to point 40; N. 27° 47' W. 92.5 m. to point 41; N. 15° 56' W. 98.4 m. to point 42; N. 33° 11' E. 28.0 m. to point 43; S. 61° 38' E. 105.5 m. to point 44; N. 81° 40' E. 65.6 m. to point 45; N. 26° 49' E. 41.9 m. to point 46; N. 1° 03' E. 60.3 m. to point 47; N. 54° 45' E. 9.2 m. to point 48; S. 83° 34' E. 33.9 m. to point 49; S. 69° 28' E. 57.0 m. to point 50; S. 7° 25' E. 37.2 m. to point 51; S. 53° 06' E. 48.1 m. to point 52; N. 74° 02' E. 44.0 m. to point 53; N. 87° 55' E. 49.5 m. to point 54; N. 89° 48' E. 57.9 m. to point 55; S. 72° 36' E. 58.2 m. to point 56; S. 44° 39' W. 93.9 m. to point 57; S. 25° 55' E. 63.6 m. to point 58; S. 34° 06' W. 27.3 m. to point 59; S. 1° 09' E. 24.1 m. to point 60; S. 10° 20' W. 20.5 m. to point 61; S. 19° 12' E. 31.4 m. to point 62; S. 89° 16' E. 20.3 m. to point 63; N. 46° 29' E. 22.2 m. to point 64; S. 73° 48' E. 43.6 m. to point 65; S. 14° 06' W. 18.2 m. to point 66; S. 46° 27' W. 54.2 m. to point 67; S. 14° 46' W. 23.4 m. to point 68; S. 15° 40' W. 27.4 m. to point 69; S. 23° 17' W. 21.8 m. to point 70; S. 29° 45' E. 31.9 m. to point 71; S. 9° 05' E. 27.4 m. to point 72; S. 40° 05' W. 41.3 m. to point 73; S. 3° 40' W. 28.2 m. to point 74; S. 54° 53' E. 18.9 m. to point 75; S. 81° 33' W. 17.7 m. to point 76; S. 7° 22' W. 20.3 m. to point 77; S. 23° 23' E. 23.4 m. to point 78; S. 37° 12' W. 48.0 m. to point 79; S. 79° 26' E. 30.5 m. to point 80; S. 74° 07' E. 27.8 m. to point 81; S. 8° 17' W. 31.2 m. to point 82; S. 87° 04' E. 46.9 m. to point 83; S. 65° 55' E. 14.5 m. to point 84; S. 11° 38' W. 59.0 m. to point 1, point of beginning.

Containing 379,992 square meters.

Points 2 and 31 are cement monuments; points 3 and 32, trees; points 3 to 11, inclusive, on bank of Sapang Galili; points 13 to 30, inclusive, on bank of irrigation ditch; points 32 to 56, inclusive, on bank of Pantay River; points 57 and 58, on bank of Sapang Mananta; points 59 to 84, inclusive, in center of Sapang Botohin.

Bounded on north by Pantay River; on east by Sapang Mananta, Sapang Botohin, and public land; on south by Sapang Galili; on southwest by properties of Frino Santos, Ciriaco Ferez, and Telesforo Pangniban and irrigation ditch; on west by irrigation ditch, Pantay River, and properties of Valentin Sumulong, Basilio Lualhati, and Basilio Lualhati.

Bearings true. Variation,  $0^{\circ} 42' E$ .

Points referred to marked on plan K-18.

NOTE.—Lot No. 110 is claimed by Justo Marquez.

Now, therefore, be it

*Resolved*, That in accordance with section thirty-eight, of Act Numbered Nine hundred and twenty-six, known as the Public Land Act, the Commission hereby approves the recommendation of the Secretary of the Interior and the town site is hereby reserved, the boundaries of which shall be those hereinbefore described and shown on said plan, and that the land so described may be hereafter disposed of only as provided in Chapter V, of said Act Numbered Nine hundred and twenty-six.

*Resolved further*, That a copy of this resolution be sent to the Director of Lands for his action in accordance with section sixty-two, and sections thirty-nine and following of the Public Land Act.

The resolution was adopted.

#### INTRODUCTION AND FIRST AND SECOND READING OF BILL.

Commissioner Araneta introduced the following bill:

Commission Bill No. 29. An Act to amend Act Numbered Eleven hundred and eighty-nine, entitled "The Internal Revenue Law of Nineteen hundred and four," as amended, by extending the meaning of the term "manufactured liquors" as used in said Act so as to include certain medicinal, toilet, and other liquid preparations, and by imposing a tax at the rate of seventy centavos per liter on all distilled spirits and manufactured liquors, with certain exceptions; and for other purposes.

Commission Bill No. 29 was read the first time.

By unanimous consent, the bill was thereupon read the second time by title only and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass.

The report and the recommendation of the Committee of the Whole were adopted by unanimous vote and the bill ordered on file for third reading.

## ADJOURNMENT.

Thereupon, at 11 o'clock and 21 minutes antemeridian,  
On motion by Commissioner Worcester,  
The Commission adjourned to meet at the call of the Chair.  
Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

# Second Philippine Legislature, Special Session.

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## JOURNAL OF THE COMMISSION.

FRIDAY, OCTOBER 28, 1910.

The Commission met at the call of the President at 11 o'clock antemeridian,

Present: Commissioners Gilbert, Worcester, Araneta, Palma, Branagan, Sumulong, Elliott, and the President.

Absent: Commissioner Luzuriaga (on leave).

### READING OF JOURNAL.

The Journal of Wednesday, October 26, 1910, was read, corrected, and approved.

### MISCELLANEOUS COMMUNICATIONS.

At the direction of the President, the Secretary submitted a number of resolutions of the convention of municipal presidents of Pampanga, recommending legislation on various subjects.

On motion by Commissioner Gilbert,

The Secretary was directed to refer each resolution to the committee of the Commission having jurisdiction of its subject matter, for report and recommendation.

### THIRD READING AND PASSAGE OF BILL.

Commission Bill No. 29. An Act to amend Act Numbered Eleven hundred and eighty-nine, entitled "The Internal Revenue Law of Nineteen hundred and four," as amended, by extending the meaning of the term

“manufactured liquors” as used in said Act so as to include certain medicinal, toilet, and other liquid preparations and by imposing a tax at the rate of seventy centavos per liter on all distilled spirits and manufactured liquors, with certain exceptions; and for other purposes.

Commission Bill No. 29 was read the third time.

Commissioner Araneta moved the following amendment:

Section 1, page 2, line 3, change the comma after the word “palm” to a semicolon.

The motion prevailed.

The question then being upon the passage of the bill as amended, the roll was called, and Commission Bill No. 29, as amended, was unanimously passed.

The President then moved to amend the title to read as follows:

An Act to amend Act Numbered Eleven hundred and eighty-nine, entitled “The Internal Revenue Law of Nineteen hundred and four,” as amended, by imposing a tax at the rate of seventy centavos per liter on all distilled spirits and manufactured liquors, with certain exceptions, and by extending the meaning of the term “manufactured liquors” as used in said Act so as to include certain medicinal, toilet, and other liquid preparations; and for other purposes.

The motion prevailed.

The title as amended was then read and approved.

The Secretary was directed to request the concurrence of the Assembly in the bill as passed.

#### REPORT OF STANDING COMMITTEE.

[Committee Report No. 59.]

MR. PRESIDENT: The Committee on Matters Pertaining to the Department of Public Instruction, to which was referred on October 18, 1910, resolution No. 17 of the convention of municipal presidents of Rizal requesting that the benefits of the Gabaldon Act be made extensive to municipalities unable to duly register land on which the schools are to be built, such land not being their property, but, its owners ceding the permanent usufruct of the same to the municipality, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That this petition be laid upon the table.

An owner could donate the land to a municipality on the condition that the same was to be permanently used for school purposes, the title to revert to the original owner upon other use, thus accomplishing what is

desired by this amendment. In any event the title would have to be registered or an application for registration filed.

NEWTON W. GILBERT,  
*Committee on Matters Pertaining to the  
Department of Public Instruction.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

INTRODUCTION AND FIRST AND SECOND READING OF BILL.

Commissioner Elliott introduced the following bill:

Commission Bill No. 30. An Act amending section thirty-nine of Act Numbered Four hundred and ninety-six, entitled "The Land Registration Act," so as to extend to Government irrigation canals and laterals thereof the exemptions established in favor of public highways.

Commission Bill No. 30 was read the first time.

By unanimous consent, it was read the second time by title only and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass, with the following amendment:

Section 1, page 2, line 1, strike out the word "or" between the words "way" and "private way."

The report and recommendation of the Committee of the Whole were adopted, and the bill ordered on file for third reading.

REPORT OF CODE COMMITTEE.

At the direction of the President, the Secretary read a report of the work of the Code Committee, appointed under Act No. 1941, submitted by the chairman of said committee on October 20, 1910.

The President was called from the Session Chamber during the reading of the report, and Commissioner Gilbert took the chair.

The report was ordered filed.

ADJOURNMENT.

Thereupon, at 11 o'clock and 55 minutes antemeridian,

On motion,

The Commission adjourned to meet at the call of the President.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*



# Second Philippine Legislature, Special Session.

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## JOURNAL OF THE COMMISSION.

WEDNESDAY, NOVEMBER 2, 1910.

The Commission met at the call of the President at 9 o'clock and 10 minutes antemeridian.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, Elliott, and the President.

Absent: Commissioner Worcester (on official business) and Commissioner Luzuriaga (on leave).

### READING OF JOURNAL.

The Journal of Friday, October 28, 1910, was read and approved.

### APPOINTMENT OF COMMITTEE ON AMENDMENTS TO THE ELECTION LAW.

The President announced the appointment of Commissioners Gilbert, Palma, and Araneta as members of the Committee on Amendments to the Election Law provided for by the Commission at its session of October 21, 1910.

### MISCELLANEOUS COMMUNICATIONS.

At the direction of the President, the Secretary read the following communication addressed by the Acting Executive Secretary to the heads of Departments of the Insular Government, a copy of which had been forwarded to the Commission for its information:

OCTOBER 28, 1910.

SIR: Referring to the request received by Chiefs of Bureaus within your Department from a member of one of the Houses of the Philippine Legislature for information regarding matters of Bureau administration, I

have the honor to inform you that His Excellency the Governor-General is of the opinion that the same procedure should be adopted by this Government as that in force in the Federal Government which is understood to be that, when information is desired from any Bureau or Office of the executive branch of the Government by a member of either House of the Legislature, the procedure followed should be that the member interested present a resolution to the House to which he pertains setting forth the information desired and requesting that it be furnished, if not contrary to the public interest. It is thought that such resolutions, presented in either House of the Legislature, should call on the Governor-General to secure the information desired.

Copies of this communication have been furnished the presiding officers and secretaries of both Houses of the Legislature.

Very respectfully,

THOMAS CARY WELCH,  
*Acting Executive Secretary.*

Ordered spread upon the Journal.

At the direction of the President, the Secretary submitted the comment of the Attorney-General on the following Assembly bills referred to him by the Commission during the First Philippine Legislature for study and consideration:

An Act to establish boards of arbitration for preventing and settling strikes (A. B. 522).

An Act regulating the juridical relations between employers and laborers (A. B. 252).

An Act creating the institution of an agricultural council and establishing precepts, rules, and penalties to protect agricultural production in the Philippines (A. B. 286).

Ordered referred to the Committee on Matters Pertaining to the Department of Commerce and Police in connection with the recommendation as to labor legislation contained in the message of the Governor-General, previously referred to said committee.

#### THIRD READING AND PASSAGE OF BILL.

Commission Bill No. 30. An Act amending section thirty-nine of Act Numbered Four hundred and ninety-six, entitled "The Land Registration Act," so as to extend to Government irrigation canals and laterals thereof the exemptions established in favor of public highways.

Commission Bill No. 30 was read the third time.

Commissioner Gilbert moved the following amendment:

Strike out the word "laterals" occurring in lines 2 and 5 of page 2, and insert in lieu thereof in each case, the word "lateral."

The motion prevailed.

The question then being upon its passage, the roll was called and Commission Bill No. 30 was unanimously passed, as amended, and the title was read and approved.

The Secretary was directed to request the concurrence of the Assembly in the bill as passed.

## REPORTS OF STANDING COMMITTEES.

[Committee Report No. 60.]

MR. PRESIDENT: Your Committee on Taxation and Revenue, to which was referred on October 28, 1910, a petition by the convention of municipal presidents of Pampanga Province, dated October 10, 1910, requesting an amendment to existing law allowing for an increase in the portion of internal revenue allotted to municipalities, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the petition be laid on the table.

This petition is similar to those covered by Reports Nos. 42 and 43,<sup>1</sup> which petitions were laid on the table by the Commission on October 22, 1910.

Respectfully submitted.

FRANK A. BRANAGAN,

*Chairman, Committee on Taxation and Revenue.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 61.]

MR. PRESIDENT: The Committee on Matters Pertaining to Bureaus under the Executive Control of the Governor-General, to which was referred on September 5, 1910, the complaint of Mr. Pascual Pacis of Baguio, Benguet, regarding certain ordinances of the city of Baguio relating to the impounding of animals, licensing of vehicles, etc., has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the petition be laid on the table.

1. The complaint of Mr. Pacis in regard to pound dues and management of the pound at Baguio seems to be completely answered by Mr. Page, who says that there are none of the abuses of which Mr. Pacis complains. It is a question of fact, and unless an outside investigation is made, it seems that the answer of Mr. Page should be believed.

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<sup>1</sup> Ante, pp. 175, 176.

2. The complaint of Mr. Pacis as to a license charge of 50 centavos on every public vehicle is without foundation. Mr. Pacis quotes the Internal Revenue Law as to common carriers to show that the collection of this tax is illegal. The Internal Revenue Law has nothing to do with the subject, and the collection of the tax is specifically authorized by paragraph (c) of section 8 of Act No. 1963.

In regard to the hardship of which Mr. Pacis speaks from the attempt to collect all these license fees on one day, Mr. Page says that it is not only possible for the treasurer to make these collections but that he has actually been doing so, and states that he can continue to do so in the future.

3. The complaint of Mr. Pacis in regard to the publication of the ordinances of the city of Baguio in English only is well-founded. Undoubtedly hardship has resulted from this habit, but Mr. Page states that from now on all ordinances will be translated into dialect and posted with the English copy in the usual places.

Respectfully submitted.

W. CAMERON FORBES,  
*Committee on Matters Pertaining to Bureaus under  
the Executive Control of the Governor-General.*

To the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 62.]

MR. PRESIDENT: The Committee on Matters Pertaining to the Department of the Interior, to which was referred on February 15, 1910, request of certain residents of Zamboanga for the annulment of Ordinance No. 74 of the municipal council of Zamboanga, establishing a health department of said municipality, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the ordinance be approved.

In the opinion of your committee, the ordinance referred to is a proper one, and its passage will not injure the lives or the property of the people of Zamboanga. The approval of the action of the municipal council in passing it is therefore recommended.

Respectfully submitted.

DEAN C. WORCESTER,  
*Committee on Matters Pertaining to  
the Department of the Interior.*

To the Honorable,  
the PRESIDENT OF THE COMMISSION.

Commissioner Gilbert moved that the view of the Committee be accepted and that the petition be laid on the table.

The motion was seconded by Commissioner Elliott, and, being put to a vote, was unanimously carried.

[Committee Report No. 63.]

MR. PRESIDENT: The Committee on Matters Pertaining to the Department of the Interior, to which was referred on October 18, 1910, resolution No. 10, of the convention of municipal presidents, Capiz, requesting that tenientes of barrios be authorized to issue death certificates, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the resolution be laid on the table.

This resolution was doubtless passed under a misapprehension as to the facts. Under a ruling of the Director of Health, municipal secretaries can delegate their power to sign death certificates to tenientes of barrios; hence, there exists no necessity for the proposed amendment.

Your committee recommends that the facts be communicated to the convention of municipal presidents at Capiz, and that their resolution dealing with this subject be laid on the table.

Respectfully submitted.

DEAN C. WORCESTER,  
*Committee on Matters Pertaining to  
the Department of the Interior.*

To the Honorable,  
the PRESIDENT OF THE COMMISSION.

The report was adopted.

[Committee Report No. 64.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of the Interior, to which was referred on October 18, 1910, Commission Bill No. 22, entitled "An Act amending section two of Act Numbered Six hundred and twenty-four of the Philippine Commission, designating who shall perform the duties of mining recorder, and adding a new section to said Act by providing the manner in which patents for mining claims shall issue," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be passed.

Experience has shown that the present system is very unsatisfactory. Very numerous mistakes have been made by provincial secretaries, who are doubtless actuated by the best of motives, and mean to perform their work accurately and well, but through lack of technical knowledge, or for other cause, fail to do so. It is the opinion of all who have practical knowledge of the matter that provincial treasurers are as a rule the most competent men available in the several provinces for the performance of this work.

There seems further to be necessity for legislation covering the subject of the preparation and issue of patents.

Your committee, therefore, recommends that the bill be passed.

Respectfully submitted.

DEAN C. WORCESTER,  
*Committee on Matters Pertaining to  
the Department of the Interior.*

To the Honorable,  
the PRESIDENT OF THE COMMISSION.

On motion by the President,

Consideration of Commission Bill No. 22 and the report thereon was postponed.

INTRODUCTION, FIRST AND SECOND READING AND REFERENCE OF BILL.

Commissioner Gilbert introducing the following bill.

Commission Bill No. 31. An Act to amend section two of Act Numbered Seventeen hundred and ninety-five, entitled "An Act authorizing the compensation of students in industrial and agricultural schools for work done therein outside of regular school hours and not connected with their regular school work," by striking out the last sentence thereof.

Commission Bill No. 31 was read the first time.

By unanimous consent, it was read the second time by title only, and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it be referred to the Committee on Matters Pertaining to the Department of Public Instruction, for report and recommendation.

The report and recommendation of the Committee of the Whole were unanimously adopted.

#### REPORT OF BOARD OF RATE REGULATION.

At the direction of the President, the Secretary read the report of the Board of Rate Regulation to the Philippine Legislature, covering the period from May 17, 1909, to October 17, 1910.

Ordered filed.

#### EXECUTIVE SESSION.

On motion of the President,

The Commission proceeded to the consideration of executive business.

After the consideration of executive business, the Commission returned to regular session.

(For appointments confirmed in executive session see p. 825.)

## ADJOURNMENT.

Thereupon, at 10 o'clock antemeridian,

On motion,

The Commission adjourned to meet at the call of the President.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

# Second Philippine Legislature, Special Session.

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## JOURNAL OF THE COMMISSION.

THURSDAY, NOVEMBER 3, 1910.

The Commission met at the call of the Chair at 9 o'clock and 45 minutes antemeridian.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, and Elliott.

Absent: Commissioner Worcester (on official business), Commissioner Luzuriaga (on leave), and the President.

Commissioner Gilbert in the chair.

### READING OF JOURNAL.

The Journal of Wednesday, November 2, 1910, was read and approved.

### COMMUNICATION.

At the direction of the Chair, the Secretary read a communication from F. B. Gutierrez, jr., dated October 13, 1910, and stating that the people want good roads, artesian wells, and industrial, agricultural, and mining schools. The writer also stated that the people desire the immediate independence of the Philippines and the creation of an army and navy and a military academy.

Ordered acknowledged and filed.

### EXECUTIVE SESSION.

On motion by the Chair,

The Commission then went into executive session to hear read the reports of the Secretary of Public Instruction and the Secretary of Finance and Justice for the year ending June 30, 1910.



After the reading of the reports, the Commission returned to regular session.

## ADJOURNMENT.

Thereupon, at 10 o'clock and 15 minutes antemeridian,  
On motion by Commissioner Branagan,  
The Commission adjourned to meet at the call of the President.  
Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

# Second Philippine Legislature, Special Session.

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## JOURNAL OF THE COMMISSION.

FRIDAY, NOVEMBER 4, 1910.

The Commission met at the call of the President at 5 o'clock postmeridian.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, Elliott, and the President.

Absent: Commissioner Worcester (on official business) and Commissioner Luzuriaga (on leave).

### READING OF JOURNAL.

The Journal of Thursday, November 3, 1910, was read and approved.

### ELECTION OF RESIDENT COMMISSIONERS.

The Commission then went into Committee of the Whole for the purpose of designating, for the term beginning March 4, 1911, one of the Resident Commissioners to the United States provided for by the Act of Congress of July 1, 1902, as amended by the Act of Congress of June 14, 1910, following, in the absence of objection, the procedure previously followed, as contained in Joint Resolution No. 2 of the First Philippine Legislature.

The President in the chair.

After some time spent in Committee of the Whole, the Committee rose and, through the President, reported that Benito Legarda had been designated to be voted for in formal session as one of the Resident Commissioners to the United States provided for by section 8 of the Act of Congress of July 1, 1902, as amended by the Act of Congress of June 14, 1910.

*Ordered*, That the Secretary notify the Assembly of the action taken.

Presently, the Secretary of the Assembly appeared, and stated that he had been directed by the Assembly to announce to the Commission that the Assembly, sitting in Committee of the Whole and following the procedure prescribed by Joint Resolution No. 2 of the First Philippine Legislature, had designated Manuel L. Quezon to be voted for in formal session as one of the Resident Commissioners to the United States provided for by section 8 of the Act of Congress of July 1, 1902, as amended by the Act of Congress of June 14, 1910.

Thereupon,

On motion by the President, the Commission resolved itself into the Committee of the Whole,

The President in the chair.

After some time spent therein, the committee rose and, through the President, reported that, the committee had expressed itself as agreeable to the designation of Manuel L. Quezon as one of the Resident Commissioners to the United States, provided the Assembly accedes to the designation of Benito Legarda as the other Resident Commissioner.

*Ordered*, That the Secretary notify the Assembly of the action taken.

Shortly, the Secretary of the Assembly appeared and notified the Commission that the Assembly, sitting in Committee of the Whole, by a vote of 53 to 12, had refused to concur in the designation by the Commission of Benito Legarda as one of the Resident Commissioners to the United States, and requested that the Commission designate some other person in accordance with the terms of Joint Resolution No. 2 (of the First Philippine Legislature).

Later, the Secretary of the Assembly again appeared and notified the Commission that the Assembly, sitting in Committee of the Whole, had unanimously redesignated Manuel L. Quezon as Resident Commissioner to the United States.

The Commission resolved itself into Committee of the Whole,

The President in the chair.

After some consideration, the committee rose and reported through the President with the recommendation that the Assembly

be informed that the Commission was of opinion that Joint Resolution No. 2 of the First Philippine Legislature was binding only on the Legislature which adopted it and not on succeeding Legislatures, and that a new resolution in the same terms be adopted by the Commission and sent to the Assembly for concurrence.

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

Whereupon, the following Joint Resolution was, by unanimous consent, read once and put upon its passage:

Commission Joint Resolution No. 1. Prescribing the procedure to be followed by the Commission and the Assembly in the election of two Resident Commissioners to the United States, in accordance with section eight of the Act of Congress approved July first, nineteen hundred and two, as amended by Act of Congress approved June fourteenth, nineteen hundred and ten.

*Resolved by the Philippine Commission and the Philippine Assembly,* That each House, assembled as a Committee of the Whole, shall designate by a majority vote one resident of these Islands who shall be Commissioner to the United States, and that each House shall communicate to the other the result of such designation. In case of disagreement between both Houses, a new designation shall be made in the same manner, until an agreement is reached between both Houses, in which case there shall be an election of the two persons thus designated by both Houses, at the same time and by separate vote: *Provided,* That if both persons previously designated should not be elected, the election shall be void and a new election shall be made of two persons designated by both Houses.

The roll was called and Commission Joint Resolution No. 1 was adopted by unanimous vote, and the title read and approved.

On motion by Commissioner Gilbert,

*Ordered,* That the Secretary notify the Assembly of the opinion of the Commission as to the present effect of Joint Resolution No. 2 of the First Philippine Legislature, and to request the concurrence of the Assembly in Commission Joint Resolution No. 1 prior to further proceedings relative to the election of Resident Commissioners.

#### ADJOURNMENT.

Whereupon, at 5 o'clock and 50 minutes postmeridian,

On motion by Commissioner Elliott,

The Commission adjourned to meet at the call of the Chair.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

# Second Philippine Legislature, Special Session.

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## JOURNAL OF THE COMMISSION.

SATURDAY, NOVEMBER 5, 1910.

The Commission met at the call of the Chair at 9 o'clock and 40 minutes antemeridian.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, and Elliott.

Absent: Commissioner Worcester (on official business), Commissioner Luzuriaga (on leave), and the President.

Commissioner Gilbert in the chair.

### READING OF JOURNAL.

The Journal of Friday, November 4, 1910, was read and approved.

### EXECUTIVE SESSION.

On motion by the Chair,

The Commission went into executive session to hear read the reports of the Secretary of the Interior and the Secretary of Commerce and Police for the year ending June 30, 1910.

After the reading of the reports, the Commission returned to regular session.

### REPORTS OF STANDING COMMITTEES.

[Committee Report No. 65.]

MR. PRESIDENT: The Committee on Matters Pertaining to the Department of Public Instruction, to which was referred on October 29, 1910, resolution No. 22 of the convention of municipal presidents of Pampanga wherein it requested that Act No. 1866 be amended by reducing the

required attendance from 70 to 40, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That this petition be laid on the table, attention being invited to Committee Report No. 50.<sup>1</sup>

Respectfully submitted.

NEWTON W. GILBERT,  
*Committee on Matters Pertaining to the  
Department of Public Instruction.*

To the Honorable,  
the PRESIDENT OF THE COMMISSION.

The report was adopted.

[Committee Report No. 66.]

MR. PRESIDENT: The Committee on Matters Pertaining to the Department of Public Instruction, to which was referred on October 28, 1910, resolution No. 23 of the convention of municipal presidents of the Province of Pampanga, wherein it is suggested to the Legislature that the Bureau of Supply be abolished, and its work be intrusted to the provincial treasurers, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That this petition be laid on the table.

It is evident that the convention of municipal presidents is not well informed. Through the abolition of the Bureau of Supply the Government would not save money in salaries; on the contrary it would soon become necessary to create in the larger Bureaus purchasing agents, the aggregate of whose salaries would amount to more than those needed for the maintenance of the Bureau of Supply. In addition it has been amply demonstrated by experience that individual Bureaus and Offices can not buy so cheaply as can the purchasing agent, and, of course, freight rates to distant provinces would be the same whether shipments were made by the Bureau of Supply or private establishments.

This matter has been fully discussed so many times that it is believed unnecessary to make any lengthy statement here.

Respectfully submitted.

NEWTON W. GILBERT,  
*Committee on Matters Pertaining to the  
Department of Public Instruction.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 67.]

MR. PRESIDENT: The Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on October 28, 1910,

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<sup>1</sup>Ante, p. 185.

resolution No. 18 of the convention of municipal presidents of the Province of Pampanga, requesting the Philippine Legislature to amend sections 33 and 34 of the Code of Procedure so as to permit parties, to be represented by duly authorized persons, called "apoderados," without having to pay the internal-revenue tax, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the resolution be laid on the table.

Paragraph 8 of section 144 of the Internal Revenue Law subjects to the payment of a tax every "procurador judicial" or "agente de negocios." The Bureau of Internal Revenue considers as "procuradores judiciales" persons who, not being lawyers, take charge of another's business in court for a fee or other consideration.

If the "apoderados" mentioned in the resolution carry on the business of "procurador judicial" there is no reason whatever for the proposed amendment. If such "apoderados" are the ordinary representatives or managers of the business of others, they are not in that case subject to tax. It frequently happens, however, that there are those who attempt to carry on the business of "procurador judicial" under the pretense of being the representatives or agents of other people, and in such cases it has always been the policy of the Bureau of Internal Revenue to subject such persons to the payment of the tax.

Respectfully submitted.

GREGORIO ARANETA,

*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 68.]

MR. PRESIDENT: Your Committee on Taxation and Revenue, to which was referred, on October 31, 1910, a petition by the convention of municipal presidents of Pampanga Province, dated October 10, 1910, requesting that Act No. 1932 be amended so that municipal councils may expend 30 per cent of the road and bridge fund realized from the double cedula tax, and requesting that the Provincial Government Act be so amended that when the cedula tax is doubled the one-eighth of 1 per cent of the land tax for road and bridge fund shall not be collected, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the petition be laid on the table.

Act No. 1652 provides that when the cedula tax is doubled, the extra peso shall go to the provincial road and bridge fund, and Act No. 1932 makes it the duty of the *provincial board* to expend within such municipality at least 30 per cent of the additional amount of cedula tax collected in that municipality. The effect of the proposed amendments

would be to permit the *municipal councils* to expend this 30 per cent of the provincial road and bridge fund instead of the provincial board, and to reduce the amount of land tax collected for road and bridge purposes. Your committee is of the opinion that the present arrangement for the expenditure of the road and bridge fund is preferable to that proposed, and that there should be no reduction in the amount of tax collected for road and bridge purposes.

Respectfully submitted.

FRANK A. BRANAGAN,  
*Chairman, Committee on Taxation and Revenue.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 69.]

MR. PRESIDENT: Your Committee on Taxation and Revenue, to which was referred on November 2, 1910, a petition by the convention of municipal presidents of Pampanga Province, dated October 10, 1910, requesting legislation making the land occupied by the Manila Railroad Company subject to taxation, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the petition be laid on the table.

Paragraph 12 of the contract between the Government and the Manila Railroad Company (sec. 1, Act No. 1510) provides for the payment by the company of one-half of 1 per cent of its gross earnings for thirty years from the date of the contract, and for fifty years thereafter 1½ per cent, and after such eighty years the percentage to be paid is to be fixed by the Government.

The same paragraph of the contract provides that the payment of this franchise tax shall be in lieu of all other taxes of every kind.

Your committee is of the opinion that no effort to change the terms of this contract should be made at this time.

Respectfully submitted.

FRANK A. BRANAGAN,  
*Chairman, Committee on Taxation and Revenue.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 70.]

MR. PRESIDENT: Your Committee on Taxation and Revenue, to which was referred on November 2, 1910, a petition by the convention of municipal presidents of Pampanga Province, dated October 10, 1910, requesting that all penalties for the nonpayment of the cedula tax for all years prior to 1909 be remitted, has examined the same and has



the honor to report it back to the Commission with the following recommendation, viz:

That the petition be laid on the table.

Doubtless a large number paid their cedula tax before delinquency by making some special effort or sacrifice, and to now favor those who probably made no such effort, by remitting their penalties, would be unfair to the former. Furthermore, hundreds of taxpayers have already paid these penalties, and it would be unjust to now remit others' penalties unless the penalties which have been paid were returned, which is impracticable. It is not deemed advisable or desirable to remit these penalties.

Respectfully submitted.

FRANK A. BRANAGAN,

*Chairman, Committee on Taxation and Revenue.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

ADJOURNMENT.

Thereupon, at 10 o'clock and 5 minutes antemeridian,

On motion by Commissioner Araneta,

The Commission adjourned to meet at the call of the Chair.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

# Second Philippine Legislature, First Session.

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## JOURNAL OF THE COMMISSION.

TUESDAY, NOVEMBER 8, 1910.

The Commission met at the call of the President at 10 o'clock antemeridian.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, Elliott, and the President.

Absent: Commissioner Worcester (on official business) and Commissioner Luzuriaga (on leave).

### READING OF JOURNAL.

The Journal of Saturday, November 5, 1910, was read and approved.

### MISCELLANEOUS COMMUNICATIONS.

At the direction of the President, the Secretary read the following communications:

Resolution of the municipal council of Bacolor, Pampanga, adopted October 29, 1910, expressing adherence to the resolution introduced in the Assembly by Delegate Zurbito protesting against certain declarations alleged to have been made by Commissioner Dean C. Worcester in an address at the Y. M. C. A., Manila, which expressions the resolution declared to be cruelly injurious to the Filipino people.

Referred to the Governor-General.

Resolution of the provincial board of Pangasinan, adopted October 31, 1910, referring to the Legislature the papers in the matter of the improvement of the port of Dagupan, in the interest of

the project being included in the appropriation bill for the coming year.

Referred to the Committee on Matters Pertaining to the Department of Commerce and Police for report and recommendation.

MESSAGE FROM THE ASSEMBLY.

The Secretary of the Assembly appeared and announced that the Assembly at its session of November 7, 1910, had refused to concur in Commission Joint Resolution No. 1, entitled "Joint Resolution prescribing the procedure to be followed by the Commission and the Assembly in the election of two Resident Commissioners to the United States, in accordance with section eight of the Act of Congress approved July first, nineteen hundred and two, as amended by Act of Congress approved June fourteenth, nineteen hundred and ten," and had adopted the following Joint Resolution, in which it requested the concurrence of the Commission:

Assembly Joint Resolution No. 5. Joint Resolution providing that the Commission and the Assembly shall continue to proceed to the election of Resident Commissioners of the Philippine Islands to the United States.

By unanimous consent, the consideration of Assembly Joint Resolution No. 5 was postponed until the text could be translated into English.

REPORTS OF STANDING COMMITTEES.

[Committee Report No. 71.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on October 18, 1910, Commission Bill No. 24, entitled "An Act providing for the appointment of registers of deeds in subprovinces and districts in the Provinces of Agusan, Nueva Vizcaya, and the Mountain Province, and ratifying, confirming, and validating all acts performed as register of deeds by the deputy provincial treasurer of the Mountain Province at and in the subprovince of Benguet," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill do pass with the following amendments:

Strike out all of section 1, substituting therefor the following:

"SECTION 1. There shall be a register of deeds for the subprovince of Benguet, Mountain Province, who shall have the power and perform the duties of register of deeds within said subprovince. The city treasurer of Baguio shall be ex officio register of deeds of the subprovince of Benguet.

All expenses of every kind incident to the office of register of deeds, including necessary books and stationery, excluding the city of Baguio, shall be paid out of the provincial treasury of the Mountain Province."

In section 2 strike out the words "legally appointed" and substitute therefor the words "duly authorized."

An examination of the accompanying papers shows that what gave rise to this bill was the fact that the deputy provincial treasurer of the Mountain Province for the subprovince of Benguet was acting as register of deeds for said subprovince without authority of law. From information received, there appears to be no necessity for amending the present law with respect to the rest of the Mountain Province or the Provinces of Agusan and Nueva Vizcaya, in which the provincial treasurer acts as register of deeds. The work of the register of deeds in the Mountain Province and in Agusan Province, outside of the subprovince of Benguet, is of such small importance that it is believed to be not now necessary to create the office of register of deeds for each of the subprovinces. The province of Nueva Vizcaya is not divided into subprovinces.

It is desirable to have the city treasurer of Baguio, who under the law is the register of deeds for the city of Baguio, act as register of deeds for the entire subprovince of Benguet, and that all acts heretofore performed by the deputy provincial treasurer of the Mountain Province for the subprovince of Benguet, as register of deeds of such subprovince, shall be validated.

The change proposed in section 2 by substituting the words "duly authorized" for the words "legally appointed" is owing to the fact that under Act No. 1629 no registers of deeds were appointed in the Mountain Province, the provincial treasurer being authorized to act as register of deeds.

Respectfully submitted.

GREGORIO ARANETA,  
*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

By unanimous consent, Commission Bill No. 24 was thereupon read the second time by title only and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following amendments:

Strike out sections 4 and 5 in their entirety.

The report and recommendation of the Committee of the Whole were adopted by unanimous vote and the bill was ordered on file for third reading.

[Committee Report No. 72.]

MR. PRESIDENT: The Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on October 28, 1910, an excerpt from the message of the Governor-General to the Second Philippine Legislature in which it is recommended that a bill be passed authorizing banks to keep the 20 per cent reserve required by section 125 of Act No. 1459, known as "The Corporation Law" against only the current accounts and fixed deposits coming due within thirty days, and that no reserve be required to be kept against Government deposits for which full security is given, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the accompanying bill be passed.

This bill will carry out the recommendations of the Governor-General in regard to this matter contained in his message to the Legislature. The purpose of the bill is to relieve the banks of the necessity of carrying the reserve of 20 per cent, required by section 125 of Act 1459 against fixed deposits, excepting those coming due within thirty days, and against Government deposits for which full security is given by the banks. The justice of the Act is apparent. The measure will afford considerable relief to the banks, while the security offered the depositors will still be sufficient.

Respectfully submitted.

GREGORIO ARANETA,  
*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

The following bill, accompanying the report of the committee was then taken up and considered:

Commission Bill No. 32. An Act amending section one hundred and twenty-five of Act Numbered Fourteen hundred and fifty-nine of the Philippine Commission, known as "The Corporation Law," by making more liberal the requirement that every bank shall at all times have on hand twenty per centum of the aggregate amount of its deposits.

Commission Bill No. 32 was read the first time.

By unanimous consent, it was read the second time by title only, and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass.

The report and recommendation of the Committee of the Whole were adopted by unanimous vote, and the bill ordered on file for third reading.

## MESSAGE FROM THE ASSEMBLY (CONSIDERATION RESUMED).

The English translation being received, Assembly Joint Resolution No. 5 was then taken up and read as follows:

Assembly Joint Resolution No. 5. Joint Resolution providing that the Commission and the Assembly shall continue to proceed to the election of Resident Commissioners of the Philippine Islands to the United States.

Whereas on November fourth, nineteen hundred and ten, the Assembly and Commission being in session, the said Assembly and Commission proceeded to the election of Resident Commissioners in accordance with the Acts of Congress of July first, nineteen hundred and two, and June fourteenth, nineteen hundred and ten; and

Whereas said election was then interrupted: Now, therefore, be it

*Resolved by the Philippine Commission and the Philippine Assembly,* That the Assembly and the Commission must continue to proceed to the election of Resident Commissioners of the Philippine Islands to the United States, from November eighth, nineteen hundred and ten, at four o'clock in the afternoon, until an agreement shall be arrived at, in accordance with Joint Resolution Numbered Two of the First Philippine Legislature which is hereby confirmed and ratified.

By unanimous consent, the resolution was read the second time by title only and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass, with the following amendments:

Strike out all after the words "*Resolved by the Philippine Commission and the Philippine Assembly,*" and insert in lieu thereof the following: "That the two Houses of the Legislature shall meet, each House separately, at four o'clock in the afternoon of November eighth, nineteen hundred and ten, and continue the matter of the election of Resident Commissioners to the United States in accordance with Joint Resolution Numbered Two of the First Philippine Legislature, which is hereby declared to be in full force and effect."

Strike out the preamble and insert in lieu thereof the following:

"Whereas, on November fourth, nineteen hundred and ten, the Legislature adjourned without having elected Resident Commissioners, as provided by Acts of Congress of July first, nineteen hundred and two, and June fourteenth, nineteen hundred and ten: Now, therefore, be it"

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion of the President, unanimously carried,

The Resolution was considered urgent under the provisions of

Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Joint Resolution No. 5 was unanimously passed, as amended.

Commissioner Gilbert moved to amend the title to read as follows:

Joint Resolution fixing the time when the Commission and the Assembly shall hold sessions to continue the matter of the election of Resident Commissioners of the Philippine Islands to the United States.

The motion prevailed.

The title as amended was then read and approved.

The Secretary was directed to request the concurrence of the Assembly in the resolution as passed.

RECESS.

At 11 o'clock and 55 minutes antemeridian,

On motion,

The President declared the Commission at recess until 4 o'clock postmeridian.

RECONVENED.

At 4 o'clock postmeridian,

The Commission reconvened,

The President in the chair.

MESSAGE FROM THE ASSEMBLY.

Later, the Secretary of the Assembly appeared and announced to the Commission that the Assembly had disagreed to the amendments of the Commission to Assembly Joint Resolution No. 5, entitled "Joint Resolution providing that the Commission and the Assembly shall continue to proceed to the election of Resident Commissioners of the Philippine Islands to the United States;" that the Assembly asked a conference with the Commission on the disagreeing votes of the two Houses thereon; and that it had appointed as managers at the same on its part, Delegates Adriatico, Kalaw, and Salazar.

On motion by Commissioner Gilbert, it was

*Resolved*, That the Commission insist upon its amendments

to Assembly Joint Resolution Numbered Five, entitled "Joint Resolution providing that the Commission and the Assembly shall continue to proceed to the election of Resident Commissioners of the Philippine Islands to the United States," disagreed to by the Assembly, and agree to the conference asked by the Assembly on the disagreeing votes of the two Houses thereon.

*Ordered*, That Commissioners Gilbert, Sumulong, and Palma be the conferees on the part of the Commission, and that the Secretary notify the Assembly accordingly.

REPORT OF CONFERENCE COMMITTEE.

CONFERENCE REPORT NO. 7.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Commission to Assembly Joint Resolution No. 5, providing that the Commission and the Assembly shall continue to proceed to the election of Resident Commissioners of the Philippine Islands to the United States, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the title be amended so that it will read:

"Joint Resolution fixing the time from which the Commission and the Assembly shall hold sessions to continue the matter of the election of Resident Commissioners of the Philippine Islands to the United States.

And that the body of the amended resolution be amended by inserting after the words "nineteen hundred and ten" the words "and at the same hour of each subsequent legislative day until an agreement is reached, unless by a concurrent resolution of both Houses some other hour shall hereafter be agreed upon."

NEWTON W. GILBERT,  
JUAN SUMULONG,  
RAFAEL PALMA,

*Conferees on the part of the Commission.*

TEODORO M. KALAW,  
MACARIO ADRIÁTICO,  
A. SALAZAR,

*Conferees on the part of the Assembly.*

On motion by Commissioner Araneta, it was

*Resolved*, That the Commission agree to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Commission to Assembly Joint Resolution Numbered Five, entitled "Joint Resolution providing that the Commission and the Assembly shall continue to proceed to



the election of Resident Commissioners of the Philippine Islands to the United States.”

*Ordered*, That the Secretary notify the Assembly thereof.

Presently, the Secretary of the Assembly appeared and informed the Commission that the Assembly had agreed to the report of the committee of conference on the disagreeing votes of the two Houses to the amendments of the Commission to Assembly Joint Resolution Numbered Five, entitled “Joint Resolution providing that the Commission and the Assembly shall continue to proceed to the election of Resident Commissioners of the Philippine Islands to the United States.”

The Secretary of the Assembly further informed the Commission that the Assembly sitting in Committee of the Whole had again designated Manuel L. Quezon as a candidate to be voted for in formal session for one of the positions of Resident Commissioner to the United States provided for by the Acts of Congress of July 1, 1902, and June 14, 1910.

On motion by the President,

The Commission thereupon resolved itself into the Committee of the Whole,

The President in the chair.

After some consideration, the committee rose and, through the President, reported that the committee had agreed to the designation of Honorable Manuel L. Quezon by the Assembly as a candidate for one of the positions of Resident Commissioner to the United States, and had designated Honorable Benito Legarda as a candidate to be voted for in formal session for the other position of Resident Commissioner to the United States.

*Ordered*, That the Secretary notify the Assembly of the action taken.

Presently, the Secretary of the Assembly appeared and informed the Commission that the Assembly, sitting in Committee of the Whole, had, by the vote of all but five of its members, refused to concur in the designation by the Commission of Honorable Benito Legarda, as a candidate for one of the positions of Resident Commissioner to the United States, and also, that the Assembly, sitting in Committee of the Whole, had again designated Honorable Manuel L. Quezon as a candidate for one of the positions of Resident Commissioner to the United States.

On motion by the President,

The Commission resolved itself into the Committee of the Whole,  
The President in the chair.

After some consideration, the committee rose and, through the President, reported that the committee had agreed to the designation of Honorable Manuel L. Quezon by the Assembly as a candidate for one of the positions of Resident Commissioner to the United States and had again designated Honorable Benito Legarda as a candidate for the other position of Resident Commissioner to the United States.

*Ordered,* That the Secretary notify the Assembly of the action taken.

ADJOURNMENT.

Thereupon, at 6 o'clock and 50 minutes postmeridian,

On motion by Commissioner Elliott,

The Commission adjourned to meet at 4 o'clock postmeridian on Wednesday, November 9, 1910, in accordance with Joint Resolution No. 1 of the Second Philippine Legislature.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

# Second Philippine Legislature, First Session.

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## JOURNAL OF THE COMMISSION.

WEDNESDAY, NOVEMBER 9, 1910.

The Commission met pursuant to the provisions of Joint Resolution No. 1 of the Second Philippine Legislature, at 4 o'clock postmeridian.

Present: Commissioners Gilbert, Araneta, Branagan, Sumulong, and Elliott.

Absent: Commissioners Worcester and Palma (on official business), Commissioner Luzuriaga (on leave), and the President.

Commissioner Gilbert in the chair.

### READING OF JOURNAL.

The Journal of Tuesday, November 8, 1910, was read and approved.

### COMMUNICATION FROM HEAD OF DEPARTMENT.

At the direction of the Chair, the Secretary read the following communication:

MANILA, *November 5, 1910.*

To the PHILIPPINE COMMISSION, *Manila.*

GENTLEMEN: I desire to call your attention to the following facts and recommendation:

Father José Algué, S. J., the distinguished Director of the Philippine Weather Bureau, is a man without a country. During the troubled days of 1898 he remained at his post at the Manila Observatory, of which he was the Director, although the Spanish authorities could not furnish him protection, and strongly urged him to take refuge within the Walled City. Despite flying Mauser bullets, whose marks can still be found on the buildings,

and occasional shells bursting in the Observatory grounds, he declined to accede to urgent requests that he withdraw to a place of safety, and continued to discharge his duty, issuing typhoon warnings although the Observatory was completely cut off from telegraphic communication with the remainder of the Archipelago. Father Algué took care that these warnings reached *all* ships in Manila Bay.

After the surrender of the city on August 13, 1898, all other Spanish officials refused to continue in office, but Father Algué, having more regard for the public welfare than for his private feelings, continued at his post. On the following day the time service was resumed and the staff of the Observatory continued their work without compensation until March 1, 1899, when the Military Government began to pay their salaries. Approximately one-fourth of the typhoons which sweep across this Archipelago occur during the month of September, and the high sense of duty thus displayed by Father Algué doubtless resulted in saving many lives and much valuable property from destruction.

As the direct consequence of his services to the United States Government Father Algué lost his Spanish citizenship. He is a distinguished scientist of world-wide reputation. Under his able administration there has been developed a most admirable weather service, of very great importance to the people of these Islands because of the destruction which is wrought by typhoons when they strike towns not warned of their approach, or vessels on the high seas.

Father Algué's book on the Cyclones of the Far East is the standard work on this important subject. The instrument known as the "barocyclonometer," invented by him, is of very great value in detecting the approach and determining the exact location of cyclonic centers, and has been imitated by two European firms of instrument makers. At the request of the first Philippine Commission he and his associates gathered the valuable data subsequently published under the title "El Archipiélago Filipino" (two volumes and an atlas), which were translated into English and formed the basis of that portion of the report of this Commission which dealt with the people and the resources of the Philippines.

Father Algué has been the Director of the Philippine Weather Bureau from the date of its establishment on May 22, 1901. I am of the opinion that in view of his courageous and distinguished services he should be given the rights of a citizen of the country which he has served so faithfully for more than eleven years, and suggest that the Commission take the necessary action to bring the matter before the Congress of the United States.

Very respectfully,

DEAN C. WORCESTER,  
*Secretary of the Interior.*

On motion by Commissioner Elliott,  
Ordered referred to a select committee of one, to be named by

the Chair, with instructions to prepare an appropriate resolution covering this subject and submit it to the Commission.

The Chair then named Commissioner Araneta as such committee.

#### THIRD READING AND PASSAGE OF BILLS.

Commission Bill No. 24. An Act providing for the appointment of registers of deeds in subprovinces and districts in the Provinces of Agusan, Nueva Vizcaya, and the Mountain Province and ratifying, confirming, and validating all acts performed as register of deeds by the deputy provincial treasurer of the Mountain Province at and in the subprovince of Benguet.

Commission Bill No. 24 was read the third time.

Commissioner Araneta moved the following amendment:

Section 1, page 1, lines 6, 7, and 8, strike out the words "including necessary books and stationery, excluding the city of Baguio," and insert in lieu thereof the words "except such as are for and on account of the city of Baguio."

The motion prevailed.

The question then being upon its passage, the roll was called and Commission Bill No. 24 was unanimously passed, as amended.

Commissioner Araneta moved to amend the title to read as follows:

An Act providing that the city treasurer of Baguio shall be ex officio register of deeds for the subprovince of Benguet, Mountain Province, and ratifying, confirming, and validating all acts performed as register of deeds by the deputy provincial treasurer of the Mountain Province for the subprovince of Benguet.

The motion prevailed.

The title as amended was read and approved.

*Ordered*, That Commission Bill No. 24 be enrolled and printed as an Act, the enactment of said bill into law being within the exclusive general legislative jurisdiction of the Commission over all that part of the Philippine Islands inhabited by Moros or other non-Christian tribes.

Commission Bill No. 32. An Act amending section one hundred and twenty-five of Act Numbered Fourteen hundred and fifty-nine of the Philippine Commission, known as "The Corporation Law," by making more liberal the requirement that every bank shall at all times have on hand twenty per centum of the aggregate amount of its deposits.

Commission Bill No. 32 was read the third time.

The question then being upon its passage, the roll was called and Commission Bill No. 32 was unanimously passed.

Commissioner Araneta moved to amend the title as follows:

Strike out the words "by making more liberal the requirement" and insert in lieu thereof the words "by making certain exceptions from the requirement."

The motion prevailed.

The title as amended was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

#### EXECUTIVE SESSION.

On motion by the Chair,

The Commission then proceeded to the consideration of executive business.

After the consideration of executive business, the Commission returned to regular session.

(For appointments confirmed in executive session see pp. 825, 826.)

#### ELECTION OF RESIDENT COMMISSIONERS.

Presently, the Secretary of the Assembly appeared and informed the Commission that the Assembly, at its session of Tuesday, November 8, 1910, sitting in Committee of the Whole, had refused to concur in the nomination by the Commission of Honorable Benito Legarda as a candidate for one of the positions of Resident Commissioner to the United States.

Later, the Secretary of the Assembly again appeared and informed the Commission that the Assembly, sitting in Committee of the Whole, had again designated Honorable Manuel L. Quezon as a candidate for one of the positions of Resident Commissioner to the United States.

The Commission thereupon resolved itself into the Committee of the Whole,

Commissioner Gilbert in the chair.

After some consideration, the committee rose and reported through the Chair, that the committee had agreed to the designation by the Assembly of Honorable Manuel L. Quezon as a candidate for one of the positions of Resident Commissioner to the

United States and had designated Honorable Benito Legarda as a candidate for the other position of Resident Commissioner to the United States.

*Ordered*, That the Secretary notify the Assembly of the action taken.

## ADJOURNMENT.

Thereupon, at 5 o'clock and 11 minutes postmeridian,

On motion by Commissioner Araneta,

The Commission adjourned to meet at 4 o'clock postmeridian, Thursday, November 10, 1910, in accordance with Joint Resolution No. 1 of the Second Philippine Legislature.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary*.

# Second Philippine Legislature, Special Session.

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## JOURNAL OF THE COMMISSION.

THURSDAY, NOVEMBER 10, 1910.

The Commission met pursuant to the provisions of Joint Resolution No. 1 of the Second Philippine Legislature, at 4 o'clock post-meridian.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, Elliott, and the President.

Absent: Commissioner Worcester (on official business) and Commissioner Luzuriaga (on leave).

### READING OF JOURNAL.

The Journal of Wednesday, November 9, 1910, was read and approved.

### MESSAGE FROM THE ASSEMBLY.

The Secretary of the Assembly appeared and informed the Commission that the Assembly, sitting in Committee of the Whole, at its session of November 9, 1910, had refused to concur in the designation of Honorable Benito Legarda as a candidate for one of the positions of Resident Commissioner to the United States.

There being no objection, the matter of the designation of a candidate for one of the positions of Resident Commissioner to the United States was postponed until receipt of notice from the Assembly of its designation of a candidate for the other position of Resident Commissioner to the United States.



## RESOLUTION.

The President introduced the following resolution :

Commission Resolution No. 48. Whereas the provincial governor of Agusan and the Secretary of the Interior recommended the appointment of a justice of the peace at the settlement of Prosperidad, Province of Agusan; and

Whereas section sixty-seven of Act Numbered One hundred and thirty-six, as amended by Acts Numbered Fourteen hundred and fifty and Sixteen hundred and twenty-seven, provides that places other than organized municipalities for which appointments of justices of the peace and auxiliary justices of the peace are made shall be determined by resolution of the Commission: Now, therefore, be it

*Resolved*, That the appointment of a justice of the peace at the settlement of Prosperidad, Province of Agusan, with jurisdiction over the entire territory included within said settlement, is hereby authorized in accordance with section sixty-seven of Act Numbered One hundred and thirty-six, as amended by Acts Numbered Fourteen hundred and fifty and Sixteen hundred and twenty-seven.

The resolution was adopted.

## COMMUNICATION.

At the direction of the President, the Secretary read a communication dated November 2, 1910, and signed by Eugenio Sayson and sixty-five other residents of the municipality of Arévalo, Iloilo, requesting that the Commission appoint without any objection Nicasio Gepana as justice of the peace for Arévalo.

Laid on the table.

## REPORTS OF STANDING COMMITTEES.

[Committee Report No. 73.]

MR. PRESIDENT: The Committee on Matters Pertaining to the Department of Commerce and Police, to which was referred on October 28, 1910, resolution No. 11 of the convention of municipal presidents of Pampanga, adopted on October 10, 1910, requesting the Philippine Legislature to amend subsection (j) of section 43 of the Municipal Code so as to permit the passage over provincial roads of carts that have tires less than 2 inches wide, as this method of transportation constitutes one of the most important factors in the development of agriculture; leaving unimpaired the faculty to levy the vehicle tax upon said carts,

has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That resolution No. 11 of the convention of municipal presidents of Pampanga be laid upon the table.

Respectfully submitted.

C. B. ELLIOTT,

*Committee on Matters Pertaining to the  
Department of Commerce and Police.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 74.]

MR. PRESIDENT: The Committee on Matters Pertaining to the Department of Commerce and Police, to which was referred on October 28, 1910, resolution No. 19 of the convention of municipal presidents of Pampanga, adopted on October 10, 1910, requesting the enlargement of the faculties of the municipal presidents with respect to the municipal police by authorizing them to impose penalties of imprisonment not to exceed two days or suspension of pay for a period not longer than ten days upon any member of the municipal police who may commit any breach of discipline, as may be provided in the ordinances or regulations that may be adopted for them by the respective municipal councils, whenever the offense does not involve criminal responsibility that might bring it under the operation of the common law, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That resolution No. 19 of the convention of municipal presidents of Pampanga be laid upon the table.

Respectfully submitted.

C. B. ELLIOTT,

*Committee on Matters Pertaining to the  
Department of Commerce and Police.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 75.]

MR. PRESIDENT: The Committee on Matters Pertaining to the Department of Commerce and Police, to which was referred on October 28, 1910, resolution No. 3 of the convention of municipal presidents of Pampanga, adopted on October 10, 1910, requesting the Philippine Legislature to abolish the office of district engineer and intrust the maintenance

of roads and bridges to the provincial governors aided by the municipal presidents, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That resolution No. 3 of the convention of municipal presidents of Pampanga, be laid upon the table.

Respectfully submitted.

C. B. ELLIOTT,

*Committee on Matters Pertaining to the  
Department of Commerce and Police.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 76.]

MR. PRESIDENT: The Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on October 28, 1910, resolution No. 4 of the convention of municipal presidents, Province of Pampanga, requesting the Philippine Legislature to amend section 122 of Act 1189, known as the "Internal Revenue Law," so that persons convicted under said section shall be obliged to labor exclusively on the public works of their respective municipalities during the term of their imprisonment, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That this matter be laid on the table.

Section 122 of the Internal Revenue Law as amended provides that—

"Persons so convicted (of delinquency in payment of the cedula tax) shall be required to labor for the period of imprisonment, either for the province or the municipality, upon public works in such manner as may be directed by the provincial board."

The Attorney-General in an opinion dated November 8, 1910, in which the undersigned concurs, holds that the above-mentioned section 122 was repealed by Act No. 1703. Section 11 of Act No. 1703 is as follows:

"SEC. 11. All finally convicted able-bodied male prisoners may be compelled to work in and about prisons, jails, public buildings, grounds, roads, and other public works of the Insular Government, the provinces, or the municipalities, under general regulations to be prescribed by the Director of Prisons, with the approval of the Secretary of Public Instruction \* \* \*."

According to this section, the prisoners therein referred to, whether Insular, provincial, or municipal, may be compelled to labor on public works, whether such public works be Insular, provincial, or municipal. Persons convicted for nonpayment of the cedula tax, by reason of the length of time which they may be imprisoned under section 1 (d) of Act No. 1703, are municipal prisoners.

I see no reason whatever for amending section 11 of Act No. 1703, to the effect that persons convicted for nonpayment of the cedula tax shall work exclusively for the municipalities. Such prisoners should come under the same rule as other municipal prisoners, and no injustice is done the municipalities by providing that municipal prisoners may be required to work for the provinces or for the Insular Government, since the municipalities may receive the benefit of work performed by provincial or Insular prisoners.

Respectfully submitted.

GREGOBIO ABANETA,  
*Committee on Matters Pertaining to the  
 Department of Finance and Justice.*

To the Honorable,  
 the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

#### EXECUTIVE SESSION.

On motion by the President,

The Commission proceeded to the consideration of executive business.

After the consideration of executive business, the Commission returned to regular session.

(For appointments confirmed in executive session see p. 826.)

#### ELECTION OF RESIDENT COMMISSIONERS.

Notice being received from the Assembly, by the Secretary of the Assembly, that the Assembly, sitting in Committee of the Whole had designated Honorable Manuel L. Quezon as a candidate for one of the positions of Resident Commissioner to the United States,

On motion by Commissioner Gilbert,

The Commission resolved itself into the Committee of the Whole,  
 The President in the chair.

After some consideration, the committee rose, and through the President, reported that the committee had agreed to the designation by the Assembly of Honorable Manuel L. Quezon as a candidate for one of the positions of Resident Commissioner to the United States and had designated Honorable Benito Legarda as a candidate for the other position of Resident Commissioner to the United States.

*Ordered,* That the Secretary notify the Assembly of the action taken.

Presently the Secretary of the Assembly appeared and informed the Commission that the Assembly, sitting in Committee of the Whole, had refused to concur in the designation by the Commission of Honorable Benito Legarda as a candidate for one of the positions of Resident Commissioner to the United States.

## CONCURRENT RESOLUTION.

The President then introduced the following concurrent resolution:

Commission Concurrent Resolution No. 1. Concurrent Resolution temporarily postponing further consideration of the election of Resident Commissioners to the United States.

*Resolved by the Philippine Commission, the Philippine Assembly concurring,* That the Philippine Commission and the Philippine Assembly postpone further consideration of the election of Resident Commissioners to the United States until Thursday, November seventeenth, nineteen hundred and ten, at four o'clock in the afternoon.

Commission Concurrent Resolution No. 1 was read the first and second times and referred to the Committee of the Whole.

It was considered in Committee and reported to the Commission with the recommendation that it pass.

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by the President,

The resolution was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being on its passage, the roll was called and Commission Concurrent Resolution No. 1 was passed, and the title read and approved.

*Ordered,* That the Secretary request the concurrence of the Assembly therein.

Later, the Secretary of the Assembly appeared and delivered the following message:

NOVEMBER 10, 1910.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on November 10, 1910, passed with amendments, in which the concurrence of the Commission is requested, Commission Concurrent Resolution No. 1, entitled "Concurrent Resolution postponing temporarily further consideration of the election of Resident Commissioners to the United States."

The concurrent resolution, with amendments certified thereon, is transmitted herewith.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The amendments are as follows:

Substitute the word "concurrent" appearing in the title of the resolution by the word "joint."

Substitute the enacting clause of the resolution by the following:

*"Resolved by the Philippine Commission and the Philippine Assembly."*

Add at the end of the resolution the following: "the provisions of Joint Resolution Numbered One of the Second Legislature (A. J. R. No. 5) to the contrary notwithstanding."

On motion by the President,

The Commission resolved itself into the Committee of the Whole for the consideration of the amendments of the Assembly to Commission Concurrent Resolution No. 1.

After some time spent therein, the committee rose and reported with the recommendation that the amendments be concurred in.

The report and the recommendation of the Committee of the Whole were adopted.

*Ordered*, That the Secretary notify the Assembly accordingly; and

*Ordered further*, That the resolution be enrolled and printed as a joint resolution of the Legislature.

ADJOURNMENT.

Thereupon, at 6 o'clock and 25 minutes postmeridian,

On motion by Commissioner Elliott,

The Commission adjourned to meet at the call of the President.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

**Second Philippine Legislature,  
Special Session.**

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JOURNAL OF THE COMMISSION.

TUESDAY, NOVEMBER 15, 1910.

The Commission met at the call of the President at 12 o'clock and 45 minutes postmeridian.

ADJOURNMENT.

A quorum not being present,  
On motion by Commissioner Gilbert,  
The Commission thereupon adjourned to meet at the call of the  
President.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

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# Second Philippine Legislature, Special Session.

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## JOURNAL OF THE COMMISSION.

WEDNESDAY, NOVEMBER 16, 1910.

The Commission met at the call of the President at 10 o'clock and 20 minutes antemeridian.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, Elliott, and the President.

Absent: Commissioner Worcester (on official business) and Commissioner Luzuriaga (on leave).

### READING OF JOURNAL.

There being no objection, the reading of the Journal for Thursday, November 10, 1910, and Tuesday, November 15, 1910, was postponed until the next regular session.

### EXECUTIVE SESSION.

On motion by the President,

The Commission went into executive session to hear read the annual report of the Governor-General and to consider its report to the Secretary of War for the fiscal year ending June 30, 1910.

At 12 o'clock and 25 minutes postmeridian, the Commission returned to regular session.

### ADJOURNMENT.

Thereupon,

On motion by the President,

The Commission adjourned to meet at 10 o'clock antemeridian, Thursday, November 17, 1910.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*



# Second Philippine Legislature, First Session.

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## JOURNAL OF THE COMMISSION.

THURSDAY, NOVEMBER 17, 1910.

The Commission met pursuant to adjournment, at 10 o'clock antemeridian.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, Elliott, and the President.

Absent: Commissioner Worcester (on official business) and Commissioner Luzuriaga (on leave).

### READING OF JOURNAL.

The Journal for Thursday, November 10, 1910, Tuesday, November 15, 1910, and Wednesday, November 16, 1910, was read and approved.

### EXECUTIVE SESSION.

On motion by the President,

The Commission went into executive session for the further consideration of the report of the Commission to the Secretary of War for the fiscal year ending June 30, 1910, particularly that part containing the recommendations.

At 12 o'clock and 7 minutes, the Commission returned to regular session.

### RECESS.

Thereupon,

On motion,

The President declared a recess until 4 o'clock postmeridian,

when the Commission would meet in accordance with Joint Resolutions Nos. 1 and 2 of the Second Philippine Legislature.

RECONVENED.

At 4 o'clock postmeridian the Commission reconvened.

Pending receipt of notice of action by the Assembly in the matter of the election of Resident Commissioners, and there being no objection, the Commission proceeded with its regular business.

EXECUTIVE SESSION.

On motion by the President,

The Commission proceeded to the consideration of executive business, including the recommendations to be included in its annual report to the Secretary of War for the fiscal year ending June 30, 1910.

After consideration of executive business, the Commission returned to regular session.

MORO PROVINCE.

REPORT OF STANDING COMMITTEE.

[Committee Report No. 77.]

**MR. PRESIDENT:** Your Committee on Affairs Pertaining to the Moro Province has the honor to report that in 1909 the Moro Province published in permanent book form, a volume with the following title-page: "Volume 1. Public laws passed by the legislative council of the Moro Province during the period from September 4, 1903, to September 19, 1907, comprising Acts Nos. 1 to 200, inclusive, together with the organic act of the Moro Province, being Act No. 787, of the Philippine Commission, as amended; and appearing as Title 8, 'The Moro Province,' Compilation of the Acts of the Philippine Commission (1908). Published by authority of the legislative council."

An examination of this volume shows that acts of the legislative council Nos. 8, 45, 54, 114, 142, and 157 are published without indicating the amendments made thereto by the Philippine Commission, and that act of the legislative council No. 96 is published without showing that it had been disapproved by the Commission, and that acts of the legislative council Nos. 179 and 182 are published without showing that they had been withdrawn by the legislative council before approval by the Commission.

It is respectfully recommended that the Governor-General call these

errors to the attention of the governor of the Moro Province, and suggest that they be corrected.

Respectfully submitted.

FRANK A. BRANAGAN,  
*Chairman, Committee on Affairs  
 Pertaining to the Moro Province.*

To the Honorable,  
 the PRESIDENT OF THE PHILIPPINE COMMISSION.

Referred to the Governor-General for administrative action.

#### ELECTION OF RESIDENT COMMISSIONERS.

The Secretary of the Assembly appeared and informed the Commission that the Assembly, sitting in Committee of the Whole, had designated Honorable Manuel L. Quezon as a candidate for one of the positions of Resident Commissioner to the United States provided for by Acts of Congress of July 1, 1902, and June 14, 1910.

On motion by the President,

The Commission thereupon resolved itself into the Committee of the Whole,

The President in the chair.

After some consideration, the committee rose and reported, through the President, that the committee had agreed to the designation by the Assembly of Honorable Manuel L. Quezon as a candidate for one of the positions of Resident Commissioner to the United States and had designated Honorable Benito Legarda as a candidate for the other position of Resident Commissioner to the United States.

*Ordered,* That the Secretary notify the Assembly of the action taken.

#### INTRODUCTION AND PASSAGE OF BILL (OUT OF ORDER).

Commissioner Gilbert introduced the following Bill:

Commission Bill No. 33. An Act to amend section one of Act Numbered Seventeen hundred and twenty-eight by providing that any Government property in any rented building be included as within the terms of said Act.

Commission Bill No. 33 was read the first and second times and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass.

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Gilbert, unanimously carried.

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Commission Bill No. 33 was unanimously passed, and the title was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

#### ELECTION OF RESIDENT COMMISSIONERS (RESUMED).

The Secretary of the Assembly appeared and informed the Commission that the Assembly, sitting in Committee of the Whole, had refused to agree to the designation by the Commission of Honorable Benito Legarda as a candidate for one of the positions of Resident Commissioner to the United States and had designated on its part Honorable Manuel L. Quezon as a candidate for the other position of Resident Commissioner to the United States.

On motion by Commissioner Araneta,

The Commission resolved itself into the Committee of the Whole, The President in the chair.

After some consideration, the committee rose and reported, through the President, that the committee had agreed to the designation by the Assembly of Honorable Manuel L. Quezon as a candidate for one of the positions of Resident Commissioner to the United States and had designated Honorable Benito Legarda as a candidate for the other position of Resident Commissioner to the United States.

*Ordered*, That the Secretary notify the Assembly of the action taken.

Presently, the Secretary of the Assembly appeared and informed the Commission that the Assembly, sitting in Committee of the Whole, had refused to concur in the designation by the Commission of Honorable Benito Legarda as a candidate for one of the positions of Resident Commissioner to the United States.

Later, the Secretary of the Assembly again appeared, and informed the Commission that the Assembly, sitting in Committee of the Whole had designated on its part Honorable Manuel L.

Quezon as a candidate for one of the positions of Resident Commissioner to the United States.

On motion by Commissioner Elliott,

The Commission resolved itself into the Committee of the Whole,  
The President in the chair.

After some consideration, the committee rose and reported through the President that the Committee had agreed to the designation by the Assembly of Honorable Manuel L. Quezon as a candidate for one of the positions of Resident Commissioner to the United States, and had designated Honorable Benito Legarda as a candidate for the other position of Resident Commissioner to the United States.

*Ordered*, That the Secretary notify the Assembly of the action taken.

#### REPORTS OF STANDING COMMITTEES.

[Committee Report No. 78.]

MR. PRESIDENT: The Committee on Municipal and Provincial Governments to which was referred on October 18, 1910, the resolution adopted by the convention of municipal presidents of Rizal in their session of May 26, 1910, recommending the passage of an Act providing that the assembly of provincial governors be held after the convention of municipal presidents, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That it be laid on the table.

The assembly of provincial governors is not ordered by law but has been established in practice as promoting coöperation and mutual understanding among the Insular and provincial officials. No need appears for establishing it by law for legislative purposes. The request of the municipal presidents of Rizal can be granted by executive action and the passage of a law to that effect is not thought necessary.

Respectfully submitted.

RAFAEL PALMA,  
C. B. ELLIOTT,  
JUAN SUMULONG,

*Committee on Municipal and Provincial Governments.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 79.]

MR. PRESIDENT: The Committee on Municipal and Provincial Governments to which was referred on October 18, 1910, the recommendation of

the municipal presidents of Rizal adopted in their session of May 26, 1910, that an Act be passed authorizing the municipal councils of that province to set aside 4 per cent of their general funds for the purpose of increasing the fund for the projected Rizal Monument in the capital of the province, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the matter be postponed.

In the opinion of the committee, favorable action could be taken on the recommendation of the convention of municipal presidents of Rizal under more prosperous circumstances; but considering that the financial situation in many municipalities is not very encouraging, the authorization requested might be a temptation for many of the municipalities to disregard more pressing obligations.

Respectfully submitted.

RAFAEL PALMA,  
C. B. ELLIOTT,  
JUAN SUMULONG,

*Committee on Municipal and Provincial Governments.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

ELECTION OF RESIDENT COMMISSIONERS (RESUMED).

The Secretary of the Assembly appeared and informed the Commission that the Assembly sitting in Committee of the Whole had unanimously refused to agree to the designation by the Commission of Honorable Benito Legarda as a candidate for one of the positions of Resident Commissioner to the United States.

On motion by Commissioner Gilbert, seconded by Commissioner Araneta, it was thereupon

*Resolved*, That, in view of the continued disagreement between the two Houses relative to the election of Resident Commissioners to the United States, the Commission request of the Assembly a conference on this subject, at which conference the Commission shall be represented by a committee of five, consisting of the President, as chairman, and four other members of the Commission to be named by him.

*Ordered*, That the Secretary notify the Assembly of the action taken.

Presently, the Secretary of the Assembly appeared and informed the Commission that the Assembly had agreed to the conference requested by the Commission on the subject of the election of

Resident Commissioners to the United States and had appointed as conferees on its part Delegates Barretto, Adriático, Apacible, Francisco Villanueva, and the Speaker.

The President thereupon named Commissioners Gilbert, Araneta, Sumulong, and Branagan to compose, with himself, the committee on the part of the Commission.

REPORTS OF STANDING COMMITTEES (RESUMED).

[Committee Report No. 80.]

MR. PRESIDENT: The Committee on Municipal and Provincial Governments, to which was referred on October 28, 1910, the resolution adopted by the convention of municipal presidents of Pampanga on October 10, 1910, recommending that subsection (b) of section '37 of the Municipal Code be amended in the sense that the offices of *teniente* and *teniente auxiliar de barrio* be made obligatory for a period of two years, under penalty of six months' imprisonment and a fine of two hundred pesos, and that they be filled by election among the residents of the barrios, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the matter be indefinitely postponed.

The Joint Committee of the Philippine Legislature on February 1, 1909, considered a similar resolution passed by the convention of municipal presidents of Capiz and recommended that it be indefinitely postponed, as being somewhat restrictive of individual liberty, or, at least, a possible source of great abuses.

This report was approved by the Commission in its session of April 19, 1909 (see Journal of the Commission, second session, First Legislature, pp. 382-385), and your committee concurs in the reasons set forth in this matter by the Joint Committee.

Respectfully submitted.

RAFAEL PALMA,  
C. B. ELLIOTT,  
JUAN SUMULONG,

*Committee on Municipal and Provincial Governments.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

ADJOURNMENT.

Thereupon, at 6 o'clock and 35 minutes postmeridian,

On motion by Commissioner Elliott,

The Commission adjourned to meet at the call of the President.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

# Second Philippine Legislature, First Session.

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## JOURNAL OF THE COMMISSION.

TUESDAY, NOVEMBER 22, 1910.

The Commission met at the call of the President, at 10 o'clock and 30 minutes antemeridian.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, Elliott, and the President.

Absent: Commissioner Worcester (on official business) and Commissioner Luzuriaga (on leave).

### READING OF JOURNAL.

The Journal of Thursday, November 17, 1910, was read and approved.

### RESOLUTIONS.

Commissioner Araneta introduced the following resolution:

Commission Resolution No. 50. Whereas the judge of the Eighth Judicial District recommends the appointment of a justice of the peace and of an auxiliary justice of the peace at the East Batan coal mine, barrio of Batan, municipality of Rapu-Rapu, Province of Albay; and

Whereas section sixty-seven of Act Numbered One hundred and thirty-six, as amended by Acts Numbered Fourteen hundred and fifty and Sixteen hundred and twenty-seven, provides that places other than organized municipalities for which appointments of justices of the peace and auxiliary justices of the peace are made shall be determined by resolution of the Commission: Now, therefore, be it

*Resolved*, That the appointment of a justice of the peace and of an auxiliary justice of the peace at the East Batan coal mine, with jurisdiction over the territory included within said barrio of Batan, municipality of Rapu-Rapu, Albay Province, is hereby authorized in accordance with section



sixty-seven of Act Numbered One hundred and thirty-six, as amended by Acts Numbered Fourteen hundred and fifty and Sixteen hundred and twenty-seven.

The resolution was adopted.

The President introduced a resolution reserving a town site at Tarlac, Province of Tarlac, in accordance with the provisions of section thirty-eight of the Public Land Act.

Referred to the Committee on Municipal and Provincial Governments for report and recommendation.

#### MISCELLANEOUS COMMUNICATIONS.

At the direction of the President, the Secretary read the following:

A resolution of the municipal council of Palo, Province of Leyte, adopted November 3, 1910, requesting, in view of the destruction wrought by the typhoon of October 31, and November 1, 1910, in that municipality, the suspension of the land tax in the municipality during the years 1911 and 1912, the reduction for the same years of the cedula tax to ₱1, and the extension of the time for the free cutting of timber, regardless of group, for five years.

*Ordered,* That the resolution be filed and the municipal council of Palo advised of action heretofore taken by the Commission on petitions of a similar character.

Resolution No. 178 of the municipal council of Magdalena, Province of La Laguna, adopted October 31, 1910, indorsing a bill introduced in the Assembly by Delegate Guevara, to increase to 25 per cent the share of the municipal governments in the taxes collected under the Internal Revenue Law.

Ordered filed and municipal council of Magdalena advised of the action heretofore taken by the Commission on petitions of a similar character.

Resolution No. 179 of the municipal council of Magdalena, Province of La Laguna, adopted October 31, 1910, indorsing a bill introduced in the Assembly by Delegate Guevara for the establishment of a nautical school.

*Ordered,* That the question of the establishment of a nautical school be referred to a select committee to be composed of the Committee on Matters Pertaining to the Department of Commerce and

Police, the Committee on Matters Pertaining to the Department of Public Instruction, and the Committee on Matters Pertaining to the Department of Finance and Justice.

Resolution No. 183 of the municipal council of Magdalena, Province of La Laguna, adopted October 31, 1910, requesting that the Election Law be amended in the following particulars:

That section 15 of said law be amended to the effect that election inspectors shall be prohibited from acting as "leaders" for any candidate; that section 22 of said law be amended to provide that an illiterate voter may prepare his ballot in the voting booth with his children, relatives, or friends or two persons trusted by him, even though not qualified voters, and that election inspectors be prohibited from preparing such ballots; and that section 6 of said law be amended to require delegates to the Assembly to visit the municipalities of their districts before the opening of the regular sessions of the Legislature in order to consult the wishes of the people and to receive their complaints for transmittal to the Assembly, their traveling expenses in such cases to be paid from the funds of the Assembly.

Referred to the Special Committee on Amendments to the Election Law.

Resolution No. 184 of the municipal council of Magdalena, Province of La Laguna, requesting that the Municipal Code be amended as so to permit of the licensing by municipalities of *panguingue* tables, in view of the recent decision of Judge Jenkins that this game is not unlawful.

Ordered referred to the Committee on Municipal and Provincial Governments for report and recommendation.

Resolution of the municipal council of Toledo, Province of Cebu, adopted November 12, 1910, protesting against certain declarations alleged to have been made by Commissioner Dean C. Worcester in an address before the Y. M. C. A., Manila, which declarations it is stated have deeply wounded the feelings of the Filipino people.

Referred to the Governor-General.

Resolution of the provincial board of Tarlac, adopted November 10, 1910, requesting that Act No. 1510 (the Manila Railroad Company's franchise) be amended to provide that 50 per cent of the money collected by the Insular Government from the railroad com-

pany in lieu of taxes be distributed amongst the provinces and municipalities traversed by its lines.

Ordered referred to the select committee consisting of the Committee on Matters Pertaining to the Department of Finance and Justice, and the Committee on Matters Pertaining to the Department of Commerce and Police to which was referred that portion of the message of the Governor-General to the Second Philippine Legislature relating to the distribution of monies collected from public-service corporations in lieu of taxes.

#### INTRODUCTION AND FIRST READING OF BILL.

Commissioner Araneta introduced the following bill:

Commission Bill No. 34. An Act repealing sections seven hundred and fifty-five, seven hundred and fifty-six, seven hundred and fifty-seven, and seven hundred and sixty of Act Numbered One hundred and ninety, and restoring such provisions of the Civil Code as may have been amended or repealed by said sections to full force and effect.

Commission Bill No. 34 was read the first time.

On motion by Commissioner Gilbert, it was

*Ordered*, That a copy of the bill and the explanatory statement submitted therewith be furnished each member of the Commission for consideration.

#### EXECUTIVE SESSION.

On motion by the President,

The Commission proceeded to the consideration of executive business.

After the consideration of executive business, the Commission returned to regular session.

(For appointments confirmed in executive session see pp. 826, 827.)

#### ADJOURNMENT.

Thereupon, at 12 o'clock meridian,

On motion by Commissioner Elliott,

The Commission adjourned to meet at the call of the President.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary*.

# Second Philippine Legislature, Special Session.

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## JOURNAL OF THE COMMISSION.

**SATURDAY, NOVEMBER 26, 1910.**

The Commission met at the call of the President, at 12 o'clock and 20 minutes postmeridian.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Elliott, and the President.

Absent: Commissioner Worcester (on official business), Commissioner Luzuriaga (on leave), and Commissioner Sumulong.

### READING OF JOURNAL.

By unanimous consent, the reading of the Journal of Tuesday, November 22, 1910, was postponed until the next regular session.

TELEGRAM OF CONDOLENCE TO THE SECRETARY OF WAR AND MRS. DICKINSON ON THE DEATH OF THEIR SON.

The President stated that he had just received news by cable of the death on the 24th instant of the Secretary of War's son Overton.

On motion by Commissioner Gilbert, seconded by Commissioner Palma, it was thereupon unanimously

*Resolved*, That the Commission request the Governor-General to send a telegram of condolence to the Secretary of War and Mrs. Dickinson in the name of the Commission, expressing their deepest sympathy in this affliction that has so suddenly overtaken them both, in the death of their son Overton, the news of which has only just reached the Commission.

### ADJOURNMENT.

Thereupon, at 12 o'clock and 30 minutes postmeridian,

On motion by Commissioner Gilbert,

The Commission adjourned to meet at the call of the President.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

# Second Philippine Legislature, First Session.

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## JOURNAL OF THE COMMISSION.

WEDNESDAY, NOVEMBER 30, 1910.

The Commission met at the call of the President at 11 o'clock and 10 minutes antemeridian.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, Elliott, and the President.

Absent: Commissioner Worcester (on official business) and Commissioner Luzuriaga (on leave).

### READING OF JOURNAL.

The Journal for Tuesday, November 22, 1910, and Saturday, November 26, 1910, was read and approved.

### APPOINTMENT OF COMMISSION MEMBERS OF THE COMMITTEE ON RELIEF OF SUFFERERS FROM PUBLIC CALAMITIES.

At the direction of the President, the Secretary read a communication from the Secretary of the Assembly, addressed to the Governor-General, under date of November 23, 1910, advising that the Speaker of the Assembly had appointed Delegates Alberto Barretto, Macario Adriático, Jaime C. de Veyra, Isauro Gabaldón, Galicano Apacible, Venancio Concepción, and Vicente Singson as members on the part of the Assembly of the Committee on the Relief of Sufferers from Public Calamities created by Act No. 1809.

The President thereupon announced the appointment of Commissioners Gilbert, Araneta, Elliott, Luzuriaga, Palma, Branagan, and Sumulong as members of said committee on the part of the Commission.

## REPORTS OF STANDING COMMITTEES.

[Committee Report No. 81.]

MR. PRESIDENT: The Committee on Municipal and Provincial Governments, to which was referred on October 28, 1910, the resolution adopted by the convention of municipal presidents of Pampanga on October 10, 1910, recommending the passage of an Act providing for a committee for the codification of the municipal ordinances, to be composed of the provincial governor, the provincial fiscal, and three municipal presidents, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That it be laid on the table.

Your committee is of the opinion that, as the conditions of the various municipalities of each province are in many cases necessarily different and at variance with each other, the formation of a code of municipal ordinances for the whole province, instead of producing satisfactory results, would tend to deprive the local governments of their initiative for enacting their ordinances with reference to local conditions. There may be matters that ought to be uniformly conducted throughout a province but there is nothing in the law that prevents the municipal governments from coming to an agreement to establish the same ordinances on any given subject, without need for special legislation.

Respectfully submitted.

RAFAEL PALMA,  
C. B. ELLIOTT,  
JUAN SUMULONG,

*Committee on Municipal and Provincial Governments.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 82.]

MR. PRESIDENT: The Committee on Municipal and Provincial Governments, to which was referred on October 28, 1910, the resolution of the convention of municipal presidents of Pampanga adopted in their session of October 10, 1910, recommending the passage of an Act authorizing the municipal councils to expend any sum not in excess of ₱500 without the approval of the provincial treasurer, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That it be laid on the table.

The requirement of the approval by the provincial treasurer of all the expenditures of the municipalities has proved to be of benefit to the financial interests of the municipalities themselves, and the committee is

of the opinion that it is not expedient at present to change the law in this respect.

Respectfully submitted.

RAFAEL PALMA,  
C. B. ELLIOTT,  
JUAN SUMULONG,

*Committee on Municipal and Provincial Governments.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 83.]

MR. PRESIDENT: The Committee on Municipal and Provincial Governments, to which was referred on October 28, 1910, the resolution adopted by the convention of municipal presidents of Pampanga on October 10, 1910, recommending that the Legislature provide that the convention of municipal presidents be held before the assembly of provincial governors, and that this latter be held before the opening of the Philippine Assembly, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That it be laid on the table.

This resolution is identical with the one adopted by the convention of municipal presidents of Rizal on May 26, 1910, already passed upon by your committee in its Report No. 78.<sup>1</sup>

Respectfully submitted.

RAFAEL PALMA,  
C. B. ELLIOTT,  
JUAN SUMULONG,

*Committee on Municipal and Provincial Governments.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 84.]

MR. PRESIDENT: The Committee on Municipal and Provincial Governments, to which was referred on October 28, 1910, the resolution adopted by the convention of municipal presidents of the Province of Capiz and subprovince of Romblon in its session of July 2, 1909, requesting the amendment of Act No. 1772, to the effect that a penalty be imposed upon any president who, without good reason, shall fail to attend the convention of municipal presidents, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the resolution be laid on the table.

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<sup>1</sup> Ante, p. 241.

The Joint Committee of the Legislature, to which this matter was referred, recommended that it be indefinitely postponed, stating that the assembling in convention of the municipal presidents of a province should be left to their own free will, and that when these conventions do not produce the results expected from them, then the time for their abolition will have come.

Your committee concurs with the reasons given in the report of the Joint Committee of December 29, 1909.

Respectfully submitted.

RAFAEL PALMA,  
C. B. ELLIOTT,  
JUAN SUMULONG,

*Committee on Municipal and Provincial Governments.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 85.]

MR. PRESIDENT: The Committee on Municipal and Provincial Governments, to which was referred on October 28, 1910, the resolution adopted by the convention of municipal presidents of Pampanga in their session of October 10, 1910, recommending the passage of an Act to the effect that any loan acquired by a municipality for municipal improvements be not made subject to conditions tending to annul the control vested in it by law, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the matter be laid on the table.

In the opinion of your committee there is no need for passing such an Act, because in securing loans for any purpose the municipalities are at liberty to reject any conditions that may appear burdensome or unacceptable to them.

Respectfully submitted.

RAFAEL PALMA,  
C. B. ELLIOTT,  
JUAN SUMULONG,

*Committee on Municipal and Provincial Governments.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 86.]

MR. PRESIDENT: The Committee on Municipal and Provincial Governments, to which was referred on October 18, 1910, the resolution of the convention of municipal presidents of Capiz adopted in their session of July 9, 1910, requesting the passage of an Act authorizing reimbursement from the municipal treasury of traveling expenses of the municipal presidents, not to exceed ₱2 per diem, has examined the same and has the



honor to report it back to the Commission with the following recommendation, viz:

That the matter be laid on the table.

Your committee can not do less than acknowledge that it would be just to reimburse the municipal presidents for the expenses that they necessarily incur in their visits to the different districts of their municipalities; but at the same time it invites attention to the fact that our municipal government system is based on the theory that the municipal offices are imposed as civic duties, and for this reason the services that the municipal officials are obliged to render to their respective pueblos should not be rewarded in money.

Moreover, in many poor municipalities the reimbursement of traveling expenses of the president would be an additional heavy, if not intolerable, burden. An Act such as is proposed, even when it fixes the maximum of traveling expenses for each day, would result in a considerable drain on the general funds, which in poor municipalities would be detrimental to the public service.

Respectfully submitted.

RAFAEL PALMA,  
C. B. ELLIOTT,  
JUAN SUMULONG,

*Committee on Municipal and Provincial Governments.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 87.]

MR. PRESIDENT: The Committee on Municipal and Provincial Governments, to which was referred on October 18, 1910, the resolution adopted by the convention of municipal presidents of Tarlac requesting an amendment to Act No. 1791 by striking out the words "The provincial board shall approve all acts, ordinances, etc.," and substituting therefor: "The provincial board shall revise all acts, ordinances, resolutions, and orders passed by the municipal councils or municipal presidents, and if there shall be any doubt as to the legality of any ordinance, resolution, or order, it shall declare the same suspended and shall refer the question to the provincial fiscal for his opinion, and if either of the parties is not agreeable to the opinion of the fiscal, the same may carry the matter in appeal to the Governor-General, for his final decision, with the advice of the Attorney-General," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That it be laid on the table.

In the opinion of your committee the amendment proposed is not advisable because it would render the existing legal provisions defective and incomplete. Section 5 of Act No. 1791 authorizes the provincial board to declare null and void acts, resolutions, ordinances, and executive orders of municipal councils and presidents which are not within the authority

of the council or president that passed them. This provision has been thought necessary in view of the fact that ordinances and resolutions have been passed which were not within the authority of the council or the president. The committee considers that the time has not yet come for depriving the provincial board of its authority given under section 5 of Act No. 1791.

Respectfully submitted.

RAFAEL PALMA,

*Chairman pro tempore,*

*Committee on Municipal and Provincial Governments.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 88.]

MR. PRESIDENT: The Committee on Matters Pertaining to the Department of Commerce and Police, to which was referred on November 8, 1910, resolution No. 1792 of the provincial board of Pangasinan, requesting that the papers in the matter of the proposed improvement of the port of Dagupan, Pangasinan, be submitted to both chambers of the Legislature, for inclusion in the appropriation bill for the coming fiscal year, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the matter be laid on the table.

Respectfully submitted.

C. B. ELLIOTT,

*Committee on Matters Pertaining to the*

*Department of Commerce and Police.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 89.]

MR. PRESIDENT: The Committee on Matters Pertaining to the Department of Commerce and Police, to which was referred on October 28, 1910, the following resolution of the municipal presidents of Pampanga, adopted October 10, 1910:

*“Resolved, To request of the Philippine Legislature an Act authorizing the municipal councils to resurvey and repair their local roads with their former dimensions, now that from neglect and from lack of funds for repairing them they are very narrow, to the injury of the inhabitants and of agriculture in particular; for which purpose the municipalities should be exempted from the expenses that may be occasioned by the action that must be taken before the competent courts against those persons who unlawfully take up certain portions of the local roads, and by reason of which many of these roads have ceased to have their former dimensions,”*

has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the resolution be referred to the Governor-General for administrative action.

In this connection, the following indorsement of the Director of Public Works of November 8, 1910, is submitted for the information of the Commission:

"Respectfully returned to the honorable the Secretary of Commerce and Police with the information that the attached resolution is along the lines of the action of the Bureau of Public Works for more than a year in endeavoring to regain for the benefit of all the people the former existing right of way, which is absolutely necessary for the proper maintenance, reconstruction, and repair of all roads constructed during the Spanish administration.

"It is the opinion of the undersigned, however, that this is not necessarily a matter for special legislative action. Public roads constructed during the Spanish administration, together with the total area embraced within their right of way limits, constituted a public utility, and as such their administration was placed upon the various governmental officials. This administrative control to-day is vested in the Governor-General, who may, by the exercise of his executive authority, issue an executive order covering in detail the matter in question. The undersigned specially favors the issuance of an executive order rather than special legislative action on this subject.

"Attention is respectfully invited to papers of a similar nature forwarded this date through the honorable the Secretary of Commerce and Police to His Excellency the Governor-General, requesting the issuance of such an order."

Respectfully submitted.

C. B. ELLIOTT,

*Committee on Matters Pertaining to the  
Department of Commerce and Police.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 90.]

MR. PRESIDENT: The Committee on Matters Pertaining to the Department of Commerce and Police, to which was referred on October 18, 1910, resolution No. 12 of the convention of municipal presidents of Rizal, adopted on May 26, 1910, requesting the establishment of an irrigation system in that province, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That this resolution be laid on the table by the Commission.

This is an administrative matter coming within the jurisdiction of the Department of Commerce and Police. Irrigation works are now being

undertaken on a systematic plan throughout the Islands and are being prosecuted as rapidly as circumstances justify. With reference to the Province of Rizal, the following indorsement of the Director of Public Works of November 17, 1910, is submitted for the information of the Commission:

"Respectfully returned to the honorable Secretary of Commerce and Police.

"A preliminary general investigation of the Province of Rizal was reported upon by Assistant Engineer C. T. Brady, in July, 1909. This report shows that the only situations in the province where water is available are the following:

"Mariquina Valley; 5,000 hectares; cost of system, ₱200,000. The people generally do not want the system installed.

"Caloocan; size of system, 600 hectares; estimated cost, ₱30,000. Thin soil, cost probably much above this estimate.

"Morong; 400 hectares; estimated cost, ₱15,000.

"Tanay. An old system is in use. Owners are satisfied and do not desire any further improvement.

"Pililla. This project has been recommended for construction. Allotments and plans have been made and the Bureau of Lands is now securing contracts with the property owners for reimbursement.

"The only important project which could be developed in the province is the one first above-mentioned, the Mariquina Valley. On this project, no stream gagings have been taken except those which were taken for the purpose of determining the available water supply for the city of Manila. The branch of the Mariquina from which this water supply is taken gives a flow through ten months, which is more than sufficient for the estimated probable requirements of the city for the next twenty years.

"There is another branch on which no measurements have been taken which is of considerable size. There is no doubt that the supply would be sufficient for a one-crop system, but that it could be made sufficient for two crops without an excessive expenditure is doubtful.

"The attitude of the people in the district has been reported as antagonistic, and as a consequence this project has been dropped for the present.

"There is, therefore, at the present time, only one project under way, viz, the Pililla project, covering an area of some 200 hectares, at an estimated cost of ₱14,944.

"It is to be noted that the above estimates shown by the report of Mr. Brady are merely rough preliminary estimates, and of little value in determining the actual probable cost."

Respectfully submitted.

C. B. ELLIOTT,

*Committee on Matters Pertaining to the  
Department of Commerce and Police.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

## SECOND AND THIRD READING AND PASSAGE OF BILL.

Commission Bill No. 34. An Act repealing sections seven hundred and fifty-five, seven hundred and fifty-six, seven hundred and fifty-seven, and seven hundred and sixty of Act Numbered One hundred and ninety, and restoring such provisions of the Civil Code as may have been amended or repealed by said sections to full force and effect.

Commission Bill No. 34 was read the second time and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass.

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Araneta, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Commission Bill No. 34 was unanimously passed, and the title read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

## INTRODUCTION OF BILLS.

The President introduced the following bill:

Commission Bill No. 35. An Act to fix the time for making annual reports for officers of the different branches of the Government and to make the fiscal year uniform for all branches of the Government and coincident with the calendar year.

Commission Bill No. 35 was read the first time and consideration postponed, until the next meeting of the Commission.

Commissioner Araneta introduced the following bill:

Commission Bill No. 36. An Act to amend Act Numbered Fifty-two, entitled "An Act providing for examinations of banking institutions in the Philippine Islands, and for reports by their officers," as amended by Act Numbered Eight hundred and thirty-nine, by making the examination of banks compulsory every twelve months, and for other purposes.

Commission Bill No. 36 was read the first and second times and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission

with the recommendation that it pass with the following amendment:

Strike out section 2 in its entirety.

The report and recommendation of the Committee of the Whole were adopted by unanimous vote, and the bill was ordered on file for third reading.

EXECUTIVE SESSION.

On motion by the President,

The Commission proceeded to the consideration of executive business.

After the consideration of executive business, the Commission returned to regular session.

(For appointments confirmed in executive session see pp. 827, 828.)

ADJOURNMENT.

Thereupon, at 12 o'clock and 20 minutes postmeridian,

On motion by Commissioner Gilbert,

The Commission adjourned to meet at the call of the President.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

# Second Philippine Legislature, First Session.

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## JOURNAL OF THE COMMISSION.

MONDAY, DECEMBER 5, 1910.

The Commission met at the call of the President at 10 o'clock and 10 minutes antemeridian.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, Elliott, and the President.

Absent: Commissioner Worcester (on official business) and Commissioner Luzuriaga (on leave).

### READING OF JOURNAL.

The Journal of Wednesday, November 30, 1910, was read and approved.

### MESSAGE FROM THE GOVERNOR-GENERAL.

At the direction of the President, the Secretary read the following communication from the Governor-General:

MANILA, *November 23, 1910.*

GENTLEMEN: The Manila Railroad Company is building some very important bridges in the Island of Luzon over rivers over which it is necessary that there should also be bridges for public highways. Particularly from Manila to the north is the freedom of movement of the products of the country impeded by the fact that many large rivers are to be traversed in getting from province to province or from town to town. This is particularly the case with passing from San Fabian in the Province of Pangasinan to the north of Laoag. The fact that these rivers sometimes rise to great heights and become dangerous in times of floods is a distinct danger to successful transportation of the products of the country, and in fact much property and many lives are lost in this section.

The construction of bridges over these rivers is of vital importance for the welfare of the people, and the undersigned is desirous of entering into an agreement with the railroad company by which an economy can be made in the construction of joint bridges which will serve both the purposes of railroad and highway at the same time.

The engineers estimate that the cost of constructing a combined bridge for the railroad and the highway will be at least 30 per cent less than the cost of constructing two separate bridges to do the same work. If the railroad were to contribute the same amount that it would have to pay for an independent bridge of its own, the saving to the Government in the cost of constructing the bridge for the highway would be about 73 per cent. It is not intended, however, that the Government only should receive the advantage of the combined bridges, and some different method of apportioning the saving will be decided upon. As the Government is interested in the economic construction of the railroad, it is clear that no matter what proportion of the cost of construction shall be borne by the Government and the railroad, that there will be a twofold advantage to the Government—that of getting its highway bridges at a reduced cost, and that of saving the cost, to the railroad, the bonds of which it is obligated to guarantee under the terms of its contract.

I therefore recommend that the sum of ₱500,000 be appropriated, to be used by the Secretary of Commerce and Police, with the approval of the Governor-General, to defray the Insular share of the expense of joint bridges to be constructed by the Insular Government and the railroad company for purposes of railroad traffic and highway traffic, and that the Secretary of Commerce and Police be authorized to enter into a contract with the railroad company for the payment of the Insular proportion of such structures when in his discretion it is deemed advisable.

Respectfully.

W. CAMERON FORBES,  
*Governor-General.*

To the PHILIPPINE LEGISLATURE.

Referred to the Committee on Matters Pertaining to the Department of Commerce and Police, for report and recommendation.

#### THIRD READING AND PASSAGE OF BILL.

Commission Bill No. 36. An Act to amend Act Numbered Fifty-two, entitled "An Act providing for examinations of banking institutions in the Philippine Islands, and for reports by their officers," as amended by Act Numbered Eight hundred and thirty-nine, by making the examination of Banks compulsory every twelve months, and for other purposes.

Commission Bill No. 36 was read the third time in full, as amended.

Commissioner Elliott moved the following amendment:

Strike out, in line 13, the words "to the Philippine Commission."

The motion prevailed.



The question then being upon its passage, the roll was called and Commission Bill No. 36 was passed, Commissioner Elliott voting in the negative.

Commissioner Gilbert moved to amend the title as follows:

Strike out the words "by making the examination of banks compulsory every twelve months, and for other purposes," and insert in lieu thereof the words "by providing for the examination of banks every twelve months, and for other purposes."

The motion prevailed.

The title as amended was then read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

#### MORO PROVINCE.

#### REPORT OF STANDING COMMITTEE.

[Committee Report No. 91.]

MR. PRESIDENT: Your Committee on Affairs Pertaining to the Moro Province, to which was referred on December 1, 1910, the resolution of the Moro legislative council of November 17, 1910, requesting the insertion in Moro council Act No. 253, of a section reading as follows: "SEC. 2. Subject to annulment or amendment by the Philippine Commission, this act shall take effect on its passage," has examined the same and has the honor to report it back to the Commission with the recommendation that Moro council Act No. 253, as approved by the Commission on October 18, 1910, be amended as requested by the Moro legislative council.

Respectfully submitted.

FRANK A. BRANAGAN,  
*Chairman, Committee on Affairs  
Pertaining to the Moro Province.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted, and it was

On motion,

*Resolved*, That under and by virtue of the provisions of the Act of Congress of July first, nineteen hundred and two, and in accordance with the provisions of section thirty-two of Act of the Philippine Commission Numbered Seven hundred and eighty-seven, Act Numbered Two hundred and fifty-three of the legislative council of the Moro Province, entitled "An act appropriating the sum of forty-four thousand nine hundred ninety-one pesos

and forty-five centavos Philippine currency, or so much thereof as may be necessary, for certain public works, permanent improvements, and other purposes of the government of the Moro Province," be, and is hereby, approved with the insertion of the following: "SEC. 2. Subject to annulment or amendment by the Philippine Commission, this act shall take effect on its passage," as requested by the legislative council of the Moro Province in its resolution of November seventeenth, nineteen hundred and ten.

MISCELLANEOUS COMMUNICATIONS.

At the direction of the President, the Secretary read the following telegram for the information of the Commission:

MANILA, *November 26, 1910.*

SECWAR, *Washington:*

Commission requests me to extend to you and Mrs. Dickinson the heartfelt sympathy of all its members in your bereavement.

FORBES.

Ordered filed.

At the direction of the President, the Secretary then read the following:

Resolution No. 166 of the municipal council of Mambusao, Province of Capiz, adopted October 31, 1910, requesting that, in view of the detention of Leocadio Pajarillo, who was elected Delegate to the Assembly from the second district of Capiz at the elections in November last, the Philippine Assembly and the Governor-General provide said district with a representative, so that it may have representation in the Philippine Assembly, copy of which resolution was forwarded to the Commission for its information.

Referred to the Governor-General for reply.

Resolution No. 111 of the municipal council of Ginatilan, Province of Cebu, adopted October 15, 1910, requesting the establishment of a telegraph service between that municipality and the provincial capital of Cebu.

Referred to the Secretary of Commerce and Police as an administrative matter coming within the jurisdiction of his department.

Resolution No. 304 of the municipal council of Pandan, Province of Antique, adopted November 15, 1910, expressing its adherence to a bill introduced in the Assembly "remitting all the

amounts due from owners of rural estates as land tax for several years after the imposition of said tax up to December 31, 1909."

Ordered filed for consideration when the bill referred to is received from the Assembly, and the municipal council of Pandan so advised.

Resolutions of the municipal councils of Bato, Province of Albay, adopted November 7, 1910, and of Calolbon, Province of Albay, adopted November 15, 1910, expressing adherence to the following bills introduced in the Assembly:

An Act amending Acts Numbered Nineteen hundred and thirty-two and Sixteen hundred and fifty-two, providing that henceforth the municipal councils may by resolution dispose of at least thirty per centum of the receipts from the additional cedula tax, in the provinces where the provincial board has determined to levy said additional tax, for the construction, repair, and beautifying of the municipal roads and bridges and in general for municipal improvements.

An Act authorizing the municipal councils to devote a sum not in excess of five hundred pesos to the repair of municipal public buildings that are going to ruin, without previous approval of their respective provincial boards.

An Act authorizing the municipal councils to assign per diems to the councilors.

Ordered filed for consideration when the bills referred to are received from the Assembly, and the municipal councils of Bato and Calolbon so advised.

Resolution No. 193 of the municipal council of San Fernando, Province of La Union, adopted November 15, 1910, requesting that the Commission withhold its approval from the bill introduced in the Assembly to authorize municipal councils to assign per diems to municipal councilors.

Ordered filed for consideration when the bill referred to is received from the Assembly, and the municipal council of San Fernando so advised.

#### POSTPONEMENT OF CONSIDERATION OF COMMISSION BILL NO. 35.

Commission Bill No. 35, entitled "An Act to fix the time for making annual reports for officers of the different branches of the Government and to make the fiscal year uniform for all

branches of the Government and coincident with the calendar year," appearing on the calendar for consideration on this day,

On motion by Commissioner Gilbert,

Consideration was postponed until the next session of the Legislature.

#### INTRODUCTION, FIRST AND SECOND READING OF BILLS.

Commissioner Araneta introduced the following bill:

Commission Bill No. 37. An Act to amend section thirty-six of Act Numbered Eleven hundred and eighty-nine, entitled "The Internal Revenue Law of Nineteen hundred and four," by exempting from the payment of internal-revenue taxes articles purchased for use by the Army or Navy of the United States.

Commission Bill No. 37 was read the first and second times and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass.

The report and recommendation of the Committee of the Whole were adopted, and the bill ordered on file for third reading.

Commissioner Araneta introduced the following bill:

Commission Bill No. 38. An Act to amend Act Numbered Eighteen hundred and sixty-five by providing that not to exceed sixty per centum of the mortgaged property may be loaned by the Agricultural Bank.

Commission Bill No. 38 was read the first and second times and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following amendment:

Strike out section 2 in its entirety.

The report and recommendation of the Committee of the Whole were adopted, and the bill ordered on file for third reading.

#### EXECUTIVE SESSION.

On motion by the President,

The Commission proceeded to the consideration of executive business.

After a consideration of executive business, the Commission returned to regular session.

(For appointments confirmed in executive session see pp. 828, 829.)

ADJOURNMENT.

Thereupon, at 11 o'clock and 35 minutes antemeridian,  
On motion by Commissioner Gilbert,  
The Commission adjourned to meet at the call of the President.  
Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

# Second Philippine Legislature, First Session.

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## JOURNAL OF THE COMMISSION.

THURSDAY, DECEMBER 8, 1910.

The Commission met at the call of the President at 10 o'clock and 25 minutes antemeridian.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, and the President.

Absent: Commissioner Worcester (on official business), Commissioner Luzuriaga (on leave), and Commissioner Elliott (on official business).

### READING OF JOURNAL.

The Journal of Monday, December 5, 1910, was read and approved.

### MESSAGE FROM THE ASSEMBLY.

DECEMBER 6, 1910.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on December 5, 1910, passed the following Joint Resolution (A. J. R. No. 4) in which it requests the concurrence of the Commission: Joint Resolution requesting the Congress of the United States to recognize the right and power of the Philippine people to prepare and adopt a constitution of its own.

Copies of the report of the Committee on Relations with the Sovereign Country (A. Rep. No. 47) are inclosed for the information of the Commission.<sup>1</sup>

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

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<sup>1</sup> This report is on file with the resolution in the office of the Secretary of the Commission.

The resolution is as follows:

Assembly Joint Resolution No. 4. Joint Resolution requesting the Congress of the United States to recognize the right and power of the Philippine people to prepare and adopt a constitution of its own.

*Resolved by the Philippine Commission and the Philippine Assembly,* That it be, and hereby is, respectfully requested that the Congress of the United States recognize in the Philippine people the inherent, inalienable, and inviolable right and power of every community of free and equal civilized citizens to prepare and adopt, through duly chosen representatives, a constitution of its own.

*Resolved further,* That the Philippine Resident Commissioners in the United States be, and hereby are, requested to sustain this aspiration of the Philippine people in the Congress of the United States and to obtain from said Congress the necessary legislation.

Assembly Joint Resolution No. 4 was read the first time and ordered on file for second reading.

#### RESOLUTION.

Commissioner Gilbert introduced the following resolution:

Commission Resolution No. 51. *Resolved,* That the Secretary be directed to have printed two hundred handbooks containing the standing rules of the Commission, legislative rules established by law and joint resolution, important precedents of the United States House of Representatives, notes as to statutes, and such other matters as may be approved by the Committee on Rules, to be bound in fabrikoid or other similar material; and that when the said two hundred copies shall have been printed and bound one copy be delivered to each Commissioner and one copy to each member of the Philippine Assembly, the remainder to be disposed of as may be directed by the Commission.

The resolution was adopted.

#### POSTPONEMENT OF C. B. NO. 37.

Commission Bill No. 37, entitled "An Act to amend section thirty-six of Act Numbered Eleven hundred and eighty-nine, entitled 'The Internal Revenue Law of Nineteen hundred and four,' by exempting from the payment of internal-revenue taxes articles purchased for use by the Army or Navy of the United States," appearing in the calendar for third reading on this day,

On motion by Commissioner Gilbert,  
Consideration was postponed.

## THIRD READING AND PASSAGE OF BILL.

Commission Bill No. 38. An Act to amend Act Numbered Eighteen hundred and sixty-five by providing that not to exceed sixty per centum of the mortgaged property may be loaned by the Agricultural Bank.

Commission Bill No. 38 was read the third time, as amended.

The question then being upon its passage, the roll was called and the bill was passed.

The President moved to amend the title to read as follows:

An Act to amend Act Numbered Eighteen hundred and sixty-five by increasing to sixty per centum of the value of the mortgaged property the amount which may be loaned by the Agricultural Bank.

The motion prevailed.

The title as amended was then read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

## REPORT OF STANDING COMMITTEE.

[Committee Report No. 92.]

MR. PRESIDENT: The Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on October 21, 1910, the accompanying petition of the banks of Manila praying that Saturday of each year following Thursday and Friday of Holy Week, and the 31st day of December, falling between Rizal Day and New Year's day, be declared bank holidays, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the accompanying bill, which meets the desires of the petitioners, be passed.

Bank holidays are customary in England, and your Committee sees no objection to having the Governor-General proclaim certain days as bank holidays when in his judgment there is sufficient reason therefor. The proposed Act contains provisions which will guard against any inconvenience which might result to the public by the proposed proclamations of bank holidays.

In 1908 and again in 1909 the Governor-General upon petition of all the banking houses of Manila proclaimed the 31st day of December as a public holiday.

Respectfully submitted.

GREGORIO ARANETA,  
*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.



The report was adopted and

The following bill, accompanying the report, was then taken up:

Commission Bill No. 39. An Act to amend section three of Act Numbered Sixteen hundred and seventy-one, as amended by Act Numbered Eighteen hundred and eighteen, by giving authority to the Governor-General to proclaim any working day as a bank holiday.

Commission Bill No. 39 was read the first time.

By unanimous consent, the bill was read the second time by title only and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following amendments:

Section 1, page 1, strike out all from the words "The Governor-General" at the beginning of line 4, down to and including the words "any other year" in line 10, and insert in lieu thereof the following:

"The Governor-General may proclaim any working day as an official holiday, or, upon petition of the managers of the banks in the Philippine Islands having a majority in amount of the deposits in all banks as shown by the last reports filed with the Insular Treasurer, as a bank holiday, whenever in his judgment there exists sufficient reason therefor: *Provided*, That such proclamation shall be effective one year only."

Strike out section 2 in its entirety.

The report and recommendation of the Committee of the Whole were adopted, and the bill was ordered on file for third reading.

#### INTRODUCTION AND PASSAGE OF BILL.

Commissioner Gilbert introduced the following bill:

Commission Bill No. 40. An Act providing for the purchase, out of the funds appropriated for the Bureau of Education by Act Numbered Nineteen hundred and ninety-two, of additional land for the industrial school reservation at Baguio.

Commission Bill No. 40 was read the first time.

By unanimous consent it was read the second time by title only and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass.

The report and recommendation of the Committee of the Whole were adopted.

On motion by Commissioner Araneta, unanimously carried,  
The bill was read the third time and put upon its passage.

The roll was called and Commission Bill No. 40 was passed, and the title was read and approved.

*Ordered*, That Commission Bill No. 40 be enrolled and printed as an Act, the enactment of same into law being within the exclusive general legislative jurisdiction of the Commission over all that part of the Philippine Islands inhabited by Moros or other non-Christian tribes.

EXECUTIVE SESSION.

On motion by the President,

The Commission then proceeded to the consideration of executive business.

After the consideration of executive business, the Commission returned to regular session.

(For appointments confirmed in executive session see p. 830.)

ADJOURNMENT.

Thereupon, at 12 o'clock and 15 minutes postmeridian,

On motion,

The Commission adjourned to meet at the call of the President.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary*.

# Second Philippine Legislature, First Session.

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## JOURNAL OF THE COMMISSION.

**SATURDAY, DECEMBER 10, 1910.**

The Commission met at the call of the President at 10 o'clock and 40 minutes antemeridian.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, Elliott, and the President.

Absent: Commissioner Worcester (on official business) and Commissioner Luzuriaga (on leave).

### READING OF JOURNAL.

The Journal of Thursday, December 8, 1910, was read and approved.

### INTRODUCTION AND PASSAGE OF BILL.

Commissioner Elliott requested and was granted unanimous consent to introduce the following bill, out of order:

Commission Bill No. 41. An Act appropriating the sum of thirty thousand pesos for the purchase or construction of an electric light, heat, and power system in the city of Baguio, and for the maintenance and operation thereof under the direction of the Secretary of Commerce and Police, for the sale of electric current for light, heat, and power to the various branches of the Government and the public, and for other purposes.

Commission Bill No. 41 was read the first time.

By unanimous consent, it was read the second time by title only and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission

with the recommendation that it pass with the following amendments:

Add at the end of section 4 the following:

"And any balance over the expense of operation and maintenance may be expended in further extension and improvement of the property or may be credited to the Insular Treasury to reimburse the Government for the cost of the purchase or construction."

Insert the following as section 5:

"SEC. 5. Whenever any private person or corporation shall make representations satisfactory to the Governor-General in regard to their financial standing and ability to purchase and manage the property and to fulfill the requirements of the franchise in regard to extensions and service to the public and their willingness to purchase and pay for the property not less than the cost to the Government, it shall be the duty of the Secretary of Commerce and Police to offer the system at public auction and sell the same to the highest bidder for a sum not less than the cost thereof."

Change the number of the present section 5 to 6.

The report and recommendation of the Committee of the Whole were adopted.

On motion by Commissioner Elliott, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time as amended.

The question then being upon its passage, the roll was called and Commission Bill No. 41 was unanimously passed, and the title was read and approved.

*Ordered*, That the bill be enrolled and printed as an Act, the enactment of same into law being within the exclusive general legislative jurisdiction of the Commission over all that part of the Philippine Islands inhabited by Moros or other non-Christian tribes.

#### EXPLANATIONS OF VOTES.

Commissioner GILBERT. I am not at all in harmony with the idea of the Government engaging in enterprises of this character, but because of the peculiar circumstances that surround this case as have been heretofore stated by various members of the Commission,<sup>1</sup> I voted "aye."

Commissioner SUMULONG. I voted "aye" in view of the fact that an amendment has been adopted making it possible in the near future to sell the plant to a private individual or corporation.

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<sup>1</sup> In Committee of the Whole.

The PRESIDENT. Although I voted "aye," I wish to state that I am strongly opposed to municipal ownership of public utilities as a general rule.

## EXECUTIVE SESSION.

On motion by the President, unanimously carried,

The Commission then proceeded to the consideration of executive business.

After the consideration of executive business, the Commission returned to regular session.

## ADJOURNMENT.

Thereupon, at 12 o'clock and 50 minutes postmeridian,

On motion,

The Commission adjourned to meet at the call of the President.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

# Second Philippine Legislature, Special Session.

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## JOURNAL OF THE COMMISSION.

MONDAY, DECEMBER 12, 1910.

The Commission met at the call of the President at 10 o'clock and 35 minutes antemeridian.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, Elliott, and the President.

Absent: Commissioner Worcester (on official business) and Commissioner Luzuriaga (on leave).

### READING OF JOURNAL.

The Journal of Saturday, December 10, 1910, was read and approved.

### MESSAGE FROM THE ASSEMBLY.

DECEMBER 12, 1910.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on December 10, 1910, passed without amendment Commission Bill No. 32 (C. B. No. 32), entitled "An Act amending section one hundred and twenty-five of Act Numbered Fourteen hundred and fifty-nine of the Philippine Commission, known as 'The Corporation Law,' by making certain exceptions from the requirement that every bank shall at all times have on hand twenty per centum of the aggregate amount of its deposits."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

*Ordered,* That Commission Bill No. 32 be enrolled and printed as an Act of the Legislature.

## MISCELLANEOUS COMMUNICATIONS.

At the direction of the President, the Secretary read a resolution of the municipal council of Bayombong, Nueva Vizcaya, adopted November 14, 1910, requesting provision for the representation of that province in the Philippine Assembly, and the creation of the position of third member of the provincial board.

Referred to the Committee on Municipal and Provincial Governments for report and recommendation.

The President then read a resolution of the convention of township presidents of Nueva Vizcaya adopted by unanimous vote on November 14, 1910, condemning the criminal behavior of Simeon Mandac and his followers and reiterating the sincere adhesion and loyalty of the province to the Government of the United States.

Ordered filed.

## THIRD READING AND PASSAGE OF BILL.

Commission Bill No. 39. An Act to amend section three of Act Numbered Sixteen hundred and seventy-one, as amended by Act Numbered Eighteen hundred and eighteen, by giving authority to the Governor-General to proclaim any working day as a bank holiday.

Commission Bill No. 39 was read the third time as amended.

Commissioner Branagan moved the following amendment:

Section 1, page 1, lines 14 and 15, strike out the words "shall be deemed as though maturing" and insert in lieu thereof the words "shall mature and become due and payable," and on page 2, same section, insert in line 1 the words "or at" between the words "payable to" and the words "the bank."

The motion prevailed.

The question then being upon its passage, the roll was called and Commission Bill No. 39 was passed, as amended.<sup>1</sup>

Commissioner Araneta then moved to amend the title by adding the words "and for other purposes."

The motion prevailed.

The title as amended was then read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

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<sup>1</sup>The vote whereby this bill was passed was, on December 14, 1910, reconsidered and the bill recommitted to the Committee on Matters Pertaining to the Department of Finance and Justice.

## A. J. R. NO. 4 REFERRED TO COMMITTEE.

On motion by Commissioner Gilbert,

Assembly Joint Resolution No. 4, entitled "Joint Resolution requesting the Congress of the United States to recognize the right and power of the Philippine people to prepare and adopt a constitution of its own," was taken from the second reading file and referred to the President of the Commission, as a select committee of the Commission, for report and recommendation.

## INTRODUCTION AND PASSAGE OF BILL.

Commissioner Elliott introduced the following bill:

Commission Bill No. 42. An Act appropriating the sum of two hundred thousand pesos for certain expenses of the maintenance, betterment, and repair of the Benguet Road during the fiscal years nineteen hundred and ten and nineteen hundred and eleven.

Commission Bill No. 42 was read the first and second times and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following amendment:

Strike out all of section 1 and insert in lieu thereof the following:

"SECTION 1. The sum of one hundred thousand pesos, or so much thereof as may be necessary, is hereby appropriated out of any funds in the Insular Treasury not otherwise appropriated, to be expended in the discretion of the Secretary of Commerce and Police, for the maintenance, betterment, and repair of the Benguet Road during the fiscal years nineteen hundred and ten and nineteen hundred and eleven."

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Elliott, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time, as amended.

The question then being upon its passage, the roll was called and the bill was unanimously passed.

Commissioner Gilbert moved to amend the title by striking out the words "two hundred thousand pesos" and inserting in lieu thereof the words "one hundred thousand pesos," and by striking out the words "certain expenses of."

The motion prevailed.



The title as amended was then read and approved.

*Ordered*, That the bill be enrolled and printed as an Act, the enactment of same into law being within the exclusive general legislative jurisdiction of the Commission over all that part of the Philippine Islands inhabited by Moros or other non-Christian tribes.

INTRODUCTION, FIRST AND SECOND READING OF BILL.

Commissioner Elliott introduced the following bill:

Commission Bill No. 43. An Act to amend section eleven of Act Numbered Nineteen hundred and eighty, entitled "An Act to provide for the creation of a commissioned and enlisted service within the Bureau of Navigation, the creation of a pension fund in connection therewith, and for the punishment of offenses against good order and discipline within such service," by authorizing the Secretary of Commerce and Police, with the approval of the Governor-General, to designate any commissioned officer to act as summary court officer.

Commission Bill No. 43 was read the first time.

By unanimous consent, it was read the second time by title only and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following amendments:

Strike out in line 12, page 1, section 1, the word "or" and insert in lieu thereof the word "and," and strike out the comma after the word "police" in line 14 of the same page and section.

The report and recommendation of the Committee of the Whole were adopted by unanimous vote, and the bill was ordered on file for third reading.

ADJOURNMENT.

Thereupon, at 12 o'clock and 7 minutes postmeridian,

On motion,

The Commission adjourned to meet at the call of the President.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

# Second Philippine Legislature, Special Session.

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## JOURNAL OF THE COMMISSION.

WEDNESDAY, DECEMBER 14, 1910.

The Commission met at the call of the President at 10 o'clock and 15 minutes antemeridian.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, Elliott, and the President.

Absent: Commissioner Worcester (on official business) and Commissioner Luzuriaga (on leave).

### READING OF JOURNAL.

The Journal of Monday, December 12, 1910, was read and approved.

### RECONSIDERATION OF VOTE ON C. B. 39.

Commissioner Elliott stated that since the passage on Monday, December 12, 1910, of Commission Bill No. 39, entitled "An Act to amend section three of Act Numbered Sixteen hundred and seventy-one, as amended by Act Numbered Eighteen hundred and eighteen, by giving authority to the Governor-General to proclaim any working day as a bank holiday, and for other purposes," there had been brought to his attention reasons which in his opinion made the reconsideration of the action of the Commission on that date desirable, and he, having voted with the majority in that instance, moved that the vote whereby the said bill was passed be reconsidered.

It appearing that the bill had not left the Secretary's office, the motion was seconded, and, being put to a vote, was unanimously carried.

Commissioner Elliott then submitted a memorandum of changes that he thought were worthy of consideration and moved that Commission Bill No. 39 be recommitted to the Committee on Matters Pertaining to the Department of Finance and Justice for consideration of these proposed changes.

The motion prevailed.

## MESSAGE FROM THE ASSEMBLY.

DECEMBER 12, 1910.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on December 10, 1910, passed the following bill (A. B. No. 366), in which it requests the concurrence of the Commission: An Act authorizing the municipality of Cebu, Province of Cebu, to incur an indebtedness of one hundred and twenty-five thousand dollars in money of the United States, and to issue bonds covering the amount of said indebtedness, payable in gold coin of the United States, for the purpose of providing funds to construct necessary sewer and drainage facilities, to secure a sufficient supply of water and necessary buildings for primary public schools in said municipality, pursuant to the provisions of sections sixty-six, sixty-seven, sixty-eight, and sixty-nine of the Act of Congress approved July first, nineteen hundred and two, entitled "An Act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," as amended by the Act approved February sixth, nineteen hundred and five, entitled "An Act to amend an Act approved July first, nineteen hundred and two, entitled 'An Act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes,' and to amend an Act approved March eighth, nineteen hundred and two, entitled 'An Act temporarily to provide revenue for the Philippine Islands, and for other purposes,' and to amend an Act approved March second, nineteen hundred and three, entitled 'An Act to establish a standard of value and to provide for a coinage system in the Philippine Islands,' and to provide for the more efficient administration of civil government in the Philippine Islands, and for other purposes." I have the honor to attach copies of the reports of the Committees on Provincial and Municipal Governments, Public Works, and Appropriations (Assembly Reports Nos. 57, 60, and 59),<sup>1</sup> respectively, for the information of the Commission.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

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<sup>1</sup> These reports are on file with the bill in the office of the Secretary of the Philippine Commission.

Assembly Bill No. 366 was read the first time.

By unanimous consent, it was read the second time by title only, and,

On motion by Commissioner Gilbert,

Referred to a select committee composed of the chairman of the Committee on Municipal and Provincial Governments, the Committee on Matters Pertaining to the Department of Commerce and Police, and the Committee on Matters Pertaining to the Department of Finance and Justice.

#### THIRD READING AND PASSAGE OF BILLS.

Commission Bill No. 37. An Act to amend section thirty-six of Act Numbered Eleven hundred and eighty-nine, entitled "The Internal Revenue Law of Nineteen hundred and four," by exempting from the payment of internal-revenue taxes articles purchased for use by the Army or Navy of the United States.

Commission Bill No. 37, heretofore postponed, was taken up and read the third time.

The question then being upon its passage, the roll was called and Commission Bill No. 37 was unanimously passed.

Commissioner Araneta moved to amend the title by striking out the words "purchased for use by the Army or Navy of the United States" and inserting in lieu thereof the words "purchased and delivered for actual use or issue by the Army or Navy of the United States."

The motion prevailed.

The title as amended was then read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

Commission Bill No. 43. An Act to amend section eleven of Act Numbered Nineteen hundred and eighty, entitled "An Act to provide for the creation of a commissioned and enlisted service within the Bureau of Navigation, the creation of a pension fund in connection therewith, and for the punishment of offenses against good order and discipline within such service," by authorizing the Secretary of Commerce and Police, with the approval of the Governor-General, to designate any commissioned officer to act as summary court officer.

Commission Bill No. 43 was read the third time, as amended.

Commissioner Elliott moved the following amendment:

Strike out the word "other" in line 12, page 1, section 1.

The motion prevailed.

The question then being upon its passage, the roll was called and Commission Bill No. 43 was unanimously passed, and the title was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

## MISCELLANEOUS COMMUNICATIONS.

The President read the following telegram from the Bureau of Insular Affairs for the information of the Commission :

WASHINGTON, *December 13, 1910.*

FORBES, *Manila:*

Referring to telegram from your office of the seventh instant, Newton W. Gilbert, leave of absence is granted.

EDWARDS.

At the direction of the President, the Secretary read the following communications :

A communication from the central committee of the Rizal Day celebration inviting the Commission to participate in the civic procession on that day.

Commissioner Gilbert moved that the invitation of the central committee on the Rizal Day celebration be accepted and that the Secretary of the Commission be directed to make such arrangements as may be necessary for the proper participation of the Commission in these exercises.

The motion prevailed.

Resolution No. 139 of the municipal council of Virac, Province of Albay, adopted November 7, 1910, expressing the adherence of the council to the following bills which have been introduced in the Assembly :

An Act to amend Acts Nos. 1932 and 1652, providing that henceforth municipal councils may by resolution dispose of 30 per cent at least of the increase of the cedula tax in provinces where the provincial boards have passed resolutions increasing said tax, for the construction, repair, and improvement of their municipal bridges and roads, and, in general, for municipal improvements.

An Act authorizing the municipal councils of the provinces organized under the Provincial Government Act to dispose, without first securing the approval of the respective provincial boards, of their municipal funds, but not to exceed five hundred pesos, for the repair of public municipal buildings threatening ruin.

An Act authorizing the municipal councils of the provinces organized under the Provincial Government Act to make provision for per diems for their councilors.

Ordered filed for consideration when the bills referred to are received from the Assembly, and the municipal council of Virac so advised.

REPORT OF STANDING COMMITTEE.

[Committee Report No. 93.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on October 22, 1910, Commission Bill No. 28, entitled "An Act defining habitual criminals and fixing the punishment for the same," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill do pass with the following amendments:

Strike out all after the enacting clause and substitute therefor the following:

"SECTION 1. Whoever, having been two or more times convicted of an offense against any law of the Philippine Islands or against any municipal ordinance punishing vagrancy, gambling, disorderly conduct or drunkenness and sentenced to imprisonment therefor for terms, shall, upon conviction of a subsequent offense against any law of the Philippine Islands or against any municipal ordinance punishing vagrancy, gambling, disorderly conduct or drunkenness and sentenced to imprisonment for a term, be considered an habitual criminal and shall be punished therefor as hereinafter provided.

"SEC. 2. An habitual criminal who has been convicted three or more times, the imprisonment in at least three of such convictions being for more than two years, shall be punished by imprisonment for not less than six nor more than twelve years.

"SEC. 3. An habitual criminal who does not come within the terms of the preceding section shall be punished by imprisonment for not less than three nor more than six years.

"SEC. 4. Any person who, having been sentenced as an habitual criminal, shall thereafter commit an offense against any law of the Philippine Islands or against any municipal ordinance punishing vagrancy, gambling, disorderly conduct or drunkenness shall be subjected, according to the circumstances, to the punishment prescribed in sections two or three of this Act: *Provided, however,* That the imprisonment imposed under this section upon such person as an habitual criminal shall not be considered as another conviction.

"SEC. 5. The court in applying the punishment provided by this Act shall take into consideration the number of convictions, the nature of

the offense committed and the length of the imprisonment imposed upon the habitual criminal.

"Sec. 6. Pardon of the criminal shall not be taken into consideration in the application of this Act unless it is clearly stated in the pardon that the same nullifies the effects of the sentence for the purpose of this Act."

The object of these amendments is to make more precise and limited definition of habitual criminals; to reduce the penalty, which appears to be excessive; to provide proper punishment for anyone who, having been once sentenced as an habitual criminal, again commits an offense; and to give greater discretion to the court in the application of the penalties prescribed.

Your committee has prepared these amendments after consultation with Commissioner Gilbert, who introduced the original bill.

The need for the passage of this Act is clearly manifested by the prison records of the prisoners received from the municipal court of the city of Manila during the fiscal year ending June 30, 1910, which show a marked increase in the repetition of offenses.

Respectfully submitted.

GREGORIO ARANETA,  
*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

Commission Bill No. 28 was thereupon read the second time as amended and referred to the Committee of the Whole.

After some consideration, the committee rose and reported that it had not come to any determination and asked leave to sit again.

Pending further consideration of the bill,

#### INTRODUCTION, FIRST AND SECOND READING OF BILL.

The President introduced the following bill:

Commission Bill No. 44. An Act to amend section two of Act Numbered Nineteen hundred and fifty-two, entitled "An Act to provide for the establishment of the Province of Batanes; to amend paragraph seven of section sixty-eight of Act Numbered Eleven hundred and eighty-nine in certain particulars; to authorize the provincial board of the Province of Batanes, with the approval of the Governor-General, to extend the time for the payment without penalty of taxes and licenses; to amend section five of Act Numbered Fifteen hundred and eighty-two, entitled 'The Election Law,' by increasing the number of delegates to the Philippine Assembly to eighty-one, and for other purposes," by providing for a provincial fiscal for the Province of Batanes.

Commission Bill No. 44 was read the first time.

By unanimous consent, it was read the second time by title only and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following amendments:

Section 1, page 2, lines 28 and 29, strike out the words "receive a salary not to exceed two thousand five hundred pesos per annum," and insert in lieu thereof the words "receive a salary of not less than two thousand five hundred pesos nor more than three thousand pesos per annum."

Same section, page 3, line 7, insert between the word "that" and the words "the duties of" the words "in case of the consolidation of the office of provincial fiscal of the Province of Batanes with that of any other province."

Section 2, page 3, strike out in its entirety.

The report and recommendation of the Committee of the Whole were adopted by unanimous vote and the bill was ordered on file for third reading.

ADJOURNMENT.

Thereupon, at 12 o'clock and 15 minutes postmeridian,

On motion by Commissioner Elliott,

The Commission adjourned to meet at the call of the President.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*



# Second Philippine Legislature, Special Session.

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## JOURNAL OF THE COMMISSION.

FRIDAY, DECEMBER 16, 1910.

The Commission met at the call of the President at 10 o'clock and 20 minutes antemeridian.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, Elliott, and the President.

Absent: Commissioner Worcester (on official business) and Commissioner Luzuriaga (on leave).

### READING OF JOURNAL.

The Journal of Wednesday, December 14, 1910, was read and approved.

### UNFINISHED BUSINESS, CONSIDERATION OF C. B. NO. 28 IN COMMITTEE OF THE WHOLE.

The Commission then went into Committee of the Whole to continue consideration of Commission Bill No. 28, entitled "An Act defining habitual criminals and fixing the punishment for the same."

After some time spent therein, the committee rose and reported, with the recommendation that the bill be recommitted to the Committee on Matters Pertaining to the Department of Finance and Justice for further consideration and report.

The report and recommendation of the Committee of the Whole were adopted.

## MESSAGE FROM THE ASSEMBLY.

DECEMBER 15, 1910.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on December 13, 1910, passed the following bill (A. B. No. 75), in which it requests the concurrence of the Commission: An Act authorizing municipal councils to establish in their respective municipalities special taxes the proceeds whereof shall be set aside for a special purpose, subject to the approval of the provincial board and to that of the electors of the respective municipalities.

I have the honor to attach copies of the reports of the Committees on Provincial and Municipal Governments, and on Appropriations (Assembly Reports Nos. 24 and 55),<sup>1</sup> respectively, for the information of the Commission.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent Assembly Bill No. 75 was read the first time by title only and referred to the Committee on Taxation and Revenue for report and recommendation.

## THIRD READING AND PASSAGE OF BILL.

Commission Bill No. 44. An Act to amend section two of Act Numbered Nineteen hundred and fifty-two, entitled "An Act to provide for the establishment of the Province of Batanes; to amend paragraph seven of section sixty-eight of Act Numbered Eleven hundred and eighty-nine in certain particulars; to authorize the provincial board of the Province of Batanes, with the approval of the Governor-General, to extend the time for the payment without penalty of taxes and licenses; to amend section five of Act Numbered Fifteen hundred and eighty-two entitled 'The Election Law,' by increasing the number of Delegates to the Philippine Assembly to eighty-one, and for other purposes," by providing for a provincial fiscal for the Province of Batanes.

Commission Bill No. 44 was read the third time, as amended.

The question then being upon its passage, the roll was called and Commission Bill No. 44 was unanimously passed and the title was read and approved.

*Ordered.* That the Secretary request the concurrence of the Assembly in the bill as passed.

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<sup>1</sup> These reports are on file with the bill in the office of the Secretary of the Philippine Commission.

## REPORT OF STANDING COMMITTEE.

[Committee Report No. 94.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Commerce and Police, to which was referred on June 8, 1910, Commission Bill No. 14, entitled "An Act to provide for the granting of a franchise for the use of the waters of the Agno River, at or near the township of Itogon, subprovince of Benguet, Mountain Province, for the generation of power for the maintenance of an electric light, heat, and power system and the supply of such light, heat, and power in and to the city of Baguio and the township of Itogon, subprovince of Benguet, Mountain Province," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill do pass with the following amendments:

Section 1, page 1, lines 3 to 10, inclusive, strike out in their entirety and insert in lieu thereof the following: "SECTION 1. Authority is hereby granted for the construction, maintenance and operation of a dam across the Agno River, at or near the township of Itogon, subprovince of Benguet, Mountain Province; for the use of the waters of said river for the generation and development of the power necessary for the operation of an electric light, heat, and power supply system in the city of Baguio and the township of Itogon in said Mountain Province, and for the erection, maintenance, and operation of an electric light, heat, and power supply system with all necessary buildings, poles, wires, apparatus, and appurtenances for supplying electric current in and to the city of Baguio and the township of Itogon, subprovince of Benguet, Mountain Province, and the Governor-General is hereby authorized on behalf of the Government of the"; lines 14 and 15, strike out in their entirety and insert in lieu thereof the following: "be paid in lieu of provincial and municipal taxes on the franchise or earnings thereof, which shall in no case be less than one and one-half per centum;" page 2, line 1, strike out the words "for services to subscribers."

Section 2, article 1, page 2, line 8, after the words "fifty years" insert the words "from and;" lines 11 to 20, inclusive, strike out in their entirety and insert in lieu thereof the following: "Agno River, at or near the township of Itogon, subprovince of Benguet, Mountain Province; the right and privilege to use any and all waters in said river contained for the generation and development of the power necessary for the operation of an electric light, heat, and power supply system in the city of Baguio and the township of Itogon in said Mountain Province; the right and privilege to erect, maintain, and operate an electric light, heat, and power supply system at and in said Mountain Province; and the right and privilege to erect, construct, maintain, and operate in, along, and over any and all streets, thoroughfares, and public places at and in said province any and all necessary buildings, poles, wires, and all other necessary and proper constructions, erections, apparatus, and appurtenances of every kind and nature whatsoever for the transmission and distribution of electric currents

for electric light, heat, and power and for any other purpose, excepting wireless telegraphy, for which electricity may be used to properly and fully supply said city of Baguio and township of Itogon and any and all persons residing therein;" page 3, line 3, strike out the word "Secretary" and insert in lieu thereof the words "Director of Public Works and Secretary of Commerce and Police;" line 6, after the word "Commission" insert the words "or its successors;"

Article 2, page 3, line 13, strike out the words "acceptance aforesaid" and insert in lieu thereof the words "written acceptance of this franchise;" line 15, after the word "electric" insert the words "light, heat and;" line 16, after the word "said" insert the word "written;" line 24, after the word "control" insert the word "of" and after the word "prevention" strike out the word "of" and insert in lieu thereof the word "by."

Article 3, page 3, line 30, strike out the words "power, light, and heat" and insert in lieu thereof the words "light, heat, and power;" page 4, line 1, after the word "compensation" insert the words "shall not be legal and effective until approved by the Board of Rate Regulation, and after being thus approved;" lines 3 and 4, insert a period after the word "Government" and strike out the words "to the extent and in the manner provided for at the time of the granting of this franchise."

Article 4, page 4, line 8, after the word "in" and before the word "contact" insert the word "direct;" line 11, after the word "the" and before the word "unobstructed" insert the words "free and;" line 13, after the word "any" and before the word "private" insert the words "public or;" and after the word "property" insert the words "Provided, That the grantee herein shall, whenever the Philippine Commission or its successors so direct, place said wires in underground pipes or conduits at his own expense and without any cost or damage to the city of Baguio, the township of Itogon, the Mountain Province or the Government of the Philippine Islands."

Article 5, strike out in its entirety and insert in lieu thereof the following:

"ART. 5. The grantee shall indemnify said city of Baguio, said township of Itogon and said Mountain Province for any and all damage or injury which may be caused said city, township, and province, or either of them, arising from any casualty or accident to person or property by reason of any construction, installation, omission, or neglect, had and made by him under the powers herein granted, and for any and all valid claims made against said city, township, and province, or either of them, by any person or persons by reason of any damage or injury caused by any such construction, installation, omission, or neglect."

Article 6, page 4, lines 23 and 24, strike out the words "Governor-General" and insert in lieu thereof the words "Secretary of Commerce and Police;" line 25, strike out the word "concession" and insert in lieu thereof the word "franchise;" line 26, after the word "the" and before the word "system," insert the words "dam and electric light, heat, and power supply."

Article 7, page 5, line 11, after the word "Article" insert the words "Provided, That no transfer of this franchise shall become effective under

the provisions of this Article until said transfer has been previously approved in writing by the Secretary of Commerce and Police."

Article 8, page 5, line 18, after the word "system" insert the words "to be determined by ..... on the application of such person or said grantee;" line 21, after the word "Commission" insert the words "or its successors;" line 24, strike out the words "one mile" and insert in lieu thereof the words "sixteen hundred meters;" line 25, after the word "grantee" insert the words "*And provided further*, That the grantee shall have the right to demand and collect an amount equal to the actual cost of labor and material in making connections for supplying electric light, heat, or power at distances exceeding sixteen hundred meters from said trunk line or main feed wire, but said amount shall be collected only for the excess distance over and above said sixteen hundred meters."

Article 11, page 6, line 12, strike out the words "any persons claimed" and insert in lieu thereof the words "any person or persons held."

Article 12, page 6, line 27, after the word "franchise" insert the words "or earnings thereof;" lines 28 and 29, strike out in their entirety and insert in lieu thereof the words "real estate: *Provided*, That said grantee shall be exempt from the payment of such per centum for a period of one and one-half."

Article 13, page 7, lines 2 and 3, strike out in their entirety and insert in lieu thereof the following: "Arr. 13. Within the limits of the city of Baguio, the poles erected by the grantee shall be of such height that no wire or wires thereto attached;" line 5, after the word "poles" insert the words "shall not be of such crooked or ungainly appearance as to disfigure the streets and" and after the word "erected" insert the words "in a good and workmanlike manner;" line 8, after the words "dig up the ground in" insert the words "any streets;" line 9, after the word "thoroughfares" insert the words "or in any public place;" lines 13 and 16, after the word "thoroughfares" insert the words "or public places."

Article 14, page 7, line 22, after the word "notice" insert the words "in writing;" page 8, line 3, after the word "removed" insert the words "in a good and workmanlike manner;" line 5, strike out in its entirety and insert in lieu thereof the following: "expense. Said notice shall be served on said grantee or his duly authorized representative or agent by any person competent to be a witness in a civil action. In case of refusal or failure of said grantee to;" line 12, after the word "to" and before the word "make" strike out the word "so".

Article 15, page 8, line 16, after the words "six months" insert the words "from and;" line 17, after the word "the" and before the word "acceptance" insert the word "written;" line 22, after the word "currency" insert the words "as a guarantee of the faithful performance of the conditions mentioned in this franchise and the agreement under which the franchise is awarded;" line 25, after the word "General" insert the word "shall;" page 9, line 4, after the word "shall" and before the word "thereupon" insert the words "at the option of the Governor-General;" line 5, after the word "Islands" insert the words "as liquidated damages for the breach of

the contract involved in the acceptance of this franchise and this franchise shall thereupon be and become null and void;" line 6, after the word "and" and before the word "shall" insert the words "said deposit;" line 9, after the word "said" and before the word "system" insert the words "dam, electric light, heat, and power supply;" line 12, after the word "forfeited" insert the words "to the Government of the Philippine Islands;" line 14, after the word "Province" strike out the word "and;" line 24, strike out the words "dam and system" and insert in lieu thereof the words "dam, electric light, heat, and power supply system;" line 27, after the word "returned" insert the word "to."

Article 17, page 10, line 11, after the word "or" and before the word "the" insert the word "to;" line 14, after the word "or" and before the word "repeal" insert the words "upon the."

Article 18, page 10, strike out in its entirety and insert as a new article 18, the following:

"ART. 18. The city of Baguio, the township of Itogon, and the Mountain Province shall have the privilege, without compensation, of using the poles of the grantee for the purpose of installing, maintaining, and operating a telephone or fire and police alarm system, but the wires of such telephone or fire and police alarm system shall be placed and stretched in such manner as to cause no interference with or damage to the wires of the electric service of the grantee."

Article 19, page 11, line 1, after the word "been" and before the word "caused" insert the words "directly or primarily."

Article 20, page 11, line 11, strike out the words "successors and" and insert in lieu thereof the words "representatives, successors, or."

Respectfully submitted.

C. B. ELLIOTT,  
*Committee on Matters Pertaining to the  
Department of Commerce and Police.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted and Commission Bill No. 14, as amended, was, by unanimous consent, read the second time by title only and referred to the Committee of the Whole.

After some consideration, the committee rose, reported progress on the bill, and asked leave to sit again.

Pending further consideration of the bill,

ADJOURNMENT.

Thereupon, at 12 o'clock and 12 minutes postmeridian,  
On motion by Commissioner Elliott,  
The Commission adjourned to meet at the call of the President.  
Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

# Second Philippine Legislature, Special Session.

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## JOURNAL OF THE COMMISSION.

SATURDAY, DECEMBER 17, 1910.

The Commission met at the call of the President at 10 o'clock and 45 minutes antemeridian.

Present: Commissioners Araneta, Palma, Branagan, Sumulong, Elliott, and the President.

Absent: Commissioner Gilbert (excused), Commissioner Worcester (on official business), and Commissioner Luzuriaga (on leave).

### READING OF JOURNAL.

The Journal of Friday, December 16, 1910, was read and approved.

### UNFINISHED BUSINESS, CONSIDERATION OF C. B. NO. 14 IN COMMITTEE OF THE WHOLE.

The Commission resolved itself into the Committee of the Whole to continue the consideration of Commission Bill No. 14, entitled "An Act to provide for the granting of a franchise for the use of the waters of the Agno River, at or near the township of Itogon, subprovince of Benguet, Mountain Province, for the generation of power for the maintenance of an electric light, heat, and power system and the supply of such light, heat, and power in and to the city of Baguio and the township of Itogon, subprovince of Benguet, Mountain Province."

Having completed the consideration of the bill, the committee

rose and reported with the recommendation that it pass with the following amendments:

Page 1, in line 3 strike out the words "at or near the township of Itogon" and insert in lieu thereof the words "in the;" in line 4, insert after the word "Province" the words "at a point to be approved by the Secretary of Commerce and Police;" in line 7, strike out the words "the township of Itogon" and insert in lieu thereof the words "in the subprovince of Benguet;" in line 12, strike out the words "the township of Itogon" and insert in lieu thereof the words "in the."

Page 2, insert in line 1 after the words "in lieu of" the word "Insular;" in line 13, strike out the words "at or near the township of Itogon" and insert in lieu thereof the words "at or near..... in the;" in lines 14 and 15, strike out the words "any and all waters in said river contained" and insert in lieu thereof the words "the waters of said river;" in line 18, strike out the words "the township of Itogon" and insert in lieu thereof the words "and in the subprovince of Benguet;" in line 20, insert after the words "system at and" the words "in the city of Baguio, and in the subprovince of Benguet;" and in line 23, strike out the word "province" and insert in lieu thereof the words "city and subprovince."

Page 3, in line 2, strike out the words "township of Itogon and any and all persons" and insert in lieu thereof the words "subprovince of Benguet and any and all persons, companies, and corporations;" in line 23, after the word "dam" strike out the words "on or;" in line 24, after the word "filing" strike out the word "of;" in line 27, strike out the words "and after such" and insert in lieu thereof the word "the;" and in line 28, strike out the word "of" after the word "filing."

Page 4, in line 2, strike out the words "forthwith revert to and" and insert in lieu thereof the word "thereupon."

Page 5, in line 1, strike out the words "the township of Itogon" and insert in lieu thereof the words "the subprovince of Benguet or any township thereof;" strike out line 4 and insert in lieu thereof the words "said subprovince of Benguet or any township thereof, said Mountain Province, and the Government of the Philippine Islands for any;" in lines 5 and 6, strike out the words "township and province" and insert in lieu thereof the words "townships, subprovince, province, and Government of the Philippine Islands;" in line 10, strike out the words "township and province" and insert in lieu thereof the words "townships, subprovince, province, and the Government of the Philippine Islands."

Page 6, in line 9, strike out the word "township" and insert in lieu thereof the word "subprovince;" in line 15, insert the words "the Director of Public Works" in the blank space following the word "by;" in line 20, after the words "such demand" insert the words "up to the limit of the hydraulic power available at the power site;" at the beginning of line 21 insert the words "of electricity for power purposes of.....  
..... horsepower or over;" in line 23, insert after the word



"grantee" the words "and any application for such supply of electricity for the use of residences and for other minor purposes requiring less than ..... horsepower shall not be for a point or place distant more than fifty meters from said trunk line;" in line 27, after the words "sixteen hundred meters" insert the words "and fifty meters respectively;" and in line 30, after the word "meters" add the words "or fifty meters as the case may be."

Page 7, in line 10, strike out the words "by him thereunto;" and in line 24, strike out the words "Philippine currency."

Page 8, in line 1, insert the word "Insular" before the word "provincial;" in line 4, strike out the words "such per centum" and insert in lieu thereof the words "all such taxes, except taxes on real estate, including the aforesaid per centum of gross earnings;" and in line 5, strike out the words "one and one-half years" and insert in lieu thereof the words "two and one-half years."

Page 9, in lines 27 and 30, strike out the words "Philippine currency."

Page 10, in lines 4, 5, and 6, strike out the words "That the approval of the Governor-General shall be first had and obtained of such deposit and its value: *Provided further*;" in lines 14 and 15, strike out the words "Government of the Philippine Islands" and insert in lieu thereof the words "Insular Treasury;" in lines 17, 18, and 19, strike out the words "and said deposit shall be divided equally between the city of Baguio and the township of Itogon;" in line 25, strike out the words "Government of the Philippine Islands" and insert in lieu thereof the words "Insular Treasury;" and in lines 27, 28, 29, and 30, strike out the words "and shall be divided among the Mountain Province, the city of Baguio, and the township of Itogon, one-half to the Mountain Province, one-quarter to the city of Baguio and one-quarter to the township."

Page 11, in line 1, strike out the words "of Itogon;" and in lines 25 and 26, strike out the words "the township of Itogon" and insert in lieu thereof the words "the subprovince of Benguet or townships thereof."

Page 12, in line 1, strike out the words "the township of Itogon" and insert in lieu thereof the words "the subprovince of Benguet and townships thereof;" strike out lines 20 to 23 inclusive and insert in lieu thereof "ART. 20. Whenever and wherever in this Act the word 'grantee' is used, said word is to be and shall be taken and understood to mean '..... his representatives, successors, or assigns,' and whenever and wherever in this Act the word 'grant' is used said word is to be and shall be taken and understood to mean 'franchise.'" and strike out sections 3 and 4 in their entirety.

Change present article 6 to article 2 and change other article numbers and references accordingly.

The report and recommendation of the Committee of the Whole were adopted by unanimous vote and the bill ordered on file for third reading.

## EXECUTIVE SESSION.

On motion by the President,

The Commission proceeded to the consideration of executive business.

After the consideration of executive business, the Commission returned to regular session.

(For appointments confirmed in executive session see pp. 830, 831.)

## ADJOURNMENT.

Thereupon, at 12 o'clock and 25 minutes postmeridian,

On motion by Commissioner Elliott,

The Commission adjourned to meet at the call of the President.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

# Second Philippine Legislature, Special Session.

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## JOURNAL OF THE COMMISSION.

MONDAY, DECEMBER 19, 1910.

The Commission met at the call of the President at 10 o'clock and 40 minutes antemeridian.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, Elliott, and the President.

Absent: Commissioner Worcester (on official business) and Commissioner Luzuriaga (on leave).

### READING OF JOURNAL.

The Journal of Saturday, December 17, 1910, was read and approved.

### MESSAGE FROM THE ASSEMBLY.

DECEMBER 12, 1910.

MR. PRESIDENT: I have the honor to transmit herewith for the information of the Philippine Commission certified copy of Assembly Resolution No. 14, entitled "Resolution declaring the sale in large and unlimited tracts of land belonging to the so-called friar estates to be contrary to the will, the sentiments, and the interests of the Philippine people," which was adopted by the House on December 6, 1910.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The resolution is as follows:

Assembly Resolution No. 14. Resolution declaring the sale in large and unlimited tracts of land belonging to the so-called "Fiar Estates" to be contrary to the will, the sentiments, and the interests of the Philippine people.

Whereas it is the general desire of the Philippine people to secure, now and in future, the means to preserve peace and bring happiness to

the inhabitants of this country through a quiet, peaceful, and productive exploitation of its soil;

Whereas the Philippine people considers that the acquisition of unlimited tracts of land by large foreign associations or corporations, for the purpose of exploiting them for their own benefit, might disturb that peace and destroy that happiness desired with such fervor, because it believes that such corporations would establish a ruinous competition with the Philippine capitalists and producers, as thanks to their powerful resources they would acquire predominance in the field of exploitation of the native energies, and that, once established in the country, said corporations would constitute a great obstacle to the political emancipation desired by the Philippine people in general;

Whereas the transfer to the corporations mentioned of the land purchased from friars might result in a renewal in this country of the political-social disturbances of the past caused by the exploitation of the same estates by the religious corporations, this circumstance having constituted, as everybody knows, one of the principal causes of the last Philippine revolution;

Whereas the rule of the corporation, or the concentration of the great agricultural interests in the hands of corporations, has produced, and is producing in the various countries, first in England then in Germany, and subsequently in the United States, social commotions that are always a menace to the safety and welfare of a nation;

Whereas the Philippine Republic, ever to be remembered by us all, endeavored during the brief period of its existence to prevent this fearful social peril by providing, in the additional article of its constitution, for the transfer of the property and buildings of the religious corporations to the national Philippine government;

Whereas the present government of occupation has purchased the friar estates, not for the purpose of making them a new source of disturbances and protests, but in order to contribute to the peace and welfare of the Philippine people, according to the provisions of section sixty-four of the Organic Law of the Philippine Islands;

Whereas the Philippine Assembly deems it a duty not to be evaded, and at the same time a right derived from the essential principles of a democratic régime, to cause the voice of the people represented by it to be heard in the official spheres of the Philippine administration and of the Government of the sovereign country: Now, therefore, be it

*Resolved*, That the Philippine Assembly do, and hereby does, declare, without entering upon a discussion of the legality or illegality of the matter, that the sale in large and unlimited tracts of the so-called friar estates to great corporations, for their exploitation, is contrary to the will, the sentiments and the interests of the Philippine people, and further, that the Assembly do and hereby does, state its desire that the sale of said estates to persons other than those who were tenants of the same prior to June third, nineteen hundred and eight, and of all other property acquired by the Government subsequent to the treaty of Paris, be made

subject to the limitations contained in section fifteen of the Organic Act of the Philippine Islands, relative to the public lands acquired by the United States in the Philippine Islands under the treaty of peace with Spain; and

*Resolved, further,* That copies of this resolution be forwarded to the Congress of the United States, the Philippine Commission, and the honorable the Secretary of War.

Adopted, December 6, 1910.

Ordered filed.

#### THIRD READING AND PASSAGE OF BILL.

Commission Bill No. 14. An Act to provide for the granting of a franchise for the use of the waters of the Agno River, at or near the township of Itogon, subprovince of Benguet, Mountain Province, for the generation of power for the maintenance of an electric light, heat, and power system and the supply of such light, heat, and power in and to the city of Baguio and the township of Itogon, subprovince of Benguet, Mountain Province.

Commission Bill No. 14 was read the third time as amended.

The President moved the following amendments:

Change the word "thereunder" to "hereunder" in lines 19 and 23 of page 5, in lines 22 and 23 of page 7, and in line 10 of page 12.

Change the word "thereof" to "hereof" in line 22 of page 3, in line 20 of page 5, and in line 11 of page 12.

The motion prevailed.

Commissioner Elliott moved the following amendments:

Change the word "successors" in line 16 of page 3, and in line 33 of page 4, to "successor."

Strike out the whole of article 8, on pages 6 and 7, and insert in lieu thereof the following:

"ART. 8. Within thirty days after the date of an application therefor, the grantee shall furnish electric light, heat, and power to any applicant therefor, for use in the said city and subprovince. As between two or more of such applicants, electricity shall be furnished in the order of the date of the applications therefor, up to the limit of the capacity of supply of said system, to be determined by the Director of Public Works. Should such capacity be at any time exceeded by the demand, the grantee shall within a reasonable time after demand therefor by the Philippine Commission or its successor, increase such capacity up to the limit of the hydraulic power economically available at the power site.

"When the application is for electricity at a place distant not more than fifty meters from a main trunk line or feed wire, the cost of making the connection shall be at the expense of the grantee. When

the electricity applied for is in an amount exceeding ..... kilowatts and the distance from the main trunk line or feed wire to the place where it is to be used does not exceed sixteen hundred meters, the connection shall be made at the expense of the grantee.

"When the place where the electricity is desired is more than fifty meters from a main trunk line or feed wire and the quantity desired is less than ..... kilowatts, the expense of installation beyond the said distance of fifty meters shall be borne by the applicant for the electricity. In all cases the extra cost of construction to places beyond sixteen hundred meters from a main trunk line or feed wire shall be borne by the applicant for the electricity."

The motion prevailed.

The question then being upon its passage, the roll was called and Commission Bill No. 14 was unanimously passed.

The President moved to amend the title to read as follows:

An Act to provide for the granting of a franchise for the use of the waters of the Agno River in the subprovince of Benguet, Mountain Province, for the generation of power for the maintenance of an electric light, heat, and power system and the supply of such light, heat, and power in and to the city of Baguio and in the subprovince of Benguet, Mountain Province.

The motion prevailed.

The title as amended was then read and approved.

*Ordered*, That Commission Bill No. 14 be enrolled and printed as an Act, the enactment of same into law being within the exclusive general legislative jurisdiction of the Commission over all that part of the Philippine Islands inhabited by Moros or other non-Christians.

#### MISCELLANEOUS COMMUNICATIONS.

At the direction of the President, the Secretary read the following communications:

A communication from the Commercial Club of Dagupan, Province of Pangasinan, of December 5, 1910, setting forth the importance of Dagupan as a port and requesting the appropriation of funds by the Legislature for the improvement thereof.

Referred to the Committee on Matters Pertaining to the Department of Commerce and Police for report and recommendation.

Resolution No. 129 of the municipal council of Murcia, Occidental Negros, adopted December 4, 1910, requesting that a reduction of 40 per cent be made in the compensation of officers and

employees of the Government receiving ₱150 or more per month; that the Coast Guard and Benguet automobile services be abolished; and that the saving thus effected be distributed among the municipalities of the Archipelago to be used for public works to be executed under the direction of the provincial boards on recommendations of the respective municipal councils.

Referred to the Governor-General for such action as he may deem proper.

## REPORT OF SELECT COMMITTEE.

[Committee Report No. 95.]

MR. PRESIDENT: Your select committee of one, to which was referred on November 9, 1910, the recommendation of the Secretary of the Interior that the Congress of the United States be requested to confer upon Father José Algué, S. J., Director of the Philippine Weather Bureau, the rights of a citizen of the United States, in recognition of his courageous and distinguished services to the Government of the United States in the Philippine Islands, with instructions to prepare an appropriate resolution covering this subject and submit same to the Commission, has the honor to submit herewith a resolution prepared in accordance with such instructions.

Respectfully submitted.

GREGORIO ARANETA, *Select Committee.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted, and the resolution accompanying same was then taken up and read, as follows:

Commission Resolution No. 52. Whereas the Reverend José Algué, Society of Jesus, Director of the Philippine Weather Bureau, has rendered most valuable services to the inhabitants of these Islands; and

Whereas Father José Algué in the performance of his duty risked his life by remaining at his post while the city of Manila was blockaded by the American Fleet and besieged by the American land forces and the troops under General Aguinaldo, and despite flying Mauser bullets against the buildings and occasional shells bursting in the Observatory grounds refused to heed the urgent requests that he withdraw to a place of safety, but continued calmly in the discharge of his duty; and

Whereas, notwithstanding the fact that after the surrender of the city of Manila on August thirteenth, eighteen hundred and ninety-eight, the greater part of the Spanish officials refused to remain in office, Father Algué and his staff, with a zeal that showed a greater regard for the public welfare than for their private feelings, continued their observations, working without compensation until the first of March, eighteen hundred and ninety-nine, when the Military Government began to pay their salaries, doubtless thus saving many lives and much property from

destruction by the notices given of the typhoons which occurred during that period; and

Whereas Father Algué was appointed Director of the Philippine Weather Bureau on May twenty-second, nineteen hundred and one, and in the performance of his duties has shown himself to be one of the Government's most zealous, capable, and efficient officials, and under his administration there has been developed a most admirable weather service; and

Whereas Father Algué is a scientist of world-wide reputation who would be an honor to any nation of which he might be a citizen; and

Whereas Father Algué by continuing in the service of the American Government has lost his Spanish citizenship: Therefore, be it

*Resolved*, That the Congress of the United States is hereby requested to pass an Act conferring the citizenship of the United States upon the Reverend José Algué, Society of Jesus.

The resolution was unanimously adopted and the Secretary was directed to furnish Father Algué with a copy thereof engrossed on parchment, and to forward a copy to the Secretary of War for transmission to the Congress of the United States.

#### INTRODUCTION, FIRST AND SECOND READING OF BILL.

Commissioner Elliott introduced the following bill:

Commission Bill No. 45. An Act to amend Act Numbered Nineteen hundred and fifty-nine, entitled "An Act making a toll road of all that part of the Benguet Road situate, lying, and being within the boundaries of the Mountain Province," by providing for the regulation of passage of traffic of all kinds thereon.

Commission Bill No. 45 was read the first time.

By unanimous consent, it was read the second time by title only and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass.

The report and recommendation of the Committee of the Whole were adopted by unanimous vote and the bill ordered on file for third reading.

#### INTRODUCTION AND PASSAGE OF BILL.

Commissioner Araneta introduced the following bill:

Commission Bill No. 46. An Act making Act Numbered Two thousand and three of the Second Philippine Legislature applicable to that part of the Philippine Islands inhabited by Moros or other non-Christian tribes.

Commission Bill No. 46 was read the first and second times.

On motion by Commissioner Araneta, unanimously carried,

The bill was considered urgent under the provisions of Rule



XIV, Rules of the Commission, and read the third time by title only.

Commissioner Araneta then moved to amend the bill by striking out the word "second" in line 4.

The motion prevailed.

The question then being upon its passage, the roll was called and Commission Bill No. 46 was unanimously passed.

Commissioner Araneta then moved to amend the title by striking out the word "second."

The motion prevailed.

The title as amended was then read and approved.

*Ordered*, That Commission Bill Numbered Forty-six be enrolled and printed as an Act, the enactment of same into law being within the exclusive general legislative jurisdiction of the Commission over all that part of the Philippine Islands inhabited by Moros or other non-Christian tribes.

#### EXECUTIVE SESSION.

On motion by the President,

The Commission proceeded to the consideration of executive business.

After the consideration of executive business, the Commission returned to regular session.

(For appointments confirmed in executive session see p. 831.)

#### ADJOURNMENT.

Thereupon, at 12 o'clock and 15 minutes postmeridian,

On motion by Commissioner Elliott,

The Commission adjourned to meet at the call of the Chair.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

# Second Philippine Legislature, First Session.

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## JOURNAL OF THE COMMISSION.

TUESDAY, DECEMBER 20, 1910.

The Commission met at the call of the Chair at 10 o'clock and 15 minutes antemeridian.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, and Elliott.

Absent: Commissioner Worcester (on official business), Commissioner Luzuriaga (on leave), and the President.

Commissioner Gilbert in the chair.

### READING OF JOURNAL.

The Journal of Monday, December 19, 1910, was read and approved.

### RESOLUTION (OUT OF ORDER).

Commissioner Gilbert submitted to the Commission the question of the action to be taken with regard to the import duties on rice, a higher rate on which would go into effect (under the provisions of Act of Congress approved August 5, 1909, and the action of the Governor-General and the Commission heretofore taken thereunder), on January 1, 1911, unless the Governor-General, by and with the advice and consent of the Commission again extended the time for the taking effect of such higher rate.

After some discussion,

Commissioner Araneta introduced the following resolution:

Commission Resolution No. 53. Whereas paragraph two hundred and fifteen of the Philippine Tariff Act reads as follows:

"215. Rice, gross weight (until May first, nineteen hundred and ten) :

"(a) Unhusked, one hundred kilos, sixty cents.

"(b) Husked, one hundred kilos, one dollar.

"(c) Flour, one hundred kilos, two dollars.

"On and after May first, nineteen hundred and ten:

"(a) Unhusked, one hundred kilos, eighty cents.

"(b) Husked, one hundred kilos, one dollar and twenty cents.

"(c) Flour, one hundred kilos, two dollars.

*Provided*, That the Governor-General, by and with the advice and consent of the Philippine Commission, may, in his discretion, continue in force the rates of duty first prescribed in this paragraph, until in his judgment, conditions in the Philippine Islands may warrant the imposition of the higher rates herein prescribed; and

*Provided further*, That the Governor-General, by and with the advice and consent of the Philippine Commission, may suspend all duties upon rice or the duties upon rice for consumption in particular localities, to be designated by him, whenever and for such period as, in his judgment, local conditions require, in which event rice admitted free by virtue of his order shall be distributed under governmental supervision or in accordance with such regulations as he may prescribe."

*Resolved*, That it be, and hereby is, recommended to the Governor-General that the rates of duty first prescribed in the foregoing paragraph (heretofore continued in force until January first, nineteen hundred and eleven) be continued in force until January first, nineteen hundred and twelve.

The resolution was adopted.

#### MESSAGE FROM THE ASSEMBLY.

DECEMBER 17, 1910.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on December 14, 1910, passed the following bill (A. B. No. 383) in which it requests the concurrence of the Commission: An Act amending various sections of Act Numbered Eleven hundred and twenty which refers to the administration, temporary leasing and sale of certain haciendas and parcels of land, commonly known as friar lands, as amended, making applicable to said lands the limitations set forth in the Public Land Act with certain exceptions, granting the lessees the right to be heard in the valuation of their land, providing for a form of administration, maintenance, and improvement of irrigation systems on said lands, declaring certain lands used for public purposes by municipalities or provinces to be of the public domain of the municipalities or provinces wherein situated,

prescribing the procedure for settling controversies among the lessees over the use of the waters of said systems, and for other purposes.

Copies of the report of the Committee on Friar Lands (A. Rep. No. 61) are attached for the information of the Commission.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 383 was read once by title only and referred to the Committee on Matters Pertaining to the Department of the Interior, for report and recommendation.

#### THIRD READING AND PASSAGE OF BILL.

Commission Bill No. 45. An Act to amend Act Numbered Nineteen hundred and fifty-nine, entitled "An Act making a toll road of all that part of the Benguet Road situate, lying, and being within the boundaries of the Mountain Province," by providing for the regulation of passage of traffic of all kinds thereon.

Commission Bill No. 45 was read the third time.

The question then being upon its passage, the roll was called and Commission Bill No. 45 was unanimously passed, and the title was read and approved.

*Ordered,* That Commission Bill Numbered Forty-five be enrolled and printed as an Act, the enactment of same into law being within the exclusive general legislative jurisdiction of the Commission over all that part of the Philippine Islands inhabited by Moros or other non-Christian tribes.

#### MORO PROVINCE.

#### REPORTS OF STANDING COMMITTEE.

[Committee Report No. 96.]

MR. PRESIDENT: Your Committee on Affairs Pertaining to the Moro Province, to which was referred on December 15, 1910, Moro council Act No. 254, entitled "An act to amend section seven of Act Numbered Thirty-nine of the legislative council, entitled 'An act temporarily to provide for the government of the Moros and other non-Christian tribes,'" has examined the same and has the honor to report it back to the Commission with the following recommendation viz:

That the act be approved, as it is in proper form and the passage thereof

deemed advisable and within the legislative authority of the Moro legislative council.

Respectfully submitted.

FRANK A. BRANAGAN,  
*Chairman, Committee on Affairs  
Pertaining to the Moro Province.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted, and

On motion, it was

*Resolved*, That under and by virtue of the provisions of the Act of Congress of July first, nineteen hundred and two, and in accordance with the provisions of section thirty-two of Act of the Philippine Commission Numbered Seven hundred and eighty-seven, Act Numbered Two hundred and fifty-four of the legislative council of the Moro Province, passed December second, nineteen hundred and ten, entitled "An act to amend section seven of Act Numbered Thirty-nine of the legislative council, entitled 'An act temporarily to provide for the government of the Moros and other non-Christian tribes,' " be, and the same hereby is, approved.

[Committee Report No. 97.]

MR. PRESIDENT: Your Committee on Affairs Pertaining to the Moro Province, to which was referred on December 15, 1910, Moro council Act No. 255, entitled "An act to amend section twenty-five of Act Numbered One hundred and eighty-seven of the Legislative council, entitled 'An act defining public highways within the Moro Province, and providing for the construction, repair, and maintenance of public highways, bridges, wharves, and trails in said province, and providing fines and penalties for injuries to same caused by individuals, or straying or trespassing animals,'" has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the act be approved by the Commission, as it is in proper form and the passage thereof deemed advisable and within the legislative authority of the Moro legislative council.

Respectfully submitted.

FRANK A. BRANAGAN,  
*Chairman, Committee on Affairs  
Pertaining to the Moro Province.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted, and

On motion, it was

*Resolved*, That under and by virtue of the provisions of the Act of Congress of July first, nineteen hundred and two, and in accordance with the provisions of section thirty-two of Act of the Philippine Commission Numbered Seven hundred and eighty-seven, Act Numbered Two hundred and fifty-five of the legislative council of the Moro Province, passed December second, nineteen hundred and ten, entitled "An act to amend section twenty-five of Act Numbered One hundred and eighty-seven of the legislative council, entitled 'An act defining public highways within the Moro Province, and providing for the construction, repair and maintenance of public highways, bridges, wharves, and trails in said province, and providing fines and penalties for injuries to same caused by individuals, or straying or trespassing animals,'" be, and the same hereby is, approved.

[Committee Report No. 98.]

MR. PRESIDENT: Your Committee on Affairs Pertaining to the Moro Province, to which was referred on December 15, 1910, Moro council Act No. 257, entitled "An act appropriating the sum of two hundred and six thousand five hundred pesos, or so much thereof as may be necessary, for certain public works, permanent improvements, and other purposes of the government of the Moro Province," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the act be approved, as it is in proper form and the passage thereof deemed advisable and within the legislative authority of the Moro legislative council.

Respectfully submitted.

FRANK A. BRANAGAN,  
*Chairman, Committee on Affairs  
Pertaining to the Moro Province.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted, and

On motion, it was

*Resolved*, That under and by virtue of the provisions of the Act of Congress of July first, nineteen hundred and two, and in accordance with the provisions of section thirty-two of Act of the Philippine Commission Numbered Seven hundred and eighty-seven, Act Numbered Two hundred and fifty-seven of the legis-

lative council of the Moro Province, passed December second, nineteen hundred and ten, entitled "An act appropriating the sum of two hundred and six thousand five hundred pesos, or so much thereof as may be necessary, for certain public works, permanent improvements, and other purposes of the government of the Moro Province," be, and the same hereby is, approved.

[Committee Report No. 99.]

MR. PRESIDENT: Your Committee on Affairs Pertaining to the Moro Province, to which was referred on December 15, 1910, Moro council Act No. 258, entitled "An act to amend section forty-one of Act Numbered Thirty-five of the legislative council, entitled 'The Municipal Code of the Moro Province,'" has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the act be approved, as it is in proper form and the passage thereof deemed advisable and within the legislative authority of the Moro legislative council.

Respectfully submitted.

FRANK A. BRANAGAN,  
*Chairman, Committee on Affairs  
Pertaining to the Moro Province.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted, and

On motion, it was

*Resolved*, That under and by virtue of the provisions of the Act of Congress of July first, nineteen hundred and two, and in accordance with the provisions of section thirty-two of Act of the Philippine Commission Numbered Seven hundred and eighty-seven, Act Numbered Two hundred and fifty-eight of the legislative council of the Moro Province, passed December third, nineteen hundred and ten, entitled "An act to amend section forty-one of Act Numbered Thirty-five of the legislative council, entitled 'The Municipal Code of the Moro Province,'" be, and the same hereby is, approved.

#### TREASURER'S REPORT OF BANK EXAMINATION.

The Secretary submitted a communication from the Insular Treasurer of December 8, 1910, inclosing report of examination of the affairs of the Banco Español-Filipino at the close of business October 31, 1910.

Ordered filed.

## EXECUTIVE SESSION.

On motion by the Chair,

The Commission proceeded to the consideration of executive business.

After the consideration of executive business, the Commission returned to regular session.

(For appointments confirmed in executive session see p. 832.)

## ADJOURNMENT.

Thereupon, at 11 o'clock antemeridian,

On motion by Commissioner Branagan,

The Commission adjourned to meet at the call of the Chair.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*



# Second Philippine Legislature, Special Session.

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JOURNAL OF THE COMMISSION.  
WEDNESDAY, DECEMBER 21, 1910.

The Commission met at the call of the Chair, at 11 o'clock and 15 minutes antemeridian.

Present: Commissioners Araneta, Palma, Branagan, Sumulong, and Elliott.

Absent: Commissioners Gilbert and Worcester (on official business), Commissioner Luzuriaga (on leave), and the President.

Commissioner Araneta in the chair.

#### READING OF JOURNAL.

The Journal of Tuesday, December 20, 1910, was read and approved.

#### MESSAGE FROM THE ASSEMBLY.

DECEMBER 21, 1910.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on December 16, 1910, passed the following bill (A. B. No. 396), in which it requests the concurrence of the Commission: An Act to amend section forty-three, subsection (*j*) of The Municipal Code, as amended by Act Numbered Seven hundred and seventy-four, authorizing the unrestricted use of certain classes of sledges on improved roads and allowing other kinds of sledges only to cross such improved roads.

I have the honor to attach copies of the joint report of the Assembly Committees on Public Works and Provincial and Municipal Governments (A. Rep. No. 70),<sup>1</sup> for the information of the Commission.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

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<sup>1</sup>This report is on file with the bill in the office of the Secretary of the Philippine Commission.

Assembly Bill No. 396 was, by unanimous consent, read the first time by title only, and referred to the Committee on Matters Pertaining to the Department of Commerce and Police.

REPORT OF SELECT COMMITTEE (OUT OF ORDER).

[Committee Report No. 100.]

MR. PRESIDENT: Your select committee, to which was referred on December 14, 1910, Assembly Bill No. 366, entitled "An Act authorizing the municipality of Cebu, Province of Cebu, to incur an indebtedness of one hundred and twenty-five thousand dollars in money of the United States, and to issue bonds covering the amount of said indebtedness, payable in gold coin of the United States, for the purpose of providing funds to construct necessary sewer and drainage facilities, to secure a sufficient supply of water and necessary buildings for primary public schools in said municipality, pursuant to the provisions of sections sixty-six, sixty-seven, sixty-eight, and sixty-nine of the Act of Congress approved July first, nineteen hundred and two, entitled 'An Act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes,' as amended by the Act approved February sixth, nineteen hundred and five, entitled 'An Act to amend an Act approved July first, nineteen hundred and two, entitled "An Act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," and to amend an Act approved March eighth, nineteen hundred and two, entitled "An Act temporarily to provide revenue for the Philippine Islands, and for other purposes," and to amend an Act approved March second, nineteen hundred and three, entitled "An Act to establish a standard of value and to provide for a coinage system in the Philippine Islands," and to provide for the more efficient administration of civil government in the Philippine Islands, and for other purposes,' has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be passed.

By this bill the municipality of Cebu is authorized to contract an indebtedness of \$125,000, money of the United States, covered by a bond issue, to provide funds for public improvements in said municipality.

Your committee has examined this bill and has found each and all of the provisions thereof in accordance with sections 66, 67, 68, and 69 of the Act of Congress of July 1, 1902, as amended, which contain the authorization and regulations governing this matter.

This bill is similar to Assembly Bill No. 545 of the First Legislature,

passed as Act No. 1926 of the Legislature on May 20, 1909, for the same purpose for the city of Iloilo.

Respectfully submitted.

RAFAEL PALMA,  
C. B. ELLIOT,  
GREGORIO ARANETA,  
*Select Committee.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

By unanimous consent, Assembly Bill No. 366 was read the second time by title only and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass.

The report and recommendation of the Committee of the Whole were adopted by unanimous vote, and the bill ordered on file for third reading.

#### REPORT OF STANDING COMMITTEE.

[Committee Report No. 101.]

MR. PRESIDENT: The Committee on Matters Pertaining to the Department of Commerce and Police, to which was referred on December 5, 1910, the recommendation contained in the message of the Governor-General of November 23, 1910, that ₱500,000 be appropriated to enable the Government to enter into contracts with the railroad companies in the Philippine Islands for the construction and maintenance of joint railroad and highway bridges on their lines, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the accompanying bill prepared in accordance therewith be passed.  
Respectfully submitted.

C. B. ELLIOTT,  
*Committee on Matters Pertaining to the  
Department of Commerce and Police.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted, and the following bill, accompanying same, was taken up and considered:

Commission Bill No. 47. An Act authorizing the Secretary of Commerce and Police with the approval of the Governor-General to contract

with any railroad company in the Philippine Islands for the construction and maintenance of joint railroad and highway bridges on its lines of railroad, and appropriating the sum of five hundred thousand pesos to pay the Government's proportion of the cost of construction and maintenance of the bridges so contracted for.

Commission Bill No. 47 was read the first time.

By unanimous consent, it was read the second time by title only, and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass.

The report and recommendation of the Committee of the Whole were adopted, and the bill ordered on file for third reading.

ADJOURNMENT.

Thereupon, at 11 o'clock and 40 minutes antemeridian,

On motion by Commissioner Elliott,

The Commission adjourned to meet at the call of the Chair.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

# Second Philippine Legislature, Special Session.

## JOURNAL OF THE COMMISSION.

TUESDAY, DECEMBER 27, 1910.

The Commission met at the call of the President at 9 o'clock postmeridian at the Malacañan Palace.

Present: Commissioners Araneta, Palma, Branagan, Sumulong, and the President.

Absent: Commissioners Gilbert and Worcester (on official business), Commissioner Luzuriaga (on leave), and Commissioner Elliott (excused).

### READING OF JOURNAL.

The Journal of Wednesday, December 21, 1910, was read and approved.

### MESSAGES FROM THE ASSEMBLY.

DECEMBER 21, 1910.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on December 21, 1910, passed the following joint resolution (A. J. R. No. 12) in which it requests the concurrence of the Commission: Joint Resolution temporarily suspending the sale of the friar estates situate in certain municipalities.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The resolution is as follows:

Assembly Joint Resolution No. 12. Joint Resolution temporarily suspending the sale of the friar estates situate in certain municipalities.

Whereas the sale in parcels of the so-called friar estates is a matter now pending consideration by the Philippine Legislature, the Philippine Assembly having passed in the premises Assembly Bill No. 383,

entitled "An Act amending various sections of Act Numbered Eleven hundred and twenty which refers to the administration, temporary leasing and sale of certain haciendas and parcels of land, commonly known as friar lands, as amended, making applicable to said lands the limitations set forth in the Public Land Act with certain exceptions, granting the lessees the right to be heard in the valuation of their land, providing for a form of administration, maintenance, and improvement of irrigation systems on said lands, declaring certain lands used for public purposes by municipalities or provinces to be of the public domain of the municipalities or provinces wherein situated, prescribing the procedure for settling controversies among the lessees over the use of the waters of said systems, and for other purposes," which bill is at present pending consideration by the Philippine Commission;

Whereas the time granted by the Governor-General to the tenants for expressing their willingness to purchase their holdings will soon expire;

Whereas there is a general complaint among the tenants and persons interested against the present classification and valuation of the said estates, to such an extent that it has made necessary legislative action on the part of the Legislature; and

Whereas no detriment will accrue to the Government or the tenants by a temporary suspension of the sale and disposition of said estates until final action by the Legislature on Assembly Bill Numbered Three hundred and eighty-three above cited, since the rents will continue being due and being collected as heretofore: Now, therefore, be it

*Resolved by the Philippine Assembly and the Philippine Commission,* That it be, and hereby is, ordered that the time for the sale of, and declaration of willingness to purchase the various parcels of the so-called friar estates situate in the municipalities of Calamba, Province of La Laguna; Santa Cruz de Malabon, Province of Cavite; Tala, Province of Rizal; and Lolomboy and Malinta, in the Province of Bulacan, be extended, and that all sales and arrangements for the sale thereof be temporarily suspended until the Philippine Legislature shall have taken final action on the matter of the disposition or sale of said estates: *Provided,* That in the event of the tenants and persons interested, or the persons entitled to acquire one or more parcels of land, being agreeable to the classification and valuation thereof and all the conditions of the contract prepared by the Government, such parcel or parcels may be sold to the same, the provisions of this resolution to the contrary notwithstanding.

Assembly Joint Resolution No. 12 was read the first time and referred to the Committee on Matters Pertaining to the Department of the Interior, for report and recommendation.

DECEMBER 27, 1910.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on December 23, 1910, passed the following joint resolution (A. J. R. No. 13), in which it requests the concurrence of the Com-

mission: Joint Resolución making Assembly Joint Resolution Numbered Twelve applicable to the La Piedad Estate, Caloocan, Rizal.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The resolution is as follows:

Assembly Joint Resolution No. 13. Joint Resolution making Assembly Joint Resolution Numbered Twelve applicable to the La Piedad Estate, Caloocan, Rizal.

*Resolved by the Philippine Commission and the Philippine Assembly,*  
That the provisions of Joint Resolution No. 12 be extended to the estate called La Piedad, of the municipality of Caloocan, Province of Rizal, Philippine Islands.

Assembly Joint Resolution No. 13 was read the first time and referred to the Committee on Matters Pertaining to the Department of the Interior for report and recommendation.

DECEMBER 22, 1910.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on December 20, 1910, passed the following bill (A. B. No. 84) in which it requests the concurrence of the Commission: An Act providing for furnishing free certificates of the issuance of cedula or certificates of registration lost or destroyed.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Assembly Bill No. 84 was, by unanimous consent, read the first time by title only, and referred to the Committee on Matters Pertaining to the Department of Finance and Justice for report and recommendation.

DECEMBER 23, 1910.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on December 20, 1910, passed the following bill (A. B. No. 331), in which it requests the concurrence of the Commission: An Act to provide for an exposition of Philippine products in the city of Manila in the year nineteen hundred and eleven, to appropriate funds therefor, and for other purposes.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Assembly Bill No. 331 was read the first time and referred to the Committee on Matters Pertaining to the Department of Commerce and Police for report and recommendation.

DECEMBER 24, 1910.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on December 20, 1910, passed the following bill (A. B. No. 401) in which it requests the concurrence of the Commission: An Act to provide for the granting of a franchise to construct, maintain, and operate gas systems for the furnishing of gas for heat, lighting, and power in the city of Manila and the Province of Rizal, Philippine Islands.

Copies of the report of the Assembly Committee on Railroads and Franchises (A. Rep. No. 72)<sup>1</sup> are inclosed herewith for the information of the Commission.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Assembly Bill No. 401 was, by unanimous consent, read the first time by title only, and referred to the Committee on Matters Pertaining to the Department of Commerce and Police for report and recommendation.

#### THIRD READING AND PASSAGE OF BILL.

Assembly Bill No. 366. An Act authorizing the municipality of Cebu, Province of Cebu, to incur an indebtedness of one hundred and twenty-five thousand dollars in money of the United States, and to issue bonds covering the amount of said indebtedness, payable in gold coin of the United States, for the purpose of providing funds to construct necessary sewer and drainage facilities, to secure a sufficient supply of water and necessary buildings for primary public schools in said municipality, pursuant to the provisions of sections sixty-six, sixty-seven, sixty-eight, and sixty-nine of the Act of Congress approved July first, nineteen hundred and two, entitled "An Act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," as amended by the Act approved February sixth, nineteen hundred and five, entitled "An Act to amend an Act approved July first, nineteen hundred and two, entitled 'An Act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes,' and to amend an Act approved March eighth, nineteen hundred and two, entitled 'An Act temporarily to provide revenue for the Philippine Islands, and for other purposes,' and to amend an Act

<sup>1</sup> This report is on file with the bill in the office of the Secretary of the Philippine Commission.



approved March second, nineteen hundred and three, entitled 'An Act to establish a standard of value and to provide for a coinage system in the Philippine Islands,' and to provide for the more efficient administration of civil government in the Philippine Islands, and for other purposes."

Assembly Bill No. 366 was, by unanimous consent, read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 366 was unanimously passed, and the title was read and approved.

*Ordered*, That the Secretary notify the Assembly thereof.

#### THIRD READING OF BILL.

• Commission Bill No. 47. An Act authorizing the Secretary of Commerce and Police with the approval of the Governor-General to contract with any railroad company in the Philippine Islands for the construction and maintenance of joint railroad and highway bridges on its lines of railroad, and appropriating the sum of five hundred thousand pesos to pay the Government's proportion of the cost of construction and maintenance of the bridges so contracted for.

Commission Bill No. 47 was read the third time.

The President moved the following amendment:

Strike out present section 2 and insert a new section 2 as follows:

"SEC. 2. The Governor-General shall apportion that part of the expense of the maintenance of said bridges which is paid by the Insular Government under such contracts, between the province or provinces and municipality or municipalities concerned, and the Insular Auditor shall charge such province or provinces, municipality or municipalities with the amounts so apportioned and credit the Insular Government with the same, said amounts to be placed to the credit of the fund by this Act created."

The motion prevailed.

#### ADJOURNMENT.

Thereupon, at 10 o'clock and 5 minutes postmeridian,

On motion by Commissioner Branagan,

The Commission adjourned to meet at the call of the Chair.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

# Second Philippine Legislature,

First Session.

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## JOURNAL OF THE COMMISSION.

THURSDAY, DECEMBER 29, 1910.

The Commission met at the call of the Chair at 10 o'clock ante-meridian.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, and Elliott.

Absent: Commissioner Worcester (on official business), Commissioner Luzuriaga (on leave), and the President.

Commissioner Gilbert in the chair.

### READING OF JOURNAL.

The Journal of Tuesday, December 27, 1910, was read and approved.

### MESSAGE FROM THE ASSEMBLY.

DECEMBER 28, 1910.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on December 27, 1910, passed the following bill (A. B. No. 395), in which it requests the concurrence of the Commission: An Act amending Act Numbered Seventeen hundred and seventy-three, entitled "An Act to provide for the public prosecution of the crimes of *adulterio, estupro, raptó, violación, calumnia*, and *injuria*, to abolish the right of pardon by the aggrieved party in such cases, to provide for a special civil action for damages therein, and for other purposes," restoring with amendments certain provisions of the Penal Code of the Philippine Islands on this subject.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Assembly Bill No. 395 was, by unanimous consent, read the first time by title only and referred to the Committee on Matters Pertaining to the Department of Finance and Justice for report and recommendation.

## PASSAGE OF BILL.

Commission Bill No. 47 entitled "An Act authorizing the Secretary of Commerce and Police with the approval of the Governor-General to contract with any railroad company in the Philippine Islands for the construction and maintenance of joint railroad and highway bridges on its lines of railroad, and appropriating the sum of five hundred thousand pesos to pay the Government's proportion of the cost of construction and maintenance of the bridges so contracted for," read the third time at the session of December 27, 1910, was taken up and considered.

Commissioner Branagan moved the following amendment:

Page 1, line 6, strike out the word "borne" at the end of the line and insert in lieu thereof the word "paid."

The motion prevailed.

The question then being upon its passage, the roll was called and Commission Bill No. 47 was unanimously passed.

Commissioner Elliott then moved to amend the title to read as follows:

An Act authorizing the Secretary of Commerce and Police, with the approval of the Governor-General, to contract with any railroad company in the Philippine Islands for the construction and maintenance of joint railroad and highway bridges on its lines of railroad, appropriating the sum of five hundred thousand pesos to pay the Government's proportion of the cost of construction and maintenance of the bridges so contracted for, and providing for the apportionment by the Governor-General of the expense of maintenance of such bridges between the provinces and municipalities concerned.

The title as amended was then read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

## REPORT OF SELECT COMMITTEE.

[Committee Report No. 102.]

MR. PRESIDENT: Your select committee of one, to which was referred on October 21, 1910, Commission Bill No. 26, entitled "An Act to amend Act Numbered Six hundred and sixty-six, entitled 'An Act defining prop-

erty in trade-marks and in trade-names and providing for the protection of the same, defining unfair competition and providing remedies against the same, providing registration for trade-marks and trade-names, and defining the effect to be given to registration under the Spanish royal decree of eighteen hundred and eighty-eight relating to the registration of trade-marks, and the effect to be given to registration under this Act,' by providing for the publication of applications for registration of trade-marks and trade-names and for the filing of opposition to such registration by persons considering themselves damaged thereby, and forbidding the importation of merchandise which shall copy or simulate the name of any domestic manufacture or manufacturer or trader, or any manufacture or manufacturer or trader in and of the United States or any foreign country, and for other purposes," has examined the same and has the honor to report it back to the Commission with the following recommendation, namely:

That the bill do pass with the following amendments:

On page 2, line 4, after the words "trade-mark" insert the words "or trade-name."

On page 2, line 6, after the words "division of" insert the word "archives."

On page 2, line 8, after the words "thereof to be made;" strike out the word "and" and insert in lieu thereof the following:

"If on such examination it shall appear that the applicant is not entitled to have his trade-mark or trade-name registered under the provisions of this Act, the application shall be denied, and the said chief of division shall so notify the applicant, giving his reasons therefor."

On page 2, line 9, after the word "Trade-mark" insert the words "or trade-name."

On page 2, line 16, strike out the words "the mark" and insert in lieu thereof the words "such trade-mark or trade-name."

On page 2, line 18, after the words "division of" insert the word "archives."

On page 2, line 19, strike out the word "thirty" and insert in lieu thereof the word "fifty."

On page 2, line 22, strike out the word "mark" and insert in lieu thereof the words "trade-mark or trade-name."

On page 2, line 23, after the words "division of" insert the word "archives."

On page 2, line 29, strike out the word "proceed" and insert in lieu thereof the words "register the trade-mark or trade-name."

On page 2, line 30, strike out all after the words "accordance with law," and insert in lieu thereof the following:

"In all cases where notice of opposition has been filed the chief of the division of archives, patents, copyrights, and trade-marks shall notify the applicant thereof and the grounds therefor, fix a day for the hearing, and after such hearing render his decision.

"The decision rendered by the chief of the division of archives, patents, copyrights, and trade-marks under this section, however, shall be no bar to any party concerned bringing an action in the Court of First Instance of Manila for the purpose of establishing his rights, such action to be brought within the period of thirty days from the date of the notification of such decision. Upon the expiration of said thirty days the decision of the chief of the division of archives, patents, copyrights, and trade-marks shall become final."

Strike out all of section 15 and insert in lieu thereof the following:

"SEC. 15. No article of imported merchandise which shall copy or simulate the name of any domestic manufacture, or manufacturer or trader, or shall copy or simulate a trade-mark or trade-name registered in accordance with the provisions of this Act, or shall bear a name or mark calculated to induce the public to believe that the article is manufactured in the Philippine Islands, shall be admitted to entry at any custom-house of the Philippine Islands; and in order to aid the officers of the customs in enforcing this prohibition, any domestic manufacturer or trader may require his name and residence, and the name of the locality in which his goods are manufactured, and a copy of the certificate of registration of his trade-mark or trade-name, issued in accordance with the provisions of this Act, to be recorded in books which shall be kept for this purpose in the office of the Insular Collector of Customs under such regulations as the Insular Collector of Customs, with the approval of the Secretary of Finance and Justice, shall prescribe, and may furnish to the office of the Insular Collector of Customs a facsimile of his name, the name of the locality in which his goods are manufactured, or of his registered trade-mark or trade-name; and thereupon the Insular Collector of Customs shall cause one or more copies of the same to be transmitted to each collector or other proper officer of customs.

"In matters arising under this section original jurisdiction is hereby conferred upon the Courts of First Instance and appellate jurisdiction upon the Supreme Court identical with the jurisdiction conferred upon such courts by section twenty-six of the Act of Congress approved August five, Nineteen hundred and nine, entitled 'An Act to raise revenue for the Philippine Islands, and for other purposes.'"

Respectfully submitted.

GREGORIO ARANETA,  
*Select Committee of One.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was received and by unanimous consent Commission Bill No. 26 was read the second time by title only, and referred to the Committee of the Whole, together with the report of the select committee thereon.

After some consideration the committee rose and reported to

the Commission with the recommendation that the report of the select committee be adopted and that the bill pass with the following further amendments:

Page 2, in line 10, after the word "trade-marks" insert the words "of the Executive Bureau," and at the beginning of line 23, strike out the words "of the city of Manila" and insert in lieu thereof the words "in the city of Manila."

Page 3, in line 17, strike out the words "of Manila" and insert in lieu thereof the words "in the city of Manila;" in line 21 insert after the word "days" the words "without such action having been commenced in the Court of First Instance in the city of Manila;" and in line 23 insert after the word "merchandise" the words "unless it bear a trade-mark duly and legally registered in the United States."

Page 4, in line 13, strike out the word "or" after the word "manufactured" and insert in lieu thereof the word "and;" and strike out section 2 in its entirety.

The report and recommendation of the Committee of the Whole were adopted and the bill ordered on file for the third reading.

#### INTRODUCTION OF BILLS.

Commissioner Elliott introduced the following bill:

Commission Bill No. 48. An Act providing certain special proceedings for the settlement and adjudication of land titles.

Commission Bill No. 48 was by unanimous consent read the first time by title only and referred to a select committee consisting of Commissioners Elliott and Araneta.

Commissioner Araneta introduced the following bill:

Commission Bill No. 49. An Act amending Act Numbered Sixteen hundred and ninety-seven, entitled "An Act authorizing the appointment of commissioners to make official investigations and fixing their powers, for the payment of witness fees, and for the punishment of perjury in official investigations" by punishing subornation of perjury, although no perjury be committed.

Commission Bill No. 49 was read the first time and referred to the Committee on Matters Pertaining to the Department of Finance and Justice for report and recommendation.

Commissioner Araneta introduced the following bill:

Commission Bill No. 50. An Act conferring upon the municipal court of the city of Manila concurrent jurisdiction with the Court of First Instance of Manila over all criminal cases arising under the law relating

to *estafa* where the property involved in the offense does not exceed the sum or value of two hundred pesos.

Commission Bill No. 50 was read the first time.

By unanimous consent it was read the second time by title only and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following amendment:

Strike out section 2 in its entirety.

The report and recommendation of the Committee of the Whole were adopted.

On motion by Commissioner Araneta, unanimously carried, the bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage the roll was called and Commission Bill No. 50 was unanimously passed, and the title was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

Commissioner Araneta introduced the following bill:

Commission Bill No. 51. An Act amending section nine of Act Numbered Seven hundred and eighty-seven of the Philippine Commission, entitled "An Act providing for the organization and government of the Moro Province," as amended by section two of Act Numbered Sixteen hundred and ninety-nine.

Commission Bill No. 51 was read the first time.

By unanimous consent it was read the second time by title only and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass.

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Elliott, unanimously carried, the bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Commission Bill No. 51 was unanimously passed.

Commissioner Araneta moved to amend the title to read as follows:

An Act amending section nine of Act Numbered Seven hundred and eighty-seven of the Philippine Commission, entitled "An Act providing for the organization and government of the Moro Province," as amended, by imposing upon the attorney for the Moro Province the duty to represent the municipalities of that province before the courts in certain cases.

The motion prevailed.

*Ordered*, That Commission Bill No. 51 be enrolled and printed as an Act, the enactment of same being within the exclusive general legislative jurisdiction of the Commission over all that part of the Philippine Islands inhabited by Moros or other non-Christian tribes.

Commissioner Elliott introduced the following bill:

Commission Bill No. 52. An Act to amend section eighteen of Act Numbered Fourteen hundred and fifty-nine, entitled "The Corporation Law," by providing for the collection of fees for filing copies of amended articles of incorporation, and for other purposes.

Commission Bill No. 52 was read the first time.

By unanimous consent it was read the second time by title only and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass.

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Elliott, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage the roll was called and Commission Bill No. 52 was unanimously passed, and the title was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

Commissioner Araneta introduced the following bill:

Commission Bill No. 53. An Act to amend section seven of Act Numbered Five hundred and thirty, entitled "An Act defining the jurisdiction of the civil and of the military authorities over lands reserved by the President of the United States for military purposes."



Commission Bill No. 53 was read the first time, and referred to the Committee on Matters Pertaining to the Department of Finance and Justice for report and recommendation.

Commissioner Araneta introduced the following bill:

Commission Bill No. 54. An Act to amend section three hundred and forty-four of Act Numbered three hundred and fifty-five, known as the "Philippine Customs Administrative Act," as amended, by making it the duty of the prosecuting attorney for the city of Manila to prosecute violations of the customs laws.

Commission Bill No. 54 was read the first time.

By unanimous consent it was read the second time by title only.

On motion by Commissioner Araneta, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Commission Bill No. 54 was unanimously passed, and the title was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

Commissioner Araneta introduced the following bill:

Commission Bill No. 55. An Act to amend Act Numbered Three hundred and fifty-five, known as the "Philippine Customs Administrative Act."

Commission Bill No. 55 was read the first time.

By unanimous consent it was read the second time by title only.

On motion by Commissioner Araneta, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage the roll was called and Commission Bill No. 55 was unanimously passed and the title was read and approved.

Commissioner Araneta then moved that the title be amended by adding the words "by including vessels within the provisions of sections three hundred and twenty-two and three hundred and twenty-three of said Act."

The motion prevailed.

The title as amended was then read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

## EXECUTIVE SESSION.

On motion by the Chair, the Commission then proceeded to the consideration of executive business.

After the consideration of executive business the Commission returned to regular session.

(For appointments confirmed in executive session see pp. 833, 834.)

## ADJOURNMENT.

Thereupon, at 11 o'clock and 50 minutes antemeridian,

On motion by Commissioner Elliott,

The Commission adjourned to meet at the call of the Chair.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

# Second Philippine Legislature, First Session.

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## JOURNAL OF THE COMMISSION.

TUESDAY, JANUARY 3, 1911.

The Commission met at the call of the Chair, at 10 o'clock and 10 minutes antemeridian.

Present: Commissioner Gilbert, Araneta, Branagan, Sumulong, and Elliott.

Absent: Commissioner Worcester (on official business), Commissioner Luzuriaga (on leave), Commissioner Palma (excused), and the President.

Commissioner Gilbert in the chair.

### READING OF JOURNAL.

The Journal of Thursday, December 29, 1910, was read and approved.

### RESOLUTION.

Commissioner Araneta introduced the following resolution:

Commission Resolution No. 54. Whereas the provincial governor of Agusan, and the Secretary of the Interior, have recommended the appointment of a justice of the peace at the settlement of Waloe, Province of Agusan; and

Whereas section sixty-seven of Act Numbered One hundred and thirty-six, as amended by Acts Numbered Fourteen hundred and fifty and Sixteen hundred and twenty-seven, provides that places other than organized municipalities for which appointments of justices of the peace and auxiliary justices of the peace are made shall be determined by resolution of the Commission: Now, therefore, be it

*Resolved*, That the appointment of a justice of the peace at the settlement of Waloe, Province of Agusan, with jurisdiction over the

entire territory included within said settlement, is hereby authorized in accordance with section sixty-seven of Act Numbered One hundred and thirty-six, as amended by Acts Numbered Fourteen hundred and fifty and Sixteen hundred and twenty-seven.

The resolution was adopted.

#### THIRD READING AND PASSAGE OF BILL.

Commission Bill No. 26. An Act to amend Act Numbered Six hundred and sixty-six, entitled "An Act defining property in trade-marks and in trade-names and providing for the protection of the same, defining unfair competition and providing remedies against the same, providing registration for trade-marks and trade-names, and defining the effect to be given to registration under the Spanish royal decree of eighteen hundred and eighty-eight relating to the registration of trade-marks, and the effect to be given to registration under this Act," by providing for the publication of applications for registration of trade-marks and trade-names and for the filing of opposition to such registration by persons considering themselves damaged thereby, and forbidding the importation of merchandise which shall copy or simulate the name of any domestic manufacture or manufacturer or trader, or any manufacture or manufacturer or trader in and of the United States or any foreign country, and for other purposes.

Commission Bill No. 26 was read the third time, as amended.

Commissioner Gilbert moved the following amendments:

Page 3, line 7, strike out the words "said time" and insert in lieu thereof the words "ninety days" and insert the word "archives" before the word "patents."

The motion prevailed.

Commissioner Elliott moved the following amendment:

Page 3, line 16, strike out the word "concerned" and insert in lieu thereof the words "to the proceeding."

The motion prevailed.

Commissioner Araneta moved the following amendment:

Strike out the words "unless it bear a trade-mark duly and legally registered in the United States" in lines 25, 26, and 27 of page 3, and insert after the words "officer of customs" in line 19 of page 4, the following: "*Provided, however,* That this section shall not be construed to affect rights that any person may have acquired by virtue of having registered a trade-mark under the laws of the United States."

The motion prevailed.

The question then being upon its passage, the roll was called, and Commission Bill No. 26 was unanimously passed.

Commissioner Araneta moved to amend the title as follows:

Strike out the words "merchandise which shall copy or simulate the name of any domestic manufacture or manufacturer or trader, or any manufacture or manufacturer or trader in and of the United States or any foreign country" and insert in lieu thereof the words "certain merchandise."

The motion prevailed.

The title as amended was then read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

#### MISCELLANEOUS COMMUNICATIONS.

At the direction of the Chair, the Secretary read the following:

A resolution of the local school board of Santa Barbara, Province of Pangasinan, adopted November 30, 1910, requesting the enactment of a law prohibiting the establishment of private schools whose plan of instruction does not conform to the plan adopted by the Director of Education, thereby preventing the wasting of the time of the children.

Referred to the Committee on Matters Pertaining to the Department of Public Instruction for report and recommendation.

Resolution No. 165 of the municipal council of Tuburan, Province of Cebu, adopted November 30, 1910, adhering to a resolution introduced in the Assembly regarding the revision of all regulations and circulars issued by the Bureau of Internal Revenue that may be detrimental or contrary to the customs, prejudices, or manner of living of the Philippine people, and their adaptation to local customs and mode of life in the towns, and protesting against Bureau of Internal Revenue Circular No. 4 of 1907 requiring farmers to register their tobacco crops with the municipal treasurer and forbidding them to sell their crops in other provinces without special licenses and from selling to other than wholesale dealers.

Referred to the Secretary of Finance and Justice for administrative action.

A communication, signed by Jose Rodriguez and 54 others, protesting against the bill introduced in the Assembly to grant divorces in certain cases, and telegrams from Francisca de Ortega of December 29, 1910, claiming to represent 500 women of Bangued, Abra, and from Lorenza Eduarte, of December 30, 1910, claiming to represent 180 women of Tayum, Abra, protesting against the same bill.

Ordered filed for consideration when the bill referred to is received from the Assembly and the parties so advised.

Resolution No. 87 of the municipal council of Pandan, Province of Albay, adopted December 5, 1910, adhering to the following bills introduced in the Assembly:

A bill providing that municipal councils may by resolution dispose of thirty per centum of the additional cedula tax.

A bill authorizing municipal councils of provinces organized under the Provincial Government Act to expend not to exceed five hundred pesos for the repair of public buildings, without previous approval of the provincial board.

A bill authorizing municipalities to pay per diems to municipal councilors.

Ordered filed for consideration when the bills referred to are received from the Assembly, and the municipal council of Pandan so advised.

#### INTRODUCTION AND PASSAGE OF BILL.

Commissioner Araneta introduced the following bill:

Commission Bill No. 56. An Act to amend section thirty-eight of Act Numbered One hundred and eighty-three, entitled "An Act to incorporate the city of Manila," by providing that the city attorney and the prosecuting attorney for the city of Manila shall perform their duties under the general supervision of the Attorney-General.

Commission Bill No. 56 was read the first time.

By unanimous consent, it was read the second time by title only.

On motion by Commissioner Araneta, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called, and Commission Bill No. 56 was unanimously passed, and the title was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

#### ADJOURNMENT.

Thereupon, at 11 o'clock and 5 minutes antemeridian,

On motion by Commissioner Elliott,

The Commission adjourned to meet at the call of the Chair.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary*.

# Second Philippine Legislature, First Session.

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## JOURNAL OF THE COMMISSION.

WEDNESDAY, JANUARY 4, 1911.

The Commission met at the call of the Chair at 9 o'clock and 40 minutes antemeridian.

Present: Commissioners Gilbert, Araneta, Branagan, Sumulong, and Elliott.

Absent: Commissioner Worcester (on official business), Commissioner Luzuriaga (on leave), Commissioner Palma (excused), and the President.

Commissioner Gilbert in the chair.

### READING OF JOURNAL.

The Journal of Tuesday, January 3, 1911, was read and approved.

### MESSAGE FROM THE ASSEMBLY.

JANUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on December 29, 1910, passed the following resolution (A. J. R. No. 15) in which it requests the concurrence of the Commission: Joint Resolution making Assembly Joint Resolution Numbered Twelve, entitled "Joint Resolution temporarily suspending the sale of the friar estates situate in certain municipalities," extensive to the tenants of the estate of Imus, Cavite.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The resolution is as follows:

Joint Resolution making Assembly Joint Resolution Numbered Twelve, entitled "Joint Resolution temporarily suspending the sale of the friar estates situate in certain municipalities," extensive to the tenants of the estate of Imus, Cavite.

Whereas the sale of the Estate of Imus, Cavite, has been announced and the legal time limit has been designated within which the tenants must state their desire to purchase their holdings;

Whereas the said tenants are in conditions analogous to those of the tenants of the estates of Calamba, Santa Cruz de Malabon, Piedad, Loloombay, and Malinta, the sale whereof was suspended by Assembly Joint Resolution Numbered Twelve, entitled "Joint Resolution temporarily suspending the sale of the friar estates situate in certain municipalities:" Now, therefore, be it

*Resolved by the Philippine Assembly and the Philippine Commission,* That the Joint Resolution entitled "Joint Resolution temporarily suspending the sale of the friar estates situate in certain municipalities" be made extensive to the estate of Imus, Cavite, and to its tenants.

Assembly Joint Resolution No. 15 was read the first time and referred to the Committee on Matters Pertaining to the Department of the Interior for report and recommendation in connection with Assembly Joint Resolutions Nos. 12 and 13 heretofore referred.

#### MISCELLANEOUS COMMUNICATIONS.

At the direction of the Chair, the Secretary read the following:

A communication from the municipal secretary of Taal, Province of Batangas, dated December 31, 1910, extending to the Commission, on behalf of the municipal council of Taal, the compliments of the season.

Ordered acknowledged and filed.

A card from Mariano Sayo Francisco, of Manila, extending his greetings to the Commission on the occasion of Rizal Day and the opening of the New Year.

Ordered acknowledged and filed.

Resolution No. 218 of the municipal council of Cadiz, Occidental Negros, adopted December 17, 1910, indorsing certain resolutions of the municipal council of Murcia, Occidental Negros, regarding reduction of salaries of employees of the Government and abolition of certain services.

Ordered referred to the Governor-General.

A protest from Teodora Aquino, of Lubungan, Island of Min-



danao, dated November 16, 1910, against alleged abusive acts of Fernando Eguia, justice of the peace of Lubungan.

Referred to the Secretary of Finance and Justice for administrative action.

REPORT OF STANDING COMMITTEE.

[Committee Report No. 103.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Commerce and Police, to which was referred on December 27, 1910, Assembly Bill No. 401, entitled "An Act to provide for the granting of a franchise to construct, maintain, and operate gas systems for the furnishing of gas for heat, lighting, and power in the city of Manila and the Province of Rizal, Philippine Islands," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be passed with the following amendment:

Page 2, line 15, after the word "annum" insert the words "per meter of main pipe."

This amendment is proposed to modify what would otherwise be a burdensome condition. As the bill now reads, a person living a mile away by promising to use 30 cubic meters of gas a year (which would cost him ₱3) could compel the gas company to lay approximately 1,700 meters of main pipe at a cost of nearly ₱12,000.

Respectfully submitted.

C. B. ELLIOTT,  
*Committee on Matters Pertaining to the  
Department of Commerce and Police.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

Assembly Bill No. 401 was read the second time and referred to the Committee of the Whole.

The bill was considered in committee and reported to the Commission with the recommendation that it be recommitted to the Committee on Matters Pertaining to the Department of Commerce and Police for correction of the translation.

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

INTRODUCTION, FIRST AND SECOND READING OF BILL.

Commissioner Elliott introduced the following bill:

Commission Bill No. 57. An Act to amend article two of the franchise contained in Act Numbered Fourteen hundred and ninety-seven of the Philippine Commission, entitled "An Act granting to the Philippine Railway

Company a concession to construct railways in the Islands of Panay, Negros, and Cebu, and guaranteeing interest on the first mortgage bonds thereof, under authority of the Act of Congress approved February sixth, nineteen hundred and five."

Commission Bill No. 57 was read the first time.

By unanimous consent, it was read the second time by title only and referred to the Committee of the Whole.

After some consideration, the committee rose and reported that it had failed to come to a determination, and asked leave to sit again.

The report of the Committee of the Whole was accepted.

Pending further consideration of the bill,

#### EXECUTIVE SESSION.

On motion by the Chair,

The Commission proceeded to the consideration of executive business.

After the consideration of executive business, the Commission returned to regular session.

(For appointments confirmed in executive session see p. 834.)

#### ADJOURNMENT.

Thereupon, at 10 o'clock and 48 minutes antemeridian,

On motion by Commissioner Branagan,

The Commission adjourned to meet at the call of the Chair.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

# Second Philippine Legislature, First Session.

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## JOURNAL OF THE COMMISSION.

THURSDAY, JANUARY 5, 1911.

The Commission met at the call of the Chair at 10 o'clock ante-meridian.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, and Elliott.

Absent: Commissioner Worcester (on official business), Commissioner Luzuriaga (on leave), and the President.

Commissioner Gilbert in the chair.

### READING OF JOURNAL.

The Journal of Wednesday, January 4, 1911, was read and approved.

### UNFINISHED BUSINESS.—CONSIDERATION IN COMMITTEE OF THE WHOLE OF COMMISSION BILL NO. 57.

The Commission resolved itself into the Committee of the Whole to continue consideration of Commission Bill No. 57, entitled "An Act to amend article two of the franchise contained in Act Numbered Fourteen hundred and ninety-seven of the Philippine Commission, entitled 'An Act granting to the Philippine Railway Company a concession to construct railways in the Islands of Panay, Negros and Cebu, and guaranteeing interest on the first-mortgage bonds thereof, under authority of the Act of Congress approved February sixth, nineteen hundred and five.'"

After some consideration the committee rose and reported to the Commission with the recommendation that the bill pass with the following amendments :

Page 2, line 13, strike out the word "and" before the word "provided;" and insert after the word "Commission" in line 21, the following: "*And provided further*, That the quantity of land or width of right of way which, by virtue of this Act, may be acquired by the Railway Company for right of way or other railway uses upon the foreshore or reclaimed land shall be determined by the Governor-General."

Strike out section 2 in its entirety.

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Elliott, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time.

The question then being upon its passage, the roll was called and Commission Bill No. 57 was unanimously passed.

Commissioner Elliott moved to amend the title by adding the words "by extending its provisions under certain limitations to the foreshore and reclaimed land."

The motion prevailed.

The title as amended was then read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

MESSAGE FROM THE ASSEMBLY.

JANUARY 4, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on December 29, 1910, passed the following joint resolution (A. J. R. No. 14) in which it requests the concurrence of the Commission: Joint Resolution requesting the Congress of the United States, through the Resident Commissioners, for the enactment of a law to amend section thirteen of an Act of Congress passed August fifth, nineteen hundred and nine, so as to lower the export duty on abacá to five cents for each one hundred kilos gross weight.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The resolution is as follows:

Assembly Joint Resolution No. 14. Joint Resolution requesting the Congress of the United States, through the Resident Commissioners, for the enactment of a law to amend section thirteen of an Act of Congress passed August fifth, nineteen hundred and nine, so as to lower the export duty on abacá to five cents for each one hundred kilos gross weight.

Whereas abacá is one of the chief agricultural products of the Philippine Islands; and

Whereas there has been a steady decline in the price of all classes of abacá during the past seven years; and

Whereas the excessive export duty on abacá exported to foreign countries other than the United States has had the effect of prolonging the critical condition of the abacá market to such an extent that producers are threatened with total ruin; and

Whereas the Congress of the United States by section thirteen of an Act passed August fifth, nineteen hundred and nine, provided the following:

"That upon the exportation to any foreign country from the Philippine Islands, or the shipment thereof to the United States or any of its possessions, of the following articles, there shall be levied, collected, and paid thereon the following export duties:

"Abacá (hemp), gross weight, one hundred kilos, seventy-five cents.

"Sugar, gross weight, one hundred kilos, five cents.

"Copra, gross weight, one hundred kilos, ten cents," etc.

Whereas it is the sense of the Philippine Legislature that it is not just to have sugar taxed with an export duty of five cents per one hundred kilos, gross weight, and copra with that of ten cents per one hundred kilos, gross weight, while an export duty of seventy-five cents is placed on the same weight of abacá: Now, therefore, be it

*Resolved by the Philippine Commission and the Philippine Assembly,* That the Congress of the United States be requested, as it is hereby requested, through the Resident Commissioners in Washington, to amend section thirteen of an Act of Congress passed August fifth, nineteen hundred and nine, so that the sum of five cents be collected as an export duty upon each one hundred kilos of abacá exported from the Philippines to any foreign country whatsoever.

*Resolved, further,* That copies of this resolution be transmitted to the Resident Commissioners so that the matter of the amendment herein requested may be promptly taken up by them.

Assembly Joint Resolution No. 14 was read the first time and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, for report and recommendation.

#### COMMUNICATION.

Telegram from Gaudencia Florentin, dated January 4, 1911, claiming to represent over 1,000 women of Tagudin, protesting

against bill introduced in the Assembly to grant divorces in certain cases.

Ordered filed for consideration when the bill referred to is received from the Assembly, and the writer so advised.

REPORT OF STANDING COMMITTEE.

[Committee Report No. 104.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Commerce and Police, to which was referred on December 27, 1910, Assembly Bill No. 331, entitled "An Act to provide for an exposition of Philippine products in the city of Manila in the year nineteen hundred and eleven, to appropriate funds therefor, and for other purposes," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill pass with the following amendments:

Strike out section 1 in its entirety and insert in lieu thereof the following:

"SECTION 1. There shall be held in the city of Manila, in the year nineteen hundred and eleven, or nineteen hundred and twelve, in the discretion of the board of directors hereinafter provided for, at a date to be fixed by them, an exposition of Philippine products, to which the provinces and others shall be invited to send exhibits showing their products, industries, and resources, and which shall be known as the Philippine Exposition."

Strike out the first paragraph of section 2 and insert in lieu thereof the following:

"This exposition shall be under the direction and control of a board of directors consisting of the Secretary of Commerce and Police, who shall be the president thereof, the chairman of the Committee on Industry and Commerce of the Philippine Assembly, who shall be vice-president, and three members to be appointed by the Governor-General. Of the members appointed by the Governor-General one shall be a member of the Philippine Chamber of Commerce and another a member of the Manila Merchants' Association."

Strike out the last two provisos to section 2, contained in lines 6 to 17, inclusive, of page 2, and insert in lieu thereof the following:

"*And provided further*, That upon request the Governor-General may detail such officers and employees of the Insular, provincial, or municipal governments, or of the city of Manila, as may be deemed necessary, who shall serve without additional remuneration."

Amend section 4 to read as follows:

"SEC. 4. The board of directors hereinbefore mentioned is hereby authorized in its discretion to purchase the most desirable articles exhibited and retain the same for the purpose of eventually establishing a Philippine Museum."

Section 5, page 2, in line 28, insert before the words "all amounts" the words "any and," and in lines 33 and 34, strike out the words "Philippine Agricultural, Industrial, and Commercial Exposition" and insert in lieu thereof the words "Philippine Exposition."

Section 6, page 3, in line 3, after the word "authorized" insert the words "with the approval of the Governor-General first had and subject to such regulations as he may prescribe," and in lines 9 and 10, strike out the words "Philippine Agricultural, Industrial, and Commercial Exposition" and insert in lieu thereof the words "Philippine Exposition."

Section 7, page 3, in lines 14 and 15, strike out the words "Philippine Agricultural, Industrial, and Commercial Exposition" and insert in lieu thereof the words "Philippine Exposition;" in line 17, strike out the word "three" and insert in lieu thereof the word "four;" and in line 19, insert the word "subordinate" before the word "officials."

Respectfully submitted.

C. B. ELLIOTT,  
*Committee on Matters Pertaining to the  
Department of Commerce and Police.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

Assembly Bill No. 331 was read the second time as amended and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following amendments:

Page 1, section 2, line 10, insert after the word "Directors" the words "to be known as the Philippine Exposition Board."

Page 2, section 2, line 21, strike out the words "eventually establishing" and insert in lieu thereof the word "developing."

Page 3, section 7, line 20, insert after the word "displays" the words "or for."

Strike out section 8 in its entirety.

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Elliott, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 331 was unanimously passed.

Commissioner Gilbert moved to amend the title by striking out the words "in the year nineteen hundred and eleven."

The motion prevailed.

*Ordered,* That the Secretary request the concurrence of the Assembly in the amendments of the Commission.

#### REPORT OF SELECT COMMITTEE.

[Committee Report No. 105.]

GENTLEMEN: Your select committee of one, to which was referred on December 12, 1910, Assembly Joint Resolution No. 4, entitled, "Joint Resolution requesting the Congress of the United States to recognize the right and power of the Philippine people to prepare and adopt a constitution of its own," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the resolution of the Assembly be laid on the table.

The Act of Congress approved July 1, 1902, under which the present form of government was established for the Philippine Islands is entitled "An Act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes."

The fact that the present form of government of the Philippine Islands is authoritatively announced to be temporary in character is undoubtedly the cause of a great deal of agitation to-day and of some feeling of uncertainty on the part of the Government and the people and parties interested in the development of the Islands as to their political status. It is probable that the time will come, if it has not already come, when the establishment of a more permanent form of government will be advantageous.

It is probable that a constitution, properly prepared, passed by the Congress of the United States to become effective when adopted by a representative vote of the Philippine people, would serve the purpose and eliminate the temporary character of the present form of government. I see no reason why the consideration of this matter should be avoided by the Commission or should be harmful at the present time.

The accompanying resolution of the Assembly, however, is in such form and embodies principles that make it clearly inexpedient for the Commission to undertake its consideration.

I therefore recommend that the resolution of the Assembly be laid on the table.

Respectfully submitted.

W. CAMERON FORBES,

*President, Philippine Commission, Committee.*

To the Honorable, THE PHILIPPINE COMMISSION.



The question being on the adoption of the report, the roll was called with the following result:

Ayes: Commissioners Gilbert, Araneta, Branagan, Sumulong, and Elliott.

Nays: Commissioner Palma.

#### EXPLANATIONS OF VOTES.

Commissioner GILBERT. I vote "aye" but desire to make the following statement: I concur in the conclusion reached by the committee, but I do not concur in the reasons given for reaching such conclusion. I am entirely in harmony with the last five lines of the report and for that reason I vote "aye."

Commissioner ARANETA. I vote "aye" for the reason that I agree with the recommendation of the committee that this joint resolution be laid on the table. The language of the resolution is not of that explicit character required in a petition of the importance of the one under consideration. It is requested "that the Congress of the United States recognize in the Philippine people the inherent, inalienable, and inviolable right and power of every community of free and equal civilized citizens to prepare and adopt, through duly chosen representatives, a constitution of its own." Thus formulated, this petition can very well be interpreted in the sense that Congress recognize the right of the Philippine people to constitute itself into a sovereign, independent nation and adopt its own constitution, severing completely all political relations with the Government of the United States, or it may mean that it is desired that the Philippine Islands be admitted to statehood in the Union, or it may simply mean that, without prejudice to the continuance in the Philippine Islands of the sovereignty of the United States, Congress authorize the Philippine people to prepare a constitution, more or less limited, defining the civil rights of the inhabitants of these Islands, regulating the three powers, the legislative, the executive, and the judiciary, and legislating, besides, on other matters generally covered by a constitution.

The Assembly Committee on Regulations with the Sovereign Country, which recommended that the resolution be adopted, has the following to say in one part of its report:

No specific provision is made as to the manner in which the Philippine people should exercise its right of sovereignty, and whether or no the

same should be limited. Since the right to adopt a constitution is so elastic in political science and may involve, as it does, a variety of forms, according to the character it is desired to give the nascent State, it is preferable that action regarding this phase of the problem be intrusted to the energy and wisdom of our Resident Commissioners, knowing, as they positively do know, that there is at present not a single Filipino who does not desire the independence of his country, and any formalism that may place obstacles in the way of attaining this ideal would not be received with pleasure by the whole of the Filipino inhabitants.

As will be seen, the committee itself which recommended the adoption of the resolution acknowledges that in it "no specific provision is made as to the manner in which the Philippine people should exercise their right of sovereignty, and whether or not the same should be limited," that is to say, whether the Philippine people are to adopt such a constitution as an independent sovereign State, or as subject to the sovereignty of the United States, and, in the latter event, what is to be the nature of the political relations between the two. The committee further affirms that the right to adopt a constitution is elastic and that the constitution may involve a variety of forms, according to the character it is desired to give the nascent State; and the determination of all these points is left completely in the hands of the Resident Commissioners. A petition of such vital importance as that involved in this resolution should be expressed in terms that leave not the slightest doubt as to what is really intended, whether or not the constitution shall be limited by the sovereignty of the United States, and if so limited, of what the limitation shall consist, in order that each and every member of the Legislature may be able to determine whether or not the reform sought responds to the aspirations of the Philippine people and is to their benefit, and that the Congress of the United States, to which the petition is addressed, may know exactly what the desire of the Legislature is. The Legislature must use its own judgment in this matter, and not leave it to the discretion of the Resident Commissioners. By this I do not in the least desire to belittle the activity and wisdom which the Assembly recognizes in our Resident Commissioners; on the contrary, this opinion of the Assembly is to me very pleasing, since it justifies my vote in favor of the reelection of our two Commissioners. I only wish to make plain that in a matter of such vital importance as the one under

discussion, the Legislature must assume the responsibility and not unload it on the shoulders of the Resident Commissioners. Moreover, to leave the determination of such transcendental questions in the hands of the Resident Commissioners appears inconsistent and inexplicable, since the reelection of one of them was rejected almost unanimously by the Assembly on the ground that he could not represent the Philippine people, and since everybody knows that the two Commissioners hold contrary opinions on the question of Philippine independence, and their opinions would necessarily influence their determination of the questions it is proposed to leave to their wisdom and diligence.

In view of the vagueness of the joint resolution, I sought light in the report of the Assembly Committee on Relations with the Sovereign Country as to the real purpose of the resolution. Judging by certain phrases of this report, such as, for instance, "A constitution \* \* \* would affirm in a solemn manner the sovereignty of the people; it would clearly define the forms of the national juridical personality; \* \* \* it would make these officials realize that they are responsible to the Philippine State and not to nobody," I am inclined to believe that what is desired is that the Philippine people be granted independence. But, on the other hand, the fact that the report does not reject the idea of the constitution being limited by the sovereignty of the United States, the policy heretofore followed by the leaders of the Nationalist majority of the Assembly, as well as by the Progressist minority—which also voted for the resolution—when the question of the independence of the Islands has been discussed, incline me to change my first opinion. If the purpose was to ask for independence, I believe the Nationalist Delegates would have had sufficient courage and sincerity to formulate such petition in clear terms, without ambiguities and circumlocutions that might lead the Progressist Delegates into error.

On the supposition that the petition is limited to having Congress empower the Philippine people to adopt a constitution, the Philippine Islands to continue under the sovereignty of the United States, there remains still to be determined the nature of the political relations between these Islands and the United States.

In the history of the United States no precedent is to be found of a territory belonging to that country having been granted the

right to adopt a constitution without having been previously admitted by Congress to statehood in the Union. A territory of the United States with a form of government like that of Canada or Australia, for instance, or with a constitution of its own, would be something entirely new, and I doubt very much that such a thing could be, in view of the provisions of Article IV of the Constitution, which declares that Congress shall have power to make all needful rules and regulations respecting the territory or other property belonging to the United States.

I do not believe that the end sought by the resolution is the admission of the Philippine Islands to statehood in the Union, and if the purpose sought by a constitution is the establishment in these Islands of an autonomous form of government like that of Canada and Australia, for instance, this would, in my opinion, mean the establishment here of a permanent government of the type mentioned. A constitution involves stability. It is adopted to serve as a fixed rule, not to remedy temporary situations nor to establish a provisional government, and for this reason, as I see it, to petition the United States for authority to adopt a constitution, with the Philippine Islands continuing under the sovereignty of that country, would involve the abandonment for an indefinite time of the aspiration of the Philippine people to independence. All this tends to prove the conclusion which I desire to establish that the resolution is drafted in such vague terms that it does not merit the vote of any member of the Legislature who desires to act with full knowledge of the matter and with full sense of the responsibility which he assumed upon voting for a petition which would decide the future of the Philippine Islands, and that it should therefore be laid on the table.

Commissioner SUMULONG. I vote for the adoption of the report of the committee in this matter, not because I am opposed to any reasonable change in the present organization of the Government, either to give increased efficiency to the existing institutions, or to extend the participation of the Philippine people in the functions of the Government, especially in those of an administrative nature, but because the resolution under consideration, as well as the report of the Assembly Committee on Relations with the Sovereign Country accompanying the same do not specify the nature of the constitution which it is desired to obtain for the Philippine people,

the reforms which it is proposed to introduce by it in the present organization of the Government, or in the personal or political rights of the citizens, or the change which it is endeavored to secure, if any, in the fundamental question of the relations now existing between the Government of the United States and that of the Philippine Islands.

I have endeavored to find a specific proposition explaining these points, not so much in the brief and vague text of the resolution, as in the report of the Committee on Relations with the Sovereign Country of the Assembly, previously mentioned, which report adduces arguments in favor of the resolution, but I have not been able to find the explanation desired. I understand that it is altogether necessary that a similar resolution be as clear and explicit as possible in its fundamental idea and in all its details, on the one hand in order that the Congress of the United States, to which the petition is addressed, have not the least doubt about what is proposed and requested, and on the other in order that it can be determined whether or not this proposed constitutional reform responds to the aspirations of the Philippine people for whom the constitution mentioned is requested.

The aforesaid report of the Assembly Committee on Relations with the Sovereign Country is not only ambiguous in its terms, but contains also contradictory passages where it speaks of the fundamental question of the relations to be established under the proposed constitution between the United States and the Philippine Islands. In some passages this report states that the object of that constitution is "to affirm in a solemn manner the sovereignty of the people," to obtain "the recognition of the personality of the Philippine people as a free and civilized people and a sovereign and constitutional State," while, on the other hand, the possibility is admitted that the popular sovereignty proclaimed in said constitution may be restricted "in the interest of a misconstrued intervention," and in the last paragraph of the report mentioned it is acknowledged that in the resolution "no specific provision is made as to the manner in which the Philippine people should exercise its right of sovereignty (after obtaining from Congress the right to adopt a constitution), and whether or no the same (the sovereignty of the people) should be limited. Since the right to adopt a constitution is so elastic in political science and may involve, as it does,

a variety of forms, according to the character it is desired to give the nascent State, it is preferable that action regarding this phase of the problem be intrusted to the energy and wisdom of our Resident Commissioners, knowing, as they positively do know, that there is not at present a single Filipino who does not desire the independence of his country, and any formalism that may place obstacles in the way of attaining this ideal would not be received with pleasure by the whole of the Filipino inhabitants."

Notwithstanding the contradiction involved in the request that the Philippine people be recognized as a "sovereign State" and the admission, in the next line, of the possibility of the sovereignty of such State being "limited" by the sovereignty of another State, one may deduce that the authors of the resolution did not fail to understand that to ask of the Congress of the United States a concession, the concession to the Philippine people of the right to vote a local constitution, without first petitioning for political independence, is to ask Congress to perform an act of supreme sovereignty and recognize its power to limit the sovereignty of the Philippine people which it is endeavored to consecrate in the constitution requested. There are reasons to believe, therefore, that the authors of the resolution did not intend to ask that the American sovereignty cease in the Philippine Islands. This conclusion is corroborated by the fact that the report repeatedly mentioned merely recommends to the Resident Commissioners that any form (of constitution) proposed by them to Congress must be such as not to "place obstacles in the way" of attaining the ideal of independence; that is to say, it must not make it impossible to secure independence in the future.

It being established that the constitutional reform desired presupposes the continuance of the sovereignty of the United States, it is obvious that the resolution before us can pursue only two ends: A more or less radical reform of the existing organic laws, but preserving, in general, the present organization of the government, or place again before the people the question whether or not the Philippine Islands, in order to enjoy the right to adopt a local constitution, shall form a part of the federation of the United States.

If the object is merely to extend the present powers of any branch or branches of the Insular Government, or to introduce

changes, in a more liberal sense, in the legislation defining the individual or political rights of the citizens, without in any manner touching the fundamental question of the sovereignty, all this can be done by means of amendments of the existing organic laws, either by direct action of Congress, or through Acts of the Philippine Legislature passed by special congressional authorization, and in this case it is not necessary to christen such changes with the pompous name of constitutional reform, which would only tend to produce confusion and erroneous ideas in the minds of the Philippine people.

If it is really the object of the resolution to obtain a true constitution for the Philippine people, it is necessary to take into account that under American sovereignty this constitution will have to be prepared, not only on the basis of the American sovereignty, accepted fully and in a definitive manner, but also upon previous decision by Congress to admit the Philippines to statehood in the Union. In other words, the adoption of such constitution would involve what in the phraseology of local politics has been termed the annexation of the Philippine Islands to the United States. This solution, because this would be a final solution of the so-called Philippine question, has already been proposed and suggested several times and does not seem to have met with the approval of either the American or the Philippine people, but rather with the contrary.

For these reasons I vote in favor of the report of the committee recommending that the resolution be laid on the table.

Commissioner ELLIOTT. I vote "aye" because I agree with the conclusion. I do not think that the particular resolution presented to the Commission calls for any statement as to general policy such as the committee has incorporated in the report, or otherwise. I can not, therefore, concur in that part of the report.

## ADJOURNMENT.

Thereupon, at 11 o'clock and 35 minutes antemeridian,

On motion by Commissioner Branagan,

The Commission adjourned to meet at the call of the Chair.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

# Second Philippine Legislature, First Session.

## JOURNAL OF THE COMMISSION.

FRIDAY, JANUARY 6, 1911.

The Commission met at the call of the Chair at 10 o'clock and 5 minutes antemeridian.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, and Elliott.

Absent: Commissioner Worcester (on official business), Commissioner Luzuriaga (on leave), and the President.

Commissioner Gilbert in the chair.

### READING OF JOURNAL.

The Journal of Thursday, January 5, 1911, was read and approved.

### RESOLUTIONS.

Commissioner Elliott introduced the following resolution:

Commission Resolution No. 55. *Resolved*, That in accordance with the provisions of section seventy-eight of Act Numbered Nine hundred and twenty-six, known as the Public Land Act, subsection six of section fifty-four of said Act is hereby extended over and put in force throughout the whole of the Moro Province.

In connection with this resolution the following explanatory statement by Commissioner Elliott was read to the Commission:

Section 78 of the Public Land Act provides that the Act should not apply to the Moro Province until placed in force there by a resolution of the Commission. By subsequent resolutions the entire Act, except



subsection 6 of section 54, has been extended to the whole of the Province. The subsection in question originally read:

"6. All persons who by themselves or their predecessors in interest have been in the open, continuous, exclusive, and notorious possession and occupation of agricultural public lands as defined by said Act of Congress of July 1, 1902, under a *bona fide* claim of ownership, except as against the Government, for the period of ten years next preceding the taking effect of this Act, except when prevented by war or *force majeure*, shall be conclusively presumed to have performed all the conditions essential to a Government grant, and to have received the same, and shall be entitled to a certificate of title to such land under the provisions of this chapter."

This subsection has not been extended to the entire Moro Province, because it was feared that as the subsection in question requires ten years' possession preceding the taking effect of the Act, it might be construed to mean ten years prior to the resolution placing it in force in that locality. To remove this difficulty, the Legislature on May 19, 1909, passed Act No. 1908, which provides:

"6. All persons who by themselves or their predecessors in interest have been in the open, continuous, exclusive, and notorious possession and occupation of agricultural public lands, as defined by said Act of Congress of July 1, 1902, under a *bona fide* claim of ownership, except as against the Government, for a period of ten years next preceding the 26th day of July, 1904, except when prevented by war or *force majeure*, shall be conclusively presumed to have performed all the conditions essential to a Government grant, and to have received the same, and shall be entitled to a certificate of title to such land, under the provisions of this chapter."

This Act was approved by the President, and proclaimed by the Governor-General October 4, 1910. There can thus be no objection to extending subsection 6 of section 54 of Act No. 926 to the Moro Province.

Records in cases now pending in the Court of Land Registration show that practically all the applicants from the Moro Province must base their rights to lands on the provisions of subsection 6. Practically none of the applicants have Government grants.

The resolution was adopted.

Commissioner Gilbert introduced the following resolution, for the President:

Commission Resolution No. 56. Whereas a survey of certain additional lots in Baguio town-site subdivision has been made; and

Whereas a roadway has been opened through lot numbered eighty-nine, residence section "A", and the north line of said lot has been changed so as to include an area equal to the roadway; and

Whereas the north line of Baguio Park Numbered One, residence section

"D", has been changed so as to provide an entrance to the naval reservation; and

Whereas a spring is located on lot numbered one hundred and thirty-seven, residence section "D"; and

Whereas it is desired to reserve lot numbered one hundred and thirty-eight, residence section "D", for the official residence of the Governor-General of the Philippine Islands; and

Whereas it is deemed advisable to extend Baguio Park Numbered One, by the addition of lot numbered one hundred and thirty-nine, residence section "D"; and

Whereas lot numbered one hundred and forty, residence section "D", has been reserved by the President of the United States as a naval reservation; and

Whereas the naval authorities desire that the naval reservation be enlarged by the addition of lot numbered one hundred and forty-one, residence section "D"; and

Whereas it seems desirable to enlarge the Constabulary reservation by the addition of lot numbered ten, residence section "B": Now, therefore, be it

*Resolved*, That the survey and plat, presented by the Acting Director of Lands, of lots numbered eighty-nine, ninety, and ninety-one, residence section "A"; lot numbered ten, residence section "B"; lots numbered eight, ten, twelve, and fourteen, residence section "C"; Baguio Park Numbered One, residence section "D"; lots numbered from seventy-six to one hundred and forty-one, inclusive, residence section "D"; lots numbered three and four, residence section "J"; lots numbered sixty-nine, seventy, and seventy-one, residence section "K", be, and the same are hereby, approved as an amendment to the plan approved by the Philippine Commission, May fifteenth, nineteen hundred and six;

*Resolved further*, That lot numbered one hundred and thirty-seven, residence section "D", be, and the same is hereby, reserved from sale;

That lot numbered ten, residence section "B", be reserved for Constabulary purposes, as an addition to lot numbered five, residence section "B";

*Resolved further*, That the Director of Lands be, and hereby is, directed to place the following restrictions upon any lots herein mentioned which are offered for sale:

1. That no lot shall be subdivided, nor shall more than one residence be erected thereon without the written approval of the Secretary of the Interior of the Philippine Islands;

2. That no lot shall be used for any purpose other than that of residence without the written approval of the Secretary of the Interior of the Philippine Islands;

3. That no trees standing on any lot shall be felled except upon permission in writing of the Consulting Architect to the Philippine Commission;

4. That no building shall be erected upon any lot until the plan

thereof and the location of the building have been approved in writing by the Consulting Architect to the Philippine Commission;

5. That all roofs of galvanized iron or other metal shall be painted, but that the color of the paint to be used upon the exterior of any building erected upon any lot shall be subject to the approval of the Consulting Architect to the Philippine Commission;

6. That the purchaser of any lot hereinabove mentioned which is placed on sale shall be required to make improvements of the value of not less than three thousand pesos, upon any lot so purchased within two years of the date of the sale of said lot by the Government:

*Provided*, That lot numbered sixty-nine, residence section "K", shall be used only for charitable, religious, or educational purposes, or for an ecclesiastical residence, and that improvements of the value of two thousand pesos shall be placed upon said lot within two years of the date of the sale of said lot by the Government.

Title issued to the purchaser of any of said lots, except as above provided, shall contain a provision whereby the Government reserves the right, in case the purchaser of any lot shall fail to make the required improvements, to return to the purchaser the amount of the purchase price and take possession of said lot and dispose of same as in the case of other unsold lots. The value of improvements shall be determined by the Director of Lands subject to appeal to the Secretary of the Interior;

*Resolved further*, That until the Commission shall otherwise determine, the profits from the sale of any of the above-mentioned lots shall be reserved for a special fund to be devoted to public improvements in or near the town site in accordance with Chapter V, Act Numbered Nine hundred and twenty-six.

Commissioner Gilbert moved the following amendments:

Strike out the words "of the Philippine Islands" wherever, in the resolution, they follow the words "Secretary of the Interior."

Strike out the words "to the Philippine Commission" following the words "Consulting Architect" in clause numbered 4 of the third paragraph of the resolution.

Strike out the following clauses in the third paragraph of the resolution:

"3. That no trees standing on any lot shall be felled except upon permission in writing of the Consulting Architect to the Philippine Commission;"

"5. That all roofs of galvanized iron or other metal shall be painted, but that the color of the paint to be used upon the exterior of any building erected upon any lot shall be subject to the approval of the Consulting Architect to the Philippine Commission."

Renumber the remaining clauses of this paragraph accordingly.

The motion prevailed.

The question then being upon the adoption of the resolution, the resolution was adopted.

## COMMUNICATION.

At the direction of the Chair, the Secretary read a communication, dated December 29, 1910, and signed by Rosa L. de Crisóstomo and a number of other women of Lingayen, Province of Pangasinan, protesting against the passage of a bill to grant divorces, now under consideration in the Assembly.

Ordered filed for consideration when the bill referred to is received from the Assembly, and the writers so advised.

## REPORTS OF STANDING COMMITTEES.

[Committee Report No. 106.]

MR. PRESIDENT: The Committee on Matters Pertaining to the Department of Public Instruction, to which was referred, on January 3, 1911, resolution of the School Board of Santa Barbara, Pangasinan, re prohibiting the establishment of private schools whose course of study does not conform to that adopted by the Bureau of Education, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the resolution be laid on the table.

This resolution of the school board requests the Legislature to prohibit the establishment of private schools whose course of study does not conform to the course of study adopted by the Bureau of Education, in order, the resolution says, to avoid wasting the time of the pupils. While this committee is very much interested in all the boys and girls of the Philippine Islands receiving a good education, yet it is not believed wise to prohibit the establishment of schools even though they may not be equal to the public schools. While it is probably true that schools of this character do more harm than good, yet the spirit of liberty which pervades this Government must permit the people to choose for themselves. Certain private schools in the Islands are recognized by the Government as having a course of study equal to that of the public schools. It is believed by the committee that people will rapidly discover that schools which do not have such authorization can not do for their children that which should be done, and that only the public schools and those private schools of high grade, authorized by the Government, will obtain any large part of the pupils. Therefore, while entirely in harmony with the ideas of the school board that the establishment of schools of this class is unfortunate, yet it is not believed that a law should be passed to prohibit their establishment.

Respectfully submitted.

NEWTON W. GILBERT,  
*Committee on Matters Pertaining to the  
Department of Public Instruction.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 107.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred, on December 29, 1910, Commission Bill No. 53, entitled "An Act to amend section seven of Act Numbered Five hundred and thirty, entitled 'An Act defining the jurisdiction of the civil and of the military authorities over lands reserved by the President of the United States for military purposes,'" has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be not passed, but the bill hereto attached be taken up in its stead.

It is not thought desirable to have the warrant of arrest served only upon the commanding officer. The bill in its present form provides that both in the case of a warrant of arrest and of a subpoena a copy shall be previously delivered to the commanding officer, but does not make service upon such commanding officer alone sufficient.

Respectfully submitted.

GREGORIO ARANETA,  
*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted and the following bill accompanying the same was taken up and considered:

Commission Bill No. 58. An Act to amend section seven of Act Numbered Five hundred and thirty, entitled "An Act defining the jurisdiction of the civil and of the military authorities over lands reserved by the President of the United States for military purposes," by providing for the manner of making arrests and serving subpoenas on military reservations, camps, or barracks.

Commission Bill No. 58 was read the first time.

By unanimous consent, the bill was read the second time by title only and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following amendments:

In lines 5 and 10, insert between the words "reservation" and "camp" the words "or in any."

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Araneta, unanimously carried,  
The bill was considered urgent under the provisions of Rule

XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Commission Bill No. 58 was unanimously passed.

Commissioner Gilbert moved to amend the title by inserting the words "and in" between the words "reservations" and "camps."

The motion prevailed.

The title as amended was then read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

[Committee Report No. 108.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred, on December 29, 1910, Commission Bill No. 49, entitled "An Act amending Act Numbered Sixteen hundred and ninety-seven, entitled 'An Act authorizing the appointment of commissioners to make official investigations and fixing their powers, for the payment of witness fees, and for the punishment of perjury in official investigations,' by punishing subornation of perjury although no perjury be committed," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be not passed and that the bill attached hereto be taken up in its stead.

The bill submitted herewith further amends Act No. 1697 by limiting the disqualification for holding public office of anyone convicted of perjury to ten years instead of making the same perpetual, and also removes the bar against such convicted person thereafter giving testimony in court.

Also, instead of amending section 4 of Act No. 1697, it provides an entirely new section providing a punishment for persons who endeavor to procure or incite another to commit perjury.

Respectfully submitted.

GREGORIO ARANETA,

*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted and the following bill accompanying same was taken up and considered:

Commission Bill No. 59. An Act amending Act Numbered Sixteen hundred and ninety-seven, entitled "An Act authorizing the appointment of commissioners to make official investigations and fixing their powers; for the payment of witness fees; and for the punishment of perjury in official investigations," by changing the punishment for perjury, and by

punishing persons who endeavor to procure or incite other persons to commit perjury.

Commission Bill No. 59 was read the first time.

By unanimous consent it was read the second time by title only and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following amendment:

Strike out section 3 in its entirety.

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Araneta, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

Commissioner Branagan moved to strike out the words "to exceed" in line 16 of page 2, and insert in lieu thereof the words "more than."

The motion prevailed.

The question then being upon its passage, the roll was called and Commission Bill No. 59 was unanimously passed, and the title read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

#### ADJOURNMENT.

Thereupon, at 11 o'clock and 50 minutes antemeridian,

On motion by Commissioner Elliott,

The Commission adjourned to meet at the call of the Chair.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

# Second Philippine Legislature, First Session.

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## JOURNAL OF THE COMMISSION.

SATURDAY, JANUARY 7, 1911.

The Commission met at the call of the Chair at 10 o'clock and 10 minutes antemeridian.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, and Elliott.

Absent: Commissioner Worcester (on official business), Commissioner Luzuriaga (on leave), and the President.

Commissioner Gilbert in the chair.

### READING OF JOURNAL.

The Journal of Friday, January 6, 1911, was read and approved.

### REPORTS OF STANDING COMMITTEES.

[Committee Report No. 109.]

MR. PRESIDENT: The Committee on Matters Pertaining to the Department of Commerce and Police, to which was referred on December 19, 1910, communication of the Commercial Club of Dagupan of December 5, 1910, requesting an appropriation for the improvement of the port of Dagupan, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That it be laid on the table.

This is a matter which under the present system should be handled administratively, through the Secretary of Commerce and Police.

Respectfully submitted.

C. B. ELLIOTT,

*Committee on Matters Pertaining to the  
Department of Commerce and Police.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.



[Committee Report No. 110.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Finance and Justice, to which was recommitted on December 16, 1910, Commission Bill No. 28, entitled "An Act defining habitual criminals and fixing the punishment for the same," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be not passed and that the accompanying bill be taken up in lieu thereof.

Respectfully submitted.

GREGORIO ARANETA,  
*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted and the following bill accompanying same was taken up and considered:

Commission Bill No. 60. An Act defining habitual criminals and providing additional punishment for the same.

Commission Bill No. 60 was read the first time.

By unanimous consent, it was read the second time by title only and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following amendments:

Page 1, section 1, in line 18, insert the word "last" before the word "offense."

Page 2, section 4, in lines 26 and 27, strike out the words "that the additional imprisonment imposed under this Act" and insert in lieu thereof the words "That any additional imprisonment theretofore imposed under this Act."

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Araneta, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and the bill was unanimously passed and the title was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

[Committee Report No. 111.]

MR. PRESIDENT: The Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on October 17, 1910, certain excerpts from the message of the Governor-General to the Second Philippine Legislature, in one of which it is recommended that the Penal Code be amended by modifying the penalties for falsification of a public document, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the accompanying bill, which has been prepared by the Code Committee, be passed.

Respectfully submitted.

GREGORIO ARANETA,

*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted and the following bill accompanying same was taken up and considered:

Commission Bill No. 61. An Act amending articles fifty-six, fifty-seven, one hundred and six, two hundred and fifty, two hundred and fifty-two, three hundred, three hundred and one, three hundred and three, and three hundred and sixteen of the Penal Code.

Commission Bill No. 61 was read the first time.

By unanimous consent, it was read the second time and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass.

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Elliott, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and the bill was unanimously passed.

Commissioner Elliott moved to amend the title by adding the words "by making certain changes in the penalties."

The motion prevailed.

The title as amended was read and approved.

*Ordered,* That the Secretary request the concurrence of the Assembly in the bill as passed.

[Committee Report No. 112.]

MR. PRESIDENT: The Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on October 17, 1910, that part of the message of the Governor-General delivered at the opening of the first session of the present Legislature which relates to the payment of witnesses' fees, has examined the same and has the honor to report it back to the Commission with the accompanying bill prepared pursuant thereto.

Respectfully submitted.

GREGORIO ARANETA,  
*Committee on Matters Pertaining to the  
 Department of Finance and Justice.*

To the Honorable,  
 the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted, and the following bill accompanying the same was taken up and considered:

Commission Bill No. 62. An Act to provide for witness fees in criminal cases in the Courts of First Instance, and appropriating funds therefor, and for other purposes.

By unanimous consent, Commission Bill No. 62 was read the first time by title and further consideration postponed until the next meeting of the Commission.

CONCURRENT RESOLUTION.

Commissioner Araneta introduced the following concurrent resolution:

Commission Concurrent Resolution No. 2. Concurrent Resolution providing that neither of the two Houses of the Legislature shall present to the other any new legislation after January twenty-ninth, nineteen hundred and eleven.

Whereas the present session of the Legislature will end on the third day of February, nineteen hundred and eleven; and

Whereas during the last days of the present session it will be difficult, if not impossible, to take action on new bills which have not theretofore been considered by both Houses: Now, therefore, be it

*Resolved by the Philippine Commission, the Philippine Assembly concurring,* That after the twenty-ninth day of January, nineteen hundred and eleven, until the end of the present session, neither House shall send to the other any bill which has not previously been acted upon or considered by the House to which it is sent.

Commission Concurrent Resolution No. 2 was read the first time.

By unanimous consent, it was read the second time by title only.

On motion by Commissioner Araneta, unanimously carried,  
The resolution was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its adoption, the resolution was unanimously adopted and the title and preamble were agreed to.

*Ordered*, That the Secretary request the concurrence of the Assembly in the resolution as adopted.

EXECUTIVE SESSION.

On motion by the Chair,

The Commission then proceeded to the consideration of executive business.

After the consideration of executive business the Commission returned to regular session.

(For appointments confirmed in executive session see pp. 834, 835.)

ADJOURNMENT.

Thereupon, at 11 o'clock antemeridian,

On motion by the Chair,

The Commission adjourned to meet at the call of the Chair.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

# Second Philippine Legislature, First Session.

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## JOURNAL OF THE COMMISSION.

MONDAY, JANUARY 9, 1911.

The Commission met at the call of the President at 11 o'clock and 10 minutes antemeridian.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, Elliott, and the President.

Absent: Commissioner Worcester (on official business) and Commissioner Luzuriaga (on leave).

### READING OF JOURNAL.

The Journal of Saturday, January 7, 1911, was read and approved.

### SECOND READING OF BILL.

Commission Bill No. 62. An Act to provide for witness fees in criminal cases in the courts of first instance, and appropriating funds therefor, and for other purposes.

Commission Bill No. 62 was read the second time and referred to the Committee of the Whole.

During consideration of the bill in Committee of the Whole, the President left the Session Chamber and Commissioner Gilbert took the chair.

After some time spent in Committee of the Whole, the committee rose and reported with the recommendation that the bill do not pass.

The report and recommendation of the Committee of the Whole were adopted.

## REPORT OF STANDING COMMITTEE.

[Committee Report No. 113.]

MR. PRESIDENT: The Committee on Municipal and Provincial Governments, to which was referred on November 22, 1910, the resolution reserving a town site at Tarlac, Province of Tarlac, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the resolution be adopted.

The purpose of establishing the new town site referred to in the resolution, as shown in these papers, is to move the present town of Tarlac, which is always overflowed by the frequent and constant flood of the river, to Asin. This place is safe and suitable for the accommodation of the inhabitants of the town of Tarlac.

The clauses of this resolution are in accordance with sections 38 and 39, Act No. 926.

Respectfully submitted.

RAFAEL PALMA,

*Chairman pro tempore, Committee on Municipal  
and Provincial Governments.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted and the resolution was taken up and read, as follows:

Commission Resolution No. 57. Whereas on August seventh, nineteen hundred and eight, the Secretary of the Interior was of the opinion that it would be in the public interest to reserve a town site at Tarlac, municipality of Tarlac, Province of Tarlac, and so informed the Director of Lands; and

Whereas on August seventh, nineteen hundred and eight, the Secretary of the Interior directed the Director of Lands to cause a survey to be made of the exterior boundaries of the land which he deemed it wise to reserve; and

Whereas said survey was completed in September, nineteen hundred and eight, and returned to the Bureau of Lands; and

Whereas the Director of Lands approved the plan of said survey on February tenth, nineteen hundred and nine; and

Whereas the Secretary of the Interior on the seventh day of November, nineteen hundred and ten, recommended that said town site be established under Chapter V of Act Numbered Nine hundred and twenty-six in accordance with said plan, the exterior boundaries of which are shown to be as follows:

Beginning at point marked 1 on plan, S. 45° 51' W. 187.2 m. from B. L. L. M. No. 1, Tarlac, thence S. 64° 54' E. 117.18 m. to point 2; S. 66° 42' E. 162.9 m. to point 3; S. 49° 41' E. 115.72 m. to point 4; S. 34° 59' W. 123.26 m. to point 5; S. 30° 33' W. 76.57 m. to point 6; S. 0°

22' W. 198.36 m. to point 7; S. 28° 03' W. 217.88 m. to point 8; S. 26° 03' E. 112.18 m. to point 9; S. 17° 40' W. 795.33 m. to point 10; N. 74° 44' W. 409.84 m. to point 11; N. 19° 06' E. 1,141.05 m. to point 12; N. 9° 34' E. 332.8 m. to point 13; N. 86° 10' W. 87.5 m. to point 14; N. 19° 20' E. 120.0 m. to point 15; S. 69° 15' E. 80.5 m. to point 1, point of beginning.

Containing 573,694 square meters.

Bounded on northeast by road; on southeast by properties of municipality of Tarlac and Timoteo Flores and public land; on southwest by public land; on northwest by properties of Roque Medina, Porfirio Espinosa, Timoteo Villegas, Francisco Macabulos, and Domingo Apolinario.

Bearings true.

Points referred to marked on plan K-10.

Surveyed, September, 1908. Approved, February 10, 1909.

Now, therefore, be it

*Resolved*, That in accordance with section thirty-eight of Act Numbered Nine hundred and twenty-six, known as the Public Land Act, the Commission hereby approves the recommendation of the Secretary of the Interior, and the town site is hereby reserved, the boundaries of which shall be those hereinbefore described and shown on said plan, and the land so described may be hereafter disposed of only as provided in Chapter V of said Act Numbered Nine hundred and twenty-six.

*Resolved further*, That a copy of this resolution be sent to the Director of Lands for his action in accordance with section thirty-nine and following of Chapter V of the Public Land Act.

The resolution was adopted.

#### ADJOURNMENT.

Thereupon, at 12 o'clock and 20 minutes,

On motion of the Chair,

The Commission adjourned to meet at the call of the President.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

# Second Philippine Legislature, First Session.

## JOURNAL OF THE COMMISSION.

WEDNESDAY, JANUARY 11, 1911.

The Commission met at the call of the President at 11 o'clock antemeridian.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, Elliott, and the President.

Absent: Commissioner Worcester (on official business) and Commissioner Luzuriaga (on leave).

The President left the Session Chamber immediately after roll call, and

Commissioner Gilbert assumed the chair.

### READING OF JOURNAL.

The Journal of Monday, January 9, 1911, was read and approved.

### MESSAGE FROM THE ASSEMBLY.

JANUARY 11, 1911.

**MR. PRESIDENT:** I have been directed to inform your honorable body that the Assembly on January 7, 1911, passed the following bill (A. B. No. 343) in which it requests the concurrence of the Commission: An Act authorizing the sale of the land known as the San Lazaro Estate to the recent tenants thereof.

I have the honor to attach copies of the report of the Committee on Public Lands, Mines, and Forests (A. R. No. 79),<sup>1</sup> for the information of the Commission.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

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<sup>1</sup> This report is on file with the bill in the office of the Secretary of the Commission.



By unanimous consent, Assembly Bill No. 343 was read the first time by title only, and referred to the Committee on Matters Pertaining to the Department of the Interior, for report and recommendation.

## REPORTS OF STANDING COMMITTEES.

[Committee Report No. 114.]

MR. PRESIDENT: Your Committee on Municipal and Provincial Governments, to which was referred on November 22, 1910, resolution of the municipal council of Magdalena, La Laguna, regarding the licensing of panguingue tables, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the petition be laid on the table.

Panguingue, a kind of card playing, is one of the worst forms of gambling, in which the people of these Islands, especially women, are deeply interested. To license panguingue is to encourage the evils of vagrancy and laziness which cause some people to lose their habits of working for an honest and better living.

It is not considered advisable under the policy of the Government to derive revenues from gambling, and no reason appears why this policy should not be adhered to in this case.

Respectfully submitted.

RAFAEL PALMA,

*Chairman pro tempore,*

*Committee on Municipal and Provincial Governments.*

To the Honorable,

the PRESIDENT OF THE COMMISSION.

The report was adopted.

[Committee-Report No. 115.]

MR. PRESIDENT: The Committee on Matters Pertaining to the Department of Public Instruction, to which was referred on November 2, 1910, Commission Bill No. 31, entitled "An Act to amend section two of Act Numbered Seventeen hundred and ninety-five, entitled 'An Act authorizing the compensation of students in industrial and agricultural schools for work done therein outside of regular school hours and not connected with their regular school work,' by striking out the last sentence thereof," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill pass as introduced.

The purpose of this amendment to the law is in order that it may be possible to create in the province a reimbursable fund for the purpose of assisting provincial industrial or agricultural schools. The law as it now stands requires all moneys collected as a result of work in these schools to be deposited in the provincial treasury general fund. The

Auditor states that if the last sentence of the present law is omitted a reimbursement fund may be created by order. This is regarded as a better plan than creating the reimbursable fund by law for it may very possibly happen in some provinces that this fund would become larger than necessary.  
Respectfully submitted.

NEWTON W. GILBERT,  
*Committee on Matters Pertaining to the  
Department of Public Instruction.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

Commission Bill No. 31 was read the third time.

The President moved the following amendment:

Add after the word "located" in line 11, the words "All moneys collected as the result of any such work shall be deposited in the provincial treasury, and to maintain the work provided for by this section the Insular Auditor shall establish a reimbursable fund to an amount to be fixed by the provincial board, with the approval of the Governor-General. Any collections in excess of this amount shall be deposited in the provincial treasury as miscellaneous receipts of the province."

The motion prevailed.

The question then being upon its passage, the roll was called and the bill was unanimously passed.

Commissioner Gilbert moved to amend the title by striking out the words "by striking out the last sentence thereof" and inserting in lieu thereof the words "by providing for the creation of reimbursable funds."

The motion prevailed.

The title as amended was read and approved.

*Ordered,* That the Secretary request the concurrence of the Assembly in the bill as passed.

[Committee Report No. 116.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Commerce and Police, to which was recommitted on January 4, 1911, Assembly Bill No. 401, entitled "An Act to provide for the granting of a franchise to construct, maintain, and operate gas systems for the furnishing of gas for heat, lighting, and power in the city of Manila and the Province of Rizal, Philippine Islands," has again examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill do pass with the following further amendments:

Page 2, line 16, strike out the word "all" and insert "such."

Page 2, line 26, insert between the words "or" and "may" the word "it."

Page 3, line 6, insert between the words "gas" and "shall" the words "furnished to consumers."

Page 3, line 10, strike out the word "employing" and insert the word "using."

Page 3, lines 32 and 33, strike out the words "for the account of" and insert in lieu thereof the words "paid by."

Page 4, line 1, strike out the word "maltreatment" and insert the word "design."

Pages 4 and 5, strike out the whole of section 8 and insert in lieu thereof the following:

"SEC. 8. The grantee shall pay annually on the fifth day of January of each year to the City of Manila and to the municipalities in the Province of Rizal in which gas is sold, two and one-half per centum of the gross receipts for gas sold within said city and municipalities respectively. Said payment shall be in lieu of all taxes, Insular, provincial, and municipal, other than taxes on the real estate, buildings, plant, machinery, and personal property belonging to the company, other than meters and fittings of any kind situated in or on consumers' premises."

Page 7, strike out section 14 and insert in lieu thereof the following:

"SEC. 14. Subject to the approval of the Municipal Board of the city of Manila, the grantee may sell, transfer, or assign the franchise herein granted to a corporation formed or to be formed and organized in and under the laws of the Philippine Islands: *Provided*, That said corporation be not engaged in a business like or similar to that of the grantee: *And provided further*, That said corporation shall offer and place on sale in the Philippine Islands, to natives of the Philippine Islands, at a price not exceeding par, twenty-five per centum of the stock of said corporation. The offer to sell said stock on said terms shall be duly advertised in the city of Manila, and shall remain open for six months after the date of such advertisement. After the expiration of that time, the unsold part of said stock may be sold free from such restrictions."

Page 7, insert between lines 22 and 23 the following new section:

"SEC. 15. All the terms and restrictions required and imposed by section seventy-four of the Act of Congress of July first, nineteen hundred and two, are hereby by reference incorporated in and made a part of this franchise, and the grantee and his successors and assigns take and hold said franchise subject thereto."

Page 7, line 23, strike out the words "SEC. 15" and insert in lieu thereof the words "SEC. 16."

Strike out all of section 16.

Respectfully submitted.

C. B. ELLIOTT,  
*Committee on Matters Pertaining to the  
Department of Commerce and Police.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

Commissioner Gilbert moved that Messrs. Thos. D. Aitken and Edward B. Bruce be invited to appear before the Commission on the question of this franchise at some time to be fixed by the President, and to bring with them such papers and persons as they may desire.

The motion prevailed.

The President then fixed 10 o'clock antemeridian, Thursday, January 12, 1911, as the hour for such hearing.

#### EXECUTIVE SESSION.

On motion by the President,

The Commission proceeded to the consideration of executive business.

After the consideration of executive business, the Commission returned to regular session.

(For appointments confirmed in executive session see p. 835.)

#### ADJOURNMENT.

Thereupon, at 12 o'clock and 35 minutes postmeridian,

On motion by the President,

The Commission adjourned to meet at 10 o'clock antemeridian, Thursday, January 12, 1911.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

# Second Philippine Legislature, First Session.

## JOURNAL OF THE COMMISSION.

THURSDAY, JANUARY 12, 1911.

The Commission met pursuant to adjournment.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, Elliott, and the President.

Absent: Commissioner Worcester (on official business) and Commissioner Luzuriaga (on leave).

### READING OF JOURNAL.

The Journal of Wednesday, January 11, 1911, was read and approved.

### CONSIDERATION OF ASSEMBLY BILL NO. 401.

At the direction of the President, the Secretary read the following communication:

MANILA, *January 6, 1911.*

To the Honorable the PHILIPPINE COMMISSION, *Manila.*

SIRS: The undersigned respectfully beg leave to present to your honorable body the following reasons why the bill enacted by the Philippine Assembly on the 20th of December, 1910, entitled "An Act granting a franchise for the construction, maintenance, and operation of a gas system, for the purpose of furnishing gas for heating, lighting, and power purposes in the city of Manila and the Province of Rizal, Philippine Islands" should not be approved by you:

In the event that the Philippine Legislature shall determine that it is wise and expedient that there be granted a franchise for the operation and maintenance of a gas plant in the city of Manila, it is the desire of certain clients of ours to secure such franchise, and, if the same be granted, to thereafter construct, maintain, and operate such gas plant;

and our clients stand ready, in the event that the franchise is thrown open to competition, to deposit with their bid a guaranty of such size as will insure their entire good faith.

We respectfully protest against any action by the Philippine Legislature which would result in the granting of a valuable public-service franchise to any one interest not on a competitive basis. Such action is opposed to the almost uniform policy heretofore adopted by the Philippine Government, and, we believe, is in contravention of what has become a universally recognized principle, that valuable public rights of this kind should not be granted by the Government except on the basis of competition, which will enable the Government to make the best terms possible in granting the franchise, and at the same time prevent the granting of special privileges to any one interest to the detriment of others which have a right to enter into competition therefor.

As opposed to the procedure provided by the proposed bill, we respectfully invite attention to the action taken in connection with the granting of the street railway and electric light, heat, and power franchise for Manila. In that case, the proposed terms of the franchise were advertised in the United States and in Manila, and, as an evidence of the good faith of bidders, they were required to deposit \$75,000 United States currency. In the case of the granting of the franchise to the Philippine Railway Company, an invitation for bids was issued both in the United States and in the Philippine Islands and widely advertised, and bidders were required to deposit with their bids, as an evidence of good faith, various amounts, depending on the lines of railway on the various islands for which bids were made, which, in the case of the Philippine Railway Company, amounted to the sum of \$150,000 United States currency.

If the proposed bill as at present before you is passed, the concessionaire will, in effect, receive an option for a concession without competition and without being required to put up any guaranty that the concession will be carried out until after the adjournment of the Legislature. We respectfully submit that such a course would be an unjustifiable granting of a special privilege, and a grave injustice to those who only ask and only claim the right to enter into a fair and impartial competition for the franchise.

Very respectfully,

BRUCE, LAWRENCE, ROSS & BLOCK.

Ordered filed.

The Commission then resolved itself into the Committee of the Whole for the purpose of hearing Messrs. Thomas D. Aitken, the concessionaire, assisted by Mr. W. A. Kincaid, in support of the bill, and Mr. Edward B. Bruce in support of an amendment to provide for putting the franchise up for public bidding.

After presenting their arguments in the matter, these gentlemen were excused and the Commission continued its consideration of the bill in Committee of the Whole.

By unanimous consent, the following portion of the proceedings in Committee of the Whole is made of record in the Journal:

Commissioner Elliott moved that it be declared the sense of the Commission that the franchise provided for in this bill should be offered at public auction to the best bidder, and that the bill be revised and arranged so as to contain a provision to that effect.

The motion was seconded by Commissioner Branagan.

On motion by Commissioner Gilbert, unanimously carried,

The roll was called with the following result:

Ayes: Commissioners Branagan and Elliott and the President.

Noes: Commissioners Gilbert, Araneta, Palma, and Sumulong.

The motion was declared lost.

#### EXPLANATIONS OF VOTES.

Commissioner GILBERT. I would like to explain my vote. There may never be competition in the lighting business of the city of Manila, but there is a good deal going on in my mind as to what is the right position to take here. I think that so far as this new policy of the Commission is concerned of offering franchises at public auction I can charge myself with being more responsible for it than anybody else, because when the franchise to use the waters of the Agno River for the purpose of furnishing electricity in the subprovince of Benguet came in here a few months ago, it was at my suggestion that it was sent back to the committee to be redrafted to provide for putting the concession up at public bidding. Generally speaking, I am very clearly of the opinion that public franchises should be awarded by some kind of competition, but I am not very sure that that principle applies where its application would destroy the opportunity for competition which otherwise would exist. However, the thing which is going to determine my vote in this matter is my own attitude with reference to this proposition heretofore. I feel that I committed myself to this proposition at the time the matter was under discussion at Baguio, unless some new fact were developed showing bad faith on the part of these people. That is the reason why I pressed Mr. Bruce to furnish any proof that he could of the truth of the cablegram which he read here, especially in view of the letters that were presented from Mr. Aitken's correspondents, which were undoubtedly genuine, while Mr. Bruce's cablegram at most could only be a report

sent by somebody through two or three hands. It is true that at that time I did not know that the Manila Electric Railway and Light Company wanted to bid. I do not think that they want to bid now except that, if a franchise is to be obtained and a gas plant maintained in Manila, they would rather do it than have somebody else do it. I saw a communication from Mr. Bruce's clients, addressed to him, in which it was intimated that they only wanted such a franchise because they thought if they didn't get it some one else would; that if we had to have a gas plant in Manila, they wanted to operate it, but if we did not have to have a gas plant here, it suited them. I have this feeling about the matter, however: That the men behind the Manila Electric Railway and Light Company have been pioneers out here in the matter of construction and of putting in their money. They came here, Mr. Swift especially, and took large and doubtful chances, chances that very few men would have cared to take, and they have done some good things, and I dislike to be in the attitude of apparently hurting them, and yet, in view of these circumstances, I vote "No."

Commissioner ARANETA. I vote "No" for the following reasons:

From the discussion had on this question it appears plain that it would not be well for this gas franchise to fall into the hands of the Manila Electric Railroad and Light Company; and hence the insertion in section 14 of the proviso prohibiting the sale of this franchise by the concessionaire to a corporation engaged in the same or similar business. The granting of this franchise is a matter that has come to the knowledge of the general public, and yet it appears that the only persons opposing the giving of the contract to Mr. Aitken are the people who have a controlling interest in the Manila Electric Railroad and Light Company. It is true it would be difficult by means of legislation to prevent this franchise from falling into the hands of persons who control that company. I believe, however, that if we can not avoid we at least should not facilitate the passing of this franchise into the hands of the Manila Electric Railroad and Light Company, which is what would follow were this franchise put up at public auction instead of being given directly to Mr. Aitken. I assume that the company represented by Mr. Aitken is acting in good faith and that it will carry on the enterprise and not sell it to the Manila



Electric Railroad and Light Company. If I thought it would do otherwise I would vote to give this franchise to the highest bidder.

An examination of the Acts passed by the Commission and by the Legislature shows that the Government has not uniformly adhered to the principle of granting franchises only by means of public auction to the highest bidder. In fact the contrary may be said to be the general rule. It will be noted that the Legislature has in each instance taken into consideration the special circumstances of the case. Considering the special circumstances of this case, I see no reason why this franchise should not be given directly to Mr. Aitken as provided in the bill passed by the Assembly.

Commissioner BRANAGAN. I believe that all franchises should be advertised and let to the best bidder. This has been the rule adopted by the Commission with all recent franchises granted, and it has been considered an established one. I find nothing in the argument of the attorneys for the grantee of the proposed franchise to warrant a departure from this policy. I recognize the probable advantage to the public from competition in the furnishing of light, but it is an established fact that all attempts to legally restrict combinations have so far been futile, and the stockholders of the Manila Electric Railroad and Light Company might at any time, if they so desired, obtain a controlling interest in the proposed organization. The only consideration would be the amount of bonus to be paid. I vote in favor of the motion.

Commissioner ELLIOTT. If the history of municipal government teaches anything, it teaches that franchises should not be granted by special act to individuals or corporations, but that they should be sold at public auction to the highest or best bidder, taking all circumstances into consideration.

While the proposed franchise is not in terms exclusive, it is exclusive in fact, because we know to a certainty that there is no room in a city of this kind for more than one such company covering the same territory. No subsequent franchise would be granted by the Legislature, even if anyone could be found foolish enough to accept it.

I have some sympathy for Mr. Aitken, who is named as the grantee in this franchise. I have no doubt he is acting in per-

fect good faith, and that he expects that his principals will construct a gas plant if he secures the franchise. I can not, however, overlook the fact that we have on record statements by responsible parties that they desire to bid against him for the franchise.

The Assembly has passed the bill in a form which shows a desire that the present Manila Electric Railroad and Light Company shall not acquire this franchise. In this I think the Assembly is wise. We have before us, however, a cablegram which strongly suggests that Mr. Aitken's principals in Europe have already offered to sell the franchise, which they have not yet secured, to the people who own the present Manila Electric Railroad and Light Company. This cablegram may not be reliable, but it suggests somewhat vividly the possibilities of the situation. As a matter of fact, all persons who have the most elementary knowledge of the way in which matters of this kind are controlled, know that transfers of that kind can not be prevented, however much legislatures may desire to do so, so long as corporate stock is transferable and purchasable in the market.

It is contended that while the principle of public sale of franchises is good, this is an exceptional case. I have yet to learn of a case that is not exceptional in the eyes of the people who desire to depart from the general principle. I think that in the long run the well-being of the people of these Islands will be better protected and served by adhering to what we know is the correct practice, and refusing to depart from it under stress of special circumstances.

I therefore vote "Aye."

At 12 o'clock and 40 minutes postmeridian, the committee rose and reported progress on the bill and asked leave to sit again.

Pending further consideration of the bill,

ADJOURNMENT.

Thereupon,

On motion of Commissioner Elliott,

The Commission adjourned to meet at the call of the President.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

# Second Philippine Legislature, First Session.

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## JOURNAL OF THE COMMISSION.

FRIDAY, JANUARY 13, 1911.

The Commission met at the call of the President at 11 o'clock and 45 minutes antemeridian.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, Elliott, and the President.

Absent: Commissioner Worcester (on official business) and Commissioner Luzuriaga (on leave).

### READING OF JOURNAL.

The Journal of Thursday, January 12, 1911, was read and approved.

### STATEMENT BY THE PRESIDENT.

The President stated that he was in receipt of news that Commissioner Luzuriaga had arrived at Iloilo and that he would proceed from there to Bacolod, where he would remain for a while before coming to Manila.

Whereupon, on motion by Commissioner Gilbert, it was

*Resolved*, that the President be requested to send the following telegram to Commissioner Luzuriaga on behalf of the Commission:

The Commission all unite in welcoming you on your return to the Philippine Islands and extending the season's greetings and their hope that your health has so improved that you will soon be able to join us in Manila.

JOURNAL OF THE COMMISSION.

CONSIDERATION OF A. B. 401, REGARDING A GAS FRANCHISE IN  
MANILA AND VICINITY, POSTPONED.

At the direction of the President, the Secretary read the following communication :

MANILA, *January 13, 1911.*

SIRS: I respectfully petition your honorable body to be allowed to appear before you again in reference to the proposed Act entitled "An Act granting a franchise for the construction, maintenance, and operation of a gas system for the purpose of furnishing gas for heating, lighting, and power purposes in the city of Manila and the Province of Rizal, Philippine Islands." I make this request upon the ground that I am now in possession of additional information in reference to the proposed Act which I was not in possession of at the time of the first hearing, and I believe that the facts and the arguments to be deduced therefrom which I shall present should have an important bearing upon the action of the Commission in reference to the franchise.

Very respectfully,

EDWARD B. BRUCE.

To the Honorable, the PHILIPPINE COMMISSION, *Manila.*

Commissioner Gilbert moved that Mr. Bruce be given a further hearing at the session of Saturday, January 14, 1911, if he be ready with the information offered by that time, and that Mr. Aitken be invited to be present at the same time.

The motion was unanimously carried, and the Secretary was directed to notify Messrs. Bruce and Aitken accordingly.

MESSAGES FROM THE ASSEMBLY.

JANUARY 12, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has disagreed to the amendment of the Commission to Assembly Bill No. 331, entitled "An Act to provide for an exposition of Philippine products in the city of Manila in the year nineteen hundred and eleven, to appropriate funds therefor, and for other purposes."

It asks a conference with the Commission on the disagreeing votes of the two Houses thereon, and has appointed as managers at the same on its part, Delegates Concepción, Nieva, and Singson.

Very respectfully,

RAMÓN DIOKNO,

*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

On motion by Commissioner Elliott, it was

*Resolved,* That the Commission insist on its amendments to Assembly Bill Numbered Three hundred and thirty-one, entitled

"An Act to provide for an exposition of Philippine products in the city of Manila in the year nineteen hundred and eleven, to appropriate funds therefor, and for other purposes," disagreed to by the Assembly and agree to the conference asked by the Assembly on the disagreeing votes of the two Houses thereon.

*Ordered*, That Commissioners Elliott and Sumulong and the President be the conferees on the part of the Commission, and that the Secretary notify the Assembly thereof.

JANUARY 12, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 11, 1911, passed with amendment, in which the concurrence of the Commission is requested, Commission Bill No. 50, entitled "An Act conferring upon the municipal court of the city of Manila concurrent jurisdiction with the Court of First Instance of Manila over all criminal cases arising under the law relating to *estafa* where the property involved in the offense does not exceed the sum or value of two hundred pesos."

The bill, with amendment certified thereon, is transmitted herewith.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The amendment is as follows :

Section 1, line 6, after the word "pesos" insert the following proviso:  
"Provided, however, That, in all cases the defendant may appeal to the Supreme Court of these Islands."

On motion by Commissioner Gilbert, it was

*Resolved*, That the Assembly be informed that the Commission disagrees to the amendment of the Assembly to Commission Bill Numbered Fifty, entitled "An Act conferring upon the municipal court of the city of Manila concurrent jurisdiction with the Court of First Instance of Manila over all criminal cases arising under the law relating to *estafa* where the property involved in the offense does not exceed the sum or value of two hundred pesos."

Commissioner Araneta then moved that the Commission ask a conference on the disagreeing votes of the two Houses on the amendments.

The motion prevailed.

*Ordered*, That Commissioners Araneta, Palma, and Elliott be

the conferees on the part of the Commission and that the Secretary notify the Assembly thereof.

JANUARY 12, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 9, 1911, passed the following bill (A. B. No. 205), in which it requests the concurrence of the Commission: An Act forbidding corporal punishment in the public schools of the Philippine Islands.

Copies of the report of the Committee on Public Instruction (A. Rep. No. 88)<sup>1</sup> are inclosed for the information of the Commission.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 205 was read the first time by title only, and referred to the Committee on Matters Pertaining to the Department of Public Instruction, for report and recommendation.

#### INTRODUCTION AND PASSAGE OF BILL.

Commissioner Araneta introduced the following bill:

Commission Bill No. 63. An Act to provide for lodging, subsistence, and fees for witnesses in criminal cases.

Commission Bill No. 63 was read the first time.

By unanimous consent, it was read the second time by title only, and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following amendment:

Strike out the proviso to section 2, on page 2, and insert in lieu thereof the following:

*“Provided, however, That if a witness shall have received lodging or subsistence or both, the province or the municipality, as the case may be, shall be entitled to reimbursement from the costs collected, at the rate of fifteen centavos for each night's lodging and each meal furnished.”*

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Araneta, unanimously carried,

The bill was considered urgent under the provisions of Rule

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<sup>1</sup>This report is on file with the bill in the office of the Secretary of the Philippine Commission.

XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called, and Commission Bill No. 63 was unanimously passed.

Commissioner Gilbert moved to amend the title by inserting the word "certain" before the word "witnesses."

The motion prevailed.

The title as amended was then read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

ADJOURNMENT.

Thereupon, at 12 o'clock and 37 minutes postmeridian,

On motion by the President,

The Commission adjourned to meet at the call of the President.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary*.

# Second Philippine Legislature, First Session.

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## JOURNAL OF THE COMMISSION.

SATURDAY, JANUARY 14, 1911.

The Commission met at the call of the President at 10 o'clock and 45 minutes antemeridian.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, Elliott, and the President.

Absent: Commissioner Worcester (on official business) and Commissioner Luzuriaga (on leave).

### READING OF JOURNAL.

The Journal of Friday, January 13, 1911, was read and approved.

### CONSIDERATION OF A. B. NO. 401 POSTPONED.

The Secretary reported that, in accordance with the directions of the Commission, he had communicated with Mr. Edward B. Bruce to ascertain if he would be ready to submit at this morning's session the information in the matter of the proposed gas franchise for Manila referred to in his letter of January 13, 1911, and that Mr. Bruce had stated that if he were given until Monday morning he would then be in a position to make a more complete statement of the facts in the matter,

Whereupon, there being no objection,

Consideration of Assembly Bill No. 401, entitled "An Act to provide for the granting of a franchise to construct, maintain, and operate gas systems for the furnishing of gas for heat, lighting, and power in the city of Manila and the Province of Rizal, Philippine Islands," and the proposed rehearing of Messrs. Bruce and Aitken thereon was postponed until Monday, January 16, 1911, immediately after the reading of the Journal.



MESSAGES FROM THE ASSEMBLY.

JANUARY 13, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 12, 1911, passed without amendment Commission Bill No. 30, entitled "An Act amending section thirty-nine of Act Numbered Four hundred and ninety-six, entitled 'The Land Registration Act,' so as to extend to Government irrigation canals and laterals thereof the exemptions established in favor of public highways."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

*Ordered,* That Commission Bill No. 30 be enrolled and printed as an Act.

JANUARY 14, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 13, 1911, passed without amendment Commission Bill No. 52, entitled "An Act to amend section eighteen of Act Numbered Fourteen hundred and fifty-nine, entitled 'The Corporation Law,' by providing for the collection of fees for filing copies of amended articles of incorporation, and for other purposes."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

*Ordered,* That Commission Bill No. 52 be enrolled and printed as an Act.

JANUARY 12, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 6, 1911, passed the following bill (A. B. No. 147), in which it requests the concurrence of the Commission: The Negotiable Instruments Law.

I have the honor to annex copies of the report of the Committee on Revision of Laws (A. Rep. No. 65),<sup>1</sup> for the information of the Commission.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 147 was read the first time by title only and referred to the Committee on Matters

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<sup>1</sup> This report is on file with the bill in the office of the Secretary of the Commission.

Pertaining to the Department of Finance and Justice, for report and recommendation.

JANUARY 13, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 11, 1911, passed the following bill (A. B. No. 187), in which it requests the concurrence of the Commission: An Act declaring the Province of Samar a province of the second class and granting it the rights and privileges inherent to its class.

I have the honor to inclose copies of the report of the Committee on Provincial and Municipal Governments (A. Rep. No. 84),<sup>1</sup> for the information of the Commission.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 187 was read the first time by title only and referred to the Committee on Municipal and Provincial Governments, for report and recommendation.

JANUARY 13, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 11, 1911, passed the following bill (A. B. No. 358), in which it requests the concurrence of the Commission: An Act providing that the annual tax on the assessed value of the real estate of the city of Manila for the year nineteen hundred and eleven shall be one and one-half per centum thereof.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 358 was read the first time by title only and referred to the Committee on Taxation and Revenue, for report and recommendation.

JANUARY 13, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 10, 1911, passed the following bill (A. B. No. 251), in which it requests the concurrence of the Commission: An Act to provide for the organization of agricultural colonies in uninhabited places of the Philippine Islands, under the direction of the Bureau of Labor, and appropriating funds for said purpose.

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<sup>1</sup> This report is on file with the bill in the office of the Secretary of the Commission.

Copies of the explanatory statement of Delegates Gabaldón and Kalaw are inclosed for the information of the Commission.<sup>1</sup>

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 251 was read the first time by title only and referred to a select committee composed of the Committee on Matters Pertaining to the Department of Public Instruction and the Committee on Matters Pertaining to the Department of Commerce and Police, for report and recommendation.

#### MISCELLANEOUS COMMUNICATIONS.

At the direction of the President, the Secretary read the following:

A communication from Mr. B. A. Green, secretary of the Manila Hotel Company, dated January 4, 1911, addressed to the Executive Secretary and referred by the latter to the Commission, requesting permission to use the coat of arms of the Philippine Islands, or parts of it, in the coat of arms or monogram to be adopted by the Manila Hotel Company for marking their table service, stationery, etc.

On motion by Commissioner Gilbert, it was

*Resolved*, That it is the sense of the Commission that permission should not be granted to private individuals to use, as a matter of advertisement or in connection with the operation of their business, any representation of the whole or of any part of the seal or coat of arms or other insignia of the Philippine Government, and that therefore the request of the Manila Hotel Company be denied.

Resolution No. 85 of the municipal council of Orani, Province of Bataan, adopted November 15, 1910, requesting the appropriation by the Insular Government of funds to assist in the establishment of municipal cemeteries in municipalities that have not sufficient funds of their own for the purpose, which resolution was

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<sup>1</sup> This document is on file with the bill in the office of the Secretary of the Commission.

indorsed by the Director of Health with the statement that such aid would be very welcome throughout the Philippines.

Referred to the Committee on Matters Pertaining to the Department of the Interior for report and recommendation.

#### INTRODUCTION OF BILL.

The President introduced the following bill:

Commission Bill No. 64. An Act amending Act Numbered Nineteen hundred and forty-four, entitled "An Act authorizing the Governor-General to specify by executive order the kinds of native wines or liquors which shall be subject to the prohibitions contained in sections nine and twenty-four of Act Numbered Fifty-nine, entitled 'The Manila Liquor Licenses Act,' Act Numbered Thirteen hundred and two, entitled 'An Act prohibiting the sale, gift, or other disposal, in the Province of Cavite, to soldiers of the United States Army and sailors and enlisted men of the United States Navy and Marine Corps, of any of the so-called native wines or liquors,' and Act Numbered Thirteen hundred and sixty-nine, entitled 'An Act prohibiting the sale, gift, or other disposal, in the Province of Zambales, to soldiers of the United States Army and sailors and enlisted men of the United States Navy and Marine Corps, of any of the so-called native wines or liquors.'"

Commission Bill No. 64 was read the first time and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, for report and recommendation.

#### EXECUTIVE SESSION.

On motion by the President,

The Commission proceeded to the consideration of executive business.

After the consideration of executive business, the Commission returned to regular session.

(For appointments confirmed in executive session see pp. 835, 836.)

#### ADJOURNMENT.

Thereupon, at 11 o'clock and 40 minutes antemeridian,

On motion by Commissioner Araneta,

The Commission adjourned to meet Monday, January 16, 1911, at 10 o'clock antemeridian, or at the call of the President.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

# Second Philippine Legislature, First Session.

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## JOURNAL OF THE COMMISSION.

MONDAY, JANUARY 16, 1911.

The Commission met at the call of the President at 10 o'clock and 30 minutes antemeridian.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, Elliott, and the President.

Absent: Commissioner Worcester (on official business) and Commissioner Luzuriaga (on leave).

### READING OF JOURNAL.

There being no objection, the reading of the Journal of Saturday, January 14, 1911, was postponed until the next meeting of the Commission.

### HEARING OF MESSRS. THOMAS D. AITKEN AND E. P. BRUCE IN THE MATTER OF THE FRANCHISE FOR A GAS PLANT IN MANILA.

The Commission resolved itself into Committee of the Whole for the purpose of giving a further hearing to Mr. Edward B. Bruce, and an opportunity to reply thereto to Mr. Thomas D. Aitken, in the matter of amending Assembly Bill No. 401 to provide for putting the franchise proposed to be granted thereby up to public bidding. Messrs. W. H. Lawrence and Harold M. Pitt were also present.

After hearing the arguments on both sides, the committee rose without taking action in the matter.

### ADJOURNMENT.

Thereupon, at 12 o'clock and 50 minutes postmeridian,

On motion by Commissioner Gilbert,

The Commission adjourned to meet at the call of the President.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

# Second Philippine Legislature, First Session.

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## JOURNAL OF THE COMMISSION.

TUESDAY, JANUARY 17, 1911.

The Commission met at the call of the President at 10 o'clock and 40 minutes antemeridian.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, Elliott, and the President.

Absent: Commissioner Worcester (on official business) and Commissioner Luzuriaga (on leave).

### READING OF JOURNAL.

The Journals of Saturday, January 14, 1911, and Monday, January 16, 1911, were read and approved.

### POSTPONEMENT OF CONSIDERATION OF A. B. NO. 401.

There being no objection, consideration of Assembly Bill No. 401, entitled "An Act to provide for the granting of a franchise to construct, maintain, and operate gas systems for the furnishing of gas for heat, lighting, and power in the city of Manila and the Province of Rizal, Philippine Islands," was postponed.

### EXECUTIVE SESSION.

By unanimous consent, the Commission proceeded to the consideration of executive business.

After the consideration of executive business, the Commission returned to regular session.

MESSAGES FROM THE ASSEMBLY.

JANUARY 13, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly insists upon its amendment to Commission Bill No. 50, entitled "An Act conferring upon the municipal court of the city of Manila concurrent jurisdiction with the Court of First Instance of Manila over all criminal cases arising under the law relating to *estafa* where the property involved in the offense does not exceed the sum or value of two hundred pesos," disagreed to by the Commission, and agrees to the conference asked by the Commission on the disagreeing votes of the two Houses thereon, and has appointed as managers at the same on its part Delegates Clarin, Reyes, and Contreras.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

*Ordered,* That the message be referred to the Commission committee of conference on Commission Bill No. 50 for its information.

JANUARY 17, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on January 14, 1911, passed with amendments, in which the concurrence of the Commission is requested, Commission Bill No. 38, entitled "An Act to amend Act Numbered Eighteen hundred and sixty-five by increasing to sixty per centum of the value of the mortgaged property the amount which may be loaned by the Agricultural Bank."

The bill, with amendments certified thereon, is transmitted herewith.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The amendment is as follows:

Insert the following after section 1:

"SEC. 2. Section fourteen of Act Numbered Eighteen hundred and sixty-five is hereby amended so as to read as follows:

"SEC. 14. The bank shall not collect more than seven per centum annual interest on any loan made by it."

The title of the bill is amended so as to read as follows:

"An Act to amend Act Numbered Eighteen hundred and sixty-five by increasing the amount which may be lent by the Agricultural Bank to sixty per centum of the value of the property mortgaged and reducing to seven per centum the annual interest."

Referred to the Committee on Matters Pertaining to the Department of Finance and Justice, for report and recommendation.

JANUARY 14, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 12, 1911, passed the following bill (A. B. No. 479), in which it requests the concurrence of the Commission: An Act authorizing the municipal councils to appropriate at the beginning of each year a certain sum from the school funds to pay the traveling expenses of municipal teachers when, at a certain time of the year, they have to go to Manila or to provincial capitals or any place in the provinces to attend the so-called summer schools.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 479 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of Public Instruction, for report and recommendation.

JANUARY 14, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 11, 1911, passed the following bill (A. B. No. 162), in which it requests the concurrence of the Commission: An Act granting vacation leave to the municipal treasurers and reestablishing municipal autonomy in certain particulars, amending certain sections of Act Numbered Seventeen hundred and ninety-one, entitled "An Act to amend in certain respects Act Numbered Eighty-two, known as The Municipal Code."

I have the honor to inclose copies of the report of the Committee on Provincial and Municipal Governments (A. Rep. No. 82),<sup>1</sup> for the information of the Commission.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 162 was read the first time by title only and referred to the Committee on Municipal and Provincial Governments, for report and recommendation.

JANUARY 14, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body

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<sup>1</sup>This report is on file with the bill in the office of the Secretary of the Commission.



that the Assembly on January 12, 1911, passed the following bill (A. B. No. 131), in which it requests the concurrence of the Commission: An Act imposing a severer penalty on persons guilty of the theft of work animals, and amending article five hundred and twenty of the existing Penal Code to that effect.

Copies of the report of the Committee on Revision of Laws (A. Rep. No. 98),<sup>1</sup> are inclosed for the information of the Commission.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 131 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, for report and recommendation.

JANUARY 14, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 12, 1911, passed the following bill (A. B. No. 141), in which it requests the concurrence of the Commission: An Act repealing the last paragraph of Act Numbered Nineteen hundred and seventy-nine, so that the authority conferred by said Act upon the provincial boards shall be exercised by them unconditionally, without need of the approval of the Governor-General.

I have the honor to inclose copies of the report of the Committee on Provincial and Municipal Governments (A. Rep. No. 28),<sup>1</sup> for the information of the Commission.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 141 was read the first time by title only, and referred to the Committee on Matters Pertaining to Bureaus under the Executive Control of the Governor-General, for report and recommendation.

JANUARY 14, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 12, 1911, passed the following bill (A. B. No. 444), in which it requests the concurrence of the Commission: An Act

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<sup>1</sup> This report is on file with the bill in the office of the Secretary of the Commission.

amending Act Numbered Nineteen hundred and nine so as to permit municipalities again to change the dates of their local fiestas.

Copies of the report of Special Committee No. 2 (A. Rep. No. 86)<sup>1</sup> are inclosed for the information of the Commission.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 444 was read the first time by title only and referred to the Committee on Municipal and Provincial Governments, for report and recommendation.

JANUARY 16, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 13, 1911, passed the following bill (A. B. No. 463), in which it requests the concurrence of the Commission: An Act providing for the purchase of the books and other documents of Doctor Rizal and appropriating funds for that purpose.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 463 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of Public Instruction, for report and recommendation.

JANUARY 16, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 13, 1911, passed the following bill (A. B. No. 481), in which it requests the concurrence of the Commission: An Act prohibiting the admittance of women and of minors under eighteen years of age into cockpits established in the Philippine Islands.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 481 was read the first time by title only and referred to Commissioner Palma as a select committee of one, for report and recommendation.

At this point Commissioner Elliott left the Session Chamber.

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<sup>1</sup>This report is on file with the bill in the office of the Secretary of the Commission.

## REPORTS OF STANDING COMMITTEES.

[Committee Report No. 117.]

MR. PRESIDENT: Your Committee on Taxation and Revenue, to which was referred on December 16, 1910, Assembly Bill No. 75, entitled "An Act authorizing municipal councils to establish in their respective municipalities special taxes, the proceeds whereof shall be set aside for a special purpose, subject to the approval of the provincial board and to that of the electors of the respective municipalities," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be laid on the table.

A reading of the statutes shows that the power of taxation and licensing, conferred on municipal councils by Act No. 82, instead of being increased has been curtailed and restricted from time to time by the legislative body.

Although it is conceded that most of the municipalities in the Islands are in need of more revenue, it is an established fact that if the taxes now authorized by law were imposed and collected, the additional money so derived would go a long ways toward fully satisfying the cry for increased revenues. Many of the provinces and municipalities will not impose or collect the revenue now authorized, and there is a constant demand for a remission or extension of time for the payment of the taxes now imposed. Requests are constantly being received from municipalities for loans to enable them to construct public works of various kinds, when investigation develops the fact that they are imposing only a part of the land tax for general municipal purposes and are not collecting reasonable taxes on other legal sources of revenue.

While there is a difference of opinion among the members of your committee as to whether the Legislature should or has the power to confer the referendum in the matter of the assessment of taxation, it is unanimously agreed that this bill in its present shape should be laid on the table.

Respectfully submitted.

FRANK A. BRANAGAN,  
GREGORIO ARANETA,  
NEWTON W. GILBERT,  
RAFAEL PALMA,

*Committee on Taxation and Revenue.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 118.]

MR. PRESIDENT: Your Committee on Taxation and Revenue, to which was referred on January 14, 1911, Assembly Bill No. 358, entitled "An Act providing that the annual tax on the assessed value of the real estate of the city of Manila for the year nineteen hundred and eleven shall be

one and one-half per centum thereof," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill do pass.

The bill is of the same form and effect as Acts Nos. 1950 and 1978, for the years 1909 and 1910, respectively and concurrence is respectfully recommended.

Respectfully submitted.

FRANK A. BRANAGAN,  
GREGORIO ARANETA,  
NEWTON W. GILBERT,  
RAFAEL PALMA,

*Committee on Taxation and Revenue.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

Assembly Bill No. 358 was read the second time.

On motion by Commissioner Araneta, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 358 was passed and the title was read and approved.

*Ordered,* That the Secretary notify the Assembly thereof.

[Committee Report No. 119.]

MR. PRESIDENT: The Committee on Municipal and Provincial Governments, to which was referred resolution of the convention of municipal presidents of Tarlac, requesting the Philippine Legislature to pass a law defining the duties of the *tenientes de barrio*, because at present there is no legislation defining them, the result being that the *tenientes de barrio* are regarded as mere municipal agents, although they should merit more consideration, seeing that in order to be *teniente de barrio* a person must have the same qualifications as in order to be municipal councilor, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the accompanying bill be passed.

It is a fact that the law is not very explicit with regard to the functions of the *tenientes* and *tenientes sustitutos de barrio*. The only mention made of them is in section 37 of the Municipal Code, which establishes only their qualifications for appointment, but not their duties and functions. This omission was apparently due to the fact that this institution was not necessary for the municipal government established by Act No. 82, but for practical reasons, and in view of the circumstance that the

institution concerned had become so intimately associated with the customs of the people, the existence of such agents in the municipal administration was recognized, or rather tolerated. The question is now whether the duties of those agents should be fixed, or whether it is more advisable to ignore them.

Your committee is of the opinion that so long as the law at least considers these agents as of real assistance to the councilors in their work over the barrios and until it is deemed better to abolish them, it is advisable to fix their duties and obligations, not alone in order that such may be required of them, but also to avoid that these agents be required to render services other than those that they should properly render, in accordance with their condition. The failure to fix their duties may on occasions result in their being required, by superior officials or the public, to render services which it has been far from the mind of the legislator to impose upon them.

It seems to be evident that the intention of the law was to make them mere assistants of the barrio councilors, and it is on this basis that the provisions of the annexed bill are grounded which will remedy the deficiencies noted in the law.

Respectfully submitted.

RAFAEL PALMA,  
*Chairman pro tempore,*

*Committee on Municipal and Provincial Governments.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted and the following bill accompanying same was taken up and considered:

Commission Bill No. 65. An Act to amend section thirty-seven of Act Numbered Eighty-two, entitled "The Municipal Code," by adding at the end of that section a paragraph to be numbered letter (c) fixing the duties of the lieutenants and substitute lieutenants of barrios, the term of their office and the procedure for their suspension or dismissal.

By unanimous consent, Commission Bill No. 65 was read the first time by title only and ordered on file for second reading.

ADJOURNMENT.

Thereupon, at 12 o'clock and 43 minutes postmeridian,

On motion by Commissioner Gilbert,

The Commission adjourned to meet at the call of the President.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

Second Philippine Legislature,  
First Session.

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JOURNAL OF THE COMMISSION.

WEDNESDAY, JANUARY 18, 1911.

The Commission met at the call of the President at 10 o'clock and 50 minutes antemeridian.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, Elliott, and the President.

Absent: Commissioner Worcester (on official business) and Commissioner Luzuriaga (on leave).

READING OF JOURNAL.

The Journal of Tuesday, January 17, 1911, was read and approved.

CONSIDERATION OF A. B. NO. 401 POSTPONED.

At the direction of the President the Secretary read the following communication:

MANILA, *January 17, 1911.*

To the Honorable, the PHILIPPINE COMMISSION, *Manila, P. I.*

SIRS: With reference to the various charges and countercharges about the alleged peddling in Europe of a Manila gas franchise, I beg to state that I have this day received a letter from London dated December 13, 1910, from H. King Hiller, esq., the gentleman who canvassed this field for gas possibilities for Messrs. Carl Francke.

The letter is confidential in its nature as may be seen from the first part now quoted:

"I have received from Mr. Francke a copy of his letter dated the 30th of November, and it seems to me that his explanation of the method proposed to be adopted for the financing of the company is not very clear, and I am therefore writing you this letter *quite privately*, so as to make clear the points which I am afraid you will find rather obscure.

"In the first place, the scheme as now proposed is one drawn up by financial friends of mine in London to whom I introduced the business," etc. The letter explains fully their entire financial arrangement and states that Mr. Hiller working together with Mr. Francke secured a large amount of English capital also, for the enterprise.

The letter is an absolute refutation of the charges that the franchise has been peddled.

Respectfully,

THOS. D. AITKEN.

There being no objection, consideration of Assembly Bill No. 401, entitled "An Act to provide for the granting of a franchise to construct, maintain, and operate gas systems for the furnishing of gas for heat, lighting, and power in the city of Manila and the Province of Rizal, Philippine Islands," was postponed until Friday, January 20, 1911, immediately after the reading of the Journal.

MESSAGE FROM THE ASSEMBLY.

JANUARY 14, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 13, 1911, passed the following bill (A. B. No. 482), in which it requests the concurrence of the Commission: An Act granting a franchise to Simplicio Rodis to construct, maintain, and operate a street railway in the city of Cebu.

Copies of the report of the Committee on Railroads and Franchises (A. Rep. 105)<sup>1</sup> are inclosed for the information of the Commission.

Very respectfully,

RAMÓN DIOKNO,

*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 482 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of Commerce and Police, for report and recommendation.

COMMUNICATION.

At the direction of the President the Secretary read the following telegram:

BACOLOD, *January 15, 1911.*

GOVERNOR-GENERAL, *Manila:*

Just arrived sick. I thank you very much for your two cablegrams and have not words to express my gratitude to you and other members of

<sup>1</sup>This report is on file with the bill in the office of the Secretary of the Commission.

Commission for your good wishes. I deplore the bad state of my health which prevents my joining the Commission at present.

LUZURIAGA.

Ordered filed.

REPORTS OF STANDING COMMITTEES.

[Committee Report No. 120.]

MR. PRESIDENT: The Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on December 27, 1910, Assembly Bill No. 84, entitled "An Act providing for furnishing free certificates of the issuance of cedula or certificates of registration lost or destroyed," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be laid on the table.

This bill is similar to Assembly Bill No. 532 introduced in the second session of the First Philippine Legislature, referred to the undersigned Committee on Matters Pertaining to the Department of Finance and Justice, and reported back with the recommendation that it be laid on the table, which report was adopted. The reasons set out by the Collector of Internal Revenue in his indorsement accompanying said report apply with equal force to the present bill. The reasoning of the Collector of Internal Revenue is concurred in by the undersigned, and the report on Assembly Bill No. 532, hereto attached, is made a part of this report.

Respectfully submitted.

GREGORIO ARANETA,  
*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The indorsement of the Collector of Internal Revenue referred to is as follows:

MAY 20, 1909.

Respectfully returned to the honorable the Secretary of Finance and Justice, with the following comment and recommendation:

Prior to November 11, 1907, the system in force of furnishing evidence of payment of cedula tax to persons who had lost or who claimed to have lost their cedula was to require affidavits from such persons and to issue certificates setting forth the fact that tax had been paid. These affidavits, as well as certificates, were required to be stamped in accordance with section 116 of the Internal Revenue Law. In October of 1907 this matter was brought to the attention of the honorable the Governor-General, who, after investigating the matter, made the following ruling:

"Respectfully returned to the Collector of Internal Revenue, approving the recommendation that the certificate of lost cedulas be abolished and



that persons who lose their cedula be required to purchase a new cedula at the rate paid for the original."

As soon as this ruling was made Circular Letter No. 210, copy of which is inclosed, was issued repealing all previous instructions regarding the issuance of certificates of lost cedulas and providing for the issuance of such certificates by the Collector of Internal Revenue only and only in cases where cedulas were lost through no carelessness of the taxpayer. It will therefore be seen that in all cases of lost cedulas persons losing same are not required to purchase a new cedula, but only in those cases where the loss is through carelessness and even then the cedulas are issued without requiring the payment of delinquent penalties. In many towns there are persons of the same name and about the same age who could undoubtedly commit fraud by one man using the cedula claimed to have been lost and the other using the certificate of lost cedula, if certificates were promiscuously issued as contemplated by the attached bill. There is no theory about this as experience has demonstrated that such frauds have been committed. This refers more particularly to Chinamen. If certificates of lost cedulas are given to anyone who cares to claim that he has lost his cedula and only 20 centavos is collected for such certificates then the premium on fraud will be large enough to tempt many individuals and the work of deputy provincial treasurers throughout the Islands will be very greatly increased.

The undersigned has had experience in the various methods which have been in force from time to time for handling matters of this kind. Under the old cedula law which was enforced prior to the enactment of the Internal Revenue Law it was customary for the city assessor and collector of Manila to issue certificates of lost cedulas on 25-centavo stamp paper. After the enactment of the Internal Revenue Law such certificates, together with the affidavits necessary, required stamps to the value of 80 centavos. After the publication of Circular Letter No. 210 on November 11, 1907, persons losing their cedulas through carelessness were required to pay the price of a new cedula without penalty. The penalty for losing cedulas was therefore increased from 25 centavos to 80 centavos, from 80 centavos to ₱1 and, since the provision of law has been enforced permitting provincial boards to double the cedula tax, it has been increased from ₱1 to ₱2 in those provinces wherein tax has been doubled. The number of claims made throughout the Philippine Islands to-day that cedulas have been lost are less than those made in Manila alone at the time when certificates could be had for 25 centavos. It has also been noted by the records of this Office that there are not near so many prosecutions under sections 55 and 123 for alteration and illegal possession of cedulas as there were prior to the issuance of Circular Letter No. 210 in November of 1907.

Experience has also demonstrated that there are many deputy treasurers among the 650 or 700 who have charge of cedula records and who will

be empowered by the provisions of the accompanying bill to issue certificates of lost cedula who should not be intrusted with authority of this nature. An incident which illustrates this point occurred a few days ago in the Province of Rizal. A man 38 years of age applied to a deputy provincial treasurer for the issuance of cedula and gave his age as 18 years. The cedula was issued to him showing thereon that the taxpayer was 18 year of age. The treasurer undoubtedly knew that the man was more than 18 years of age at the time of issuing the cedula. However, it appears that he made no investigation whatever but issued the cedula as requested. Some days later this same man applied to this same treasurer and requested that the age be changed to 38 years, which was done by the municipal treasurer without making any record whatever of such change on the stubs. This is a case where the taxpayer, with the connivance of the deputy treasurer might have been able to defraud the revenues to the extent of the cedula taxes due for previous years, which it appears he had not paid. Numerous cases of this kind could be cited.

It is the opinion of this Office that if Assembly Bill No. 532 is enacted into law there will be a great increase in the prosecutions under sections 55 and 123 of the Internal Revenue Law and that the revenues of provincial and municipal governments from the sale of cedulas will be materially decreased. It is therefore respectfully recommended that Assembly Bill No. 532 be not enacted.

Any change which may be desired by the honorable the Secretary of Finance and Justice in the system now in force might well be made by administrative regulations. Even if it is deemed advisable to put in force the system which is contemplated by the Assembly bill, it is believed that it would be advisable to do so by means of administrative regulations rather than by means of an amendment to the law, for the reason that by an amendment to the law it would necessarily be published and thus invite attention of would-be defrauders to the opportunities offered them to defraud the revenues, whereas administrative instructions might be confined to internal-revenue officers and they in turn could inform such taxpayers as were really entitled to duplicate cedulas.

ELLIS CROMWELL,

*Acting Collector of Internal Revenue.*

The report was adopted.

[Committee Report No. 121.]

MR. PRESIDENT: The Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on January 17, 1911, the amendment of the Assembly to Commission Bill No. 38, entitled "An Act to amend Act Numbered Eighteen hundred and sixty-five by increasing to sixty per centum of the value of the mortgaged property the amount which may be loaned by the Agricultural Bank," has examined the same

and has the honor to report it back to the Commission with the following recommendation, viz:

That the Commission disagree to the amendment of the Assembly and request a conference with the Assembly on the disagreeing votes of the two houses thereon.

Respectfully submitted.

GREGORIO ARANETA,  
*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

*Ordered*, That Commissioners Araneta, Branagan, and Sumulong be the managers on the part of the Commission, and that the Secretary notify the Assembly thereof.

[Committee Report No. 122.]

MR. PRESIDENT: The Committee on Matters Pertaining to the Department of Public Instruction, to which was referred on January 13, 1911, Assembly Bill No. 205, entitled "An Act forbidding corporal punishment in the public schools of the Philippine Islands," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

A bill of the same purport as this was laid on the table by the Commission at the second session of the First Philippine Legislature. The reasons which caused this action upon the part of the Commission may be largely repeated now. Corporal punishment is not permitted in the public schools and has not been, at least since 1904. Circular No. 26, issued by the Bureau of Education in 1903, is as follows:

"[Circular to division superintendents, No. 26, 3. 1903.]

"Corporal punishment of pupils in the secondary schools of the Philippines is hereby forbidden. By this is included not only whipping, but especially blows upon the face with the hand. Pupils in attendance at the secondary schools are presumed to be no longer children, but young men and women and able to choose between conducting themselves properly or leaving the school.

"Hereafter, a pupil of a secondary school who conducts himself unworthily or refuses to submit himself to the regulations of the school shall be suspended or expelled by the principal, with the approval of the division superintendent, and in cases of flagrant misconduct the expulsion may be made publicly in the presence of the school.

"DAVID BARROWS,  
"General Superintendent."

Also on September 14, 1904, the Director of Education issued circular No. 65 which is as follows:

*"To division superintendents:*

"Division superintendents are directed to advise their teachers that corporal punishment in the schools can not be permitted except with the written permission and upon request of both parents and guardians of the child.

"In lieu of corporal punishment, when severe disciplinary punishment is necessary, a teacher may suspend a pupil for a period not to exceed one week and shall in each case, where such action is taken, send notice through the *presidente* to the local school board.

"In extreme cases where a pupil has frequently been corrected, and his influence is bad in the school, and his reformation seems hopeless, a teacher may suspend such pupil without limiting the suspension, but shall immediately in such case make a report to the local school board as above directed and shall, in addition, report his action to the division superintendent forwarding with such report a statement of the cause for which suspension is made. The division superintendent shall then fix the period during which the suspension shall remain in force.

"When a definite expulsion is thought necessary by the division superintendent, the case shall be forwarded to the general superintendent for review and direction.

"DAVID BARROWS,  
*"General Superintendent."*

Your committee understands that in the cases in which these instructions have been violated by any teacher when in the employ of the Government, sufficient and proper punishment has been meted out to the offender. This has been done by administration, and in the judgment of your committee it is vastly better than for the teacher in these rare cases to have his influence for good destroyed by prosecution in the courts. If this bill became a law it would also happen in many cases that teachers would be arrested and tried for alleged offenses, and though proof was lacking and the teacher acquitted his efficiency to the schools would be very much impaired. The committee, therefore, recommends that Assembly Bill No. 205 be laid on the table.

NEWTON W. GILBERT,  
*Committee on Matters Pertaining to the  
Department of Public Instruction.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

#### SECOND AND THIRD READING AND PASSAGE OF BILL.

Commission Bill No. 65. An Act to amend section thirty-seven of Act Numbered Eighty-two, entitled "The Municipal Code," by adding at the end of that section a paragraph to be numbered letter (c) fixing the duties of

the lieutenants and substitute lieutenants of barrios, the term of their office, and the procedure for their suspension or dismissal.

Commission Bill No. 65 was read the second time and referred to the Committee of the Whole.

During the reading of the bill the President left the Session Chamber and Commissioner Gilbert took the chair.

The bill was considered in committee and reported to the Commission with recommendation that it pass.

On motion by Commissioner Araneta unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Commission Bill No. 65 was unanimously passed and the title was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

#### INTRODUCTION AND PASSAGE OF BILL.

Commissioner Elliott introduced the following bill:

Commission Bill No. 66. An Act extending to that part of the Philippine Islands inhabited by Moros or other non-Christian tribes the provisions of Acts Numbered Two thousand and eleven and Two thousand and twelve of the Philippine Legislature.

Commission Bill No. 66 was read the first time.

By unanimous consent it was read the second time by title only.

On motion by Commissioner Elliott, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called, and Commission Bill No. 66 was unanimously passed, and the title was read and approved.

*Ordered*, That Commission Bill No. 66 be enrolled and printed as an Act, the enactment of same being within the exclusive general legislative jurisdiction of the Commission over all that part of the Philippine Islands inhabited by Moros or other non-Christian tribes.

## EXECUTIVE SESSION.

On motion by the Chair,

The Commission proceeded to the consideration of executive business.

After the consideration of executive business the Commission returned to regular session.

(For appointments confirmed in executive session see pp. 836, 837.)

## ADJOURNMENT.

Thereupon, at 11 o'clock and 35 minutes antemeridian,

On motion by Commissioner Elliott,

The Commission adjourned to meet at the call of the Chair.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

# Second Philippine Legislature, First Session.

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## JOURNAL OF THE COMMISSION.

THURSDAY, JANUARY 19, 1911.

The Commission met at the call of the Chair at 10 o'clock and 15 minutes antemeridian.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, and Elliott.

Absent: Commissioner Worcester (on official business), Commissioner Luzuriaga (on leave), and the President.

Commissioner Gilbert in the chair.

### READING OF JOURNAL.

The Journal of Wednesday, January 18, 1911, was read and approved.

### COMMUNICATION OF EXECUTIVE OFFICER.

By direction of the Chair the Secretary read the following communication:

MANILA, *January 17, 1911.*

SIR: I beg to inform you that the new buildings of the College of Agriculture, at Los Baños, will be dedicated on next Saturday, January 21. The Board of Regents is desirous of having the Philippine Commission present on this occasion, and to that end arrangements have been made for a special train, leaving Paco Station at 10 o'clock on Saturday morning and returning in the afternoon in the neighborhood of half past 5. Luncheon will be provided at the college.

Will you not kindly inform the members of the Commission of the invitation extended to them by the Board of Regents?

Very respectfully,

NEWTON W. GILBERT,  
*Secretary of Public Instruction,*  
*Chairman, Board of Regents.*

To the SECRETARY OF THE PHILIPPINE COMMISSION.

Commissioner Elliott moved that the invitation be accepted, and that those members of the Commission who are able to attend, avail themselves of the opportunity.

The motion prevailed.

MESSAGES FROM THE ASSEMBLY.

JANUARY 16, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 14, 1911, passed the following bill (A. B. No. 313), in which it requests the concurrence of the Commission: An Act amending sections five and seven of Act Numbered Eight hundred and sixty-seven, as amended, by separating the Provinces of Oriental Negros and Bohol from the Eleventh Judicial District and making of them a new and separate Judicial District, in addition to those now in existence, adding a new paragraph at the end of each of said sections, changing the dates and places for holding the sessions of the Court of First Instance of Cebu and fixing the dates and places for the sessions of the Courts of First Instance in the provinces of the new district, and providing a judge for the same.

Copies of the report of the Judiciary Committee are inclosed herewith, for the information of the Commission. (A. Rep. No. 111.)<sup>1</sup>

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 313 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, for report and recommendation.

JANUARY 17, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 10, 1911, passed the following bill (A. B.

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<sup>1</sup>This report is on file with the bill in the office of the Secretary of the Commission.



No. 223) in which it requests the concurrence of the Commission: An Act prescribing regulations for notaries public.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 223 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, for report and recommendation.

JANUARY 18, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 16, 1911, passed the following Bill (A. B. No. 327), in which it requests the concurrence of the Commission: An Act providing for the cancellation, under certain conditions, of the indebtedness contracted by the provincial and municipal governments with the Insular Treasury under the provisions of section eleven of Act Numbered Fourteen hundred and one, as amended.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 327 was read the first time by title only and referred to the Committee on Matters Pertaining to Bureaus under the Executive Control of the Governor-General, for report and recommendation.

JANUARY 19, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly insists upon its amendment to Commission bill No. 38, entitled "An Act to amend Act Numbered Eighteen hundred and sixty-five by increasing to sixty per centum of the value of the mortgaged property the amount which may be loaned by the Agricultural Bank," disagreed to by the Commission, and agrees to the conference asked by the Commission on the disagreeing votes of the two Houses thereon, and has appointed as managers at the same on its part Delegates Guanco, Luna (Joaquin), and Fernández-Yanson.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Referred to the Commission committee of conference on Commission Bill No. 38, for its information.

## REPORT OF STANDING COMMITTEE.

[Committee Report No. 123.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on January 14, 1911, Commission Bill No. 64, entitled "An Act amending Act Numbered Nineteen hundred and forty-four, entitled 'An Act authorizing the Governor-General to specify by executive order the kinds of native wines or liquors which shall be subject to the prohibitions contained in sections nine and twenty-four of Act Numbered Fifty-nine, entitled "The Manila Liquor Licenses Act,"' Act Numbered Thirteen hundred and two, entitled 'An Act prohibiting the sale, gift, or other disposal, in the Province of Cavite, to soldiers of the United States Army and sailors and enlisted men of the United States Navy and Marine Corps, of any of the so-called native wines or liquors,' and Act Numbered Thirteen hundred and sixty-nine, entitled 'An Act prohibiting the sale, gift, or other disposal, in the Province of Zambales, to soldiers of the United States Army and sailors and enlisted men of the United States Navy and Marine Corps, of any of the so-called native wines or liquors,'" has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill do pass with the following amendments:

Line 5, page 1, strike out the word "specify" and insert in lieu thereof the word "determine."

In lines 5 and 6, page 1, after the words "kinds of" insert the words "native wines or liquors."

Lines 6, 7, and 8, page 1, strike out the words "spirituous or fermented liquors of domestic manufacture, of whatsoever class, name, or process of manufacture."

In line 11, page 2, after the words "or liquors" insert the following words: "for the purposes of this Act the words 'native wines or liquors' shall be held to include domestic distilled spirits, rectified or manufactured liquors, wines, or imitation wines and fermented liquors of whatsoever class, name, or process of manufacture."

In lines 11 and 12, page 2, strike out the words "native wines or liquors not included in" and insert in lieu thereof the following: "domestic distilled spirits, rectified or manufactured liquor, wines or imitation wines, or fermented liquors not coming within the terms of."

Strike out all of section 2 and insert in lieu thereof the following:

"SEC. 2. Anything in sections nine and twenty-four of Act Numbered Fifty-nine, or in Act Numbered Thirteen hundred and two, or in Act Numbered Thirteen hundred and sixty-nine contrary to this Act is hereby repealed."

Add a new section as follows:

"SEC. 3. This Act shall take effect on its passage."

Respectfully submitted.

GREGORIO ARANETA,  
Committee on Matters Pertaining to the  
Department of Finance and Justice.

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

Commission Bill No. 64 was then read the second time as amended, and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with recommendation that it pass.

The report and recommendation of the Committee of the Whole were unanimously adopted.

On motion by Commissioner Araneta, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Commission Bill No. 64 was unanimously passed.

Commissioner Araneta moved to amend the title by adding at the end thereof the words "by defining the words 'native wines or liquors,' and for other purposes."

The motion prevailed, and the title as amended was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

#### INTRODUCTION AND PASSAGE OF BILL.

Commissioner Araneta introduced the following bill:

Commission Bill No. 67. An Act to amend section ninety-one of Act Numbered Eleven hundred and eighty-nine, as amended, entitled "The Internal Revenue Law of Nineteen hundred and four," by increasing the percentage of alcohol that wine may contain and still be subject to the lower tax rate per gauge liter.

Commission Bill No. 67 was read the first time.

By unanimous consent, it was read the second time by title only and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with recommendation that it pass.

The report and recommendation of the Committee of the Whole were adopted.

On motion by Commissioner Araneta, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Commission Bill No. 67 was unanimously passed, and the title was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

ADJOURNMENT.

Thereupon, at 10 o'clock and 55 minutes antemeridian,

On motion by the Chair,

The Commission adjourned to meet at the call of the President.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary*.

# Second Philippine Legislature, First Session.

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## JOURNAL OF THE COMMISSION.

FRIDAY, JANUARY 20, 1911.

The Commission met at the call of the Chair at 11 o'clock and 40 minutes antemeridian.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, and Elliott.

Absent: Commissioner Worcester (on official business); Commissioner Luzuriaga (on leave), and the President.

Commissioner Gilbert in the chair.

### READING OF JOURNAL.

The Journal of Thursday, January 19, 1911, was read and approved.

A. B. NO. 401, GRANTING A GAS FRANCHISE FOR THE CITY OF MANILA.

By direction of the Chair the Secretary read a communication from Mr. Henry D. Woolfe, dated January 20, 1911, requesting that he be given a hearing in connection with Assembly Bill No. 401, entitled "An Act to provide for the granting of a franchise to construct, maintain, and operate gas systems for the furnishing of gas for heat, lighting, and power in the city of Manila and the Province of Rizal, Philippine Islands."

On motion by Commissioner Elliott, it was

*Resolved*, That a hearing be held on the subject of the proposed gas franchise for the city of Manila on Monday, January 23, 1911, at 9 o'clock antemeridian, at which time an opportunity would be

given to all who wished to be heard on the question, and that after that no further hearing in the matter would be given to anyone, and that the Secretary so announce to the public.

The Secretary then read a communication from Mr. Thomas D. Aitken, dated January 19, 1911, inclosing a copy of a cablegram from his principals in Europe advising that the Chartered Bank of India, Australia and China would pay ₱20,000 on delivery of franchise attested by a notary, and a communication from the Chartered Bank of India, Australia and China addressed to Mr. Aitken advising that they had been requested by the Disconto Gesellschaft, of Bremen, to give the required guaranty of ₱20,000 upon receipt of franchise to construct the gas works.

Ordered filed.

MESSAGE FROM THE ASSEMBLY.

JANUARY 19, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 17, 1911, passed the following bill (A. B. No. 487), in which it requests the concurrence of the Commission: An Act amending Act Numbered Four hundred and ninety-six, entitled "The Land Registration Act," as amended by Acts Numbered Eighteen hundred and seventy-five and nineteen hundred and thirty-seven, so as to afford greater facilities for the registration of property in the Philippine Islands.

Copies of the report of the Committee on Public Lands, Mines, and Forests (A. Rep. No. 116),<sup>1</sup> are inclosed for the information of the Commission.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 487 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of the Interior, for report and recommendation.

INTRODUCTION AND PASSAGE OF BILLS.

Commissioner Araneta introduced the following bill:

Commission Bill No. 68. An Act to amend paragraph six of section sixty-eight of Act Numbered Eleven hundred and eighty-nine, entitled

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<sup>1</sup> This report is on file with the bill in the office of the Secretary of the Commission.

"The Internal Revenue Law of Nineteen hundred and four," as amended, by reducing the license tax for wholesale liquor dealers outside the city of Manila.

Commission Bill No. 68 was read the first time.

By unanimous consent, it was read the second time by title only and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with recommendation that it pass.

The report and recommendation of the Committee of the Whole were adopted.

On motion by Commissioner Araneta, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and the bill was unanimously passed and the title read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

Commissioner Gilbert introduced the following bill:

Commission Bill No. 69. An Act authorizing the selection of additional teachers to receive the benefits of Act Numbered Nineteen hundred and eighty-four, providing that the classes thereby provided for may be held at other points than the city of Manila, and appropriating additional funds for carrying out the provisions of said Act.

Commission Bill No. 69 was read the first time.

By unanimous consent, it was read the second time by title only and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with recommendation that it pass with the following amendments:

In line 2, section 1, strike out the words "one hundred and."

In same section, line 8, strike out the words "hereby appropriated," and insert in lieu thereof the words "hereby annually appropriated beginning with the fiscal year nineteen hundred and twelve."

Strike out section 3 in its entirety.

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by the Chair, unanimously carried,

The bill was considered urgent under the provisions of Rule

XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Commission Bill No. 69 was unanimously passed.

Commissioner Gilbert moved to amend the title by striking out the words "appropriating additional funds" and inserting in lieu thereof the words "making an annual appropriation."

The motion prevailed and the title as amended was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

Commissioner Gilbert introduced the following bill:

Commission Bill No. 70. An Act authorizing the appointment for the fiscal year nineteen hundred and twelve of certain high-school students under the provisions of Act Numbered Nineteen hundred and eighty-three, appropriating additional funds for carrying out the purposes of said Act, and for other purposes.

Commission Bill No. 70 was read the first time.

By unanimous consent it was read the second time by title only and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with recommendation that it pass with the following amendments:

In line 5, section 1, strike out the words "or in the University of the Philippines," and insert in line 4 of the same section after the word "school" the word "or."

Strike out section 2 in its entirety.

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Elliott, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Commission Bill No. 70 was unanimously passed.

Commissioner Gilbert moved to amend the title by striking out the word "additional."

The motion prevailed.

Commissioner Elliott moved to further amend the title by in-



serting the word "and" before the word "appropriating," and striking out the words "and for other purposes."

The motion prevailed.

The title as amended was then read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

ADJOURNMENT.

Thereupon, at 1 o'clock postmeridian,

On motion by the Chair,

The Commission adjourned to meet at 9 o'clock antemeridian,  
Monday, January 23, 1911.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary*.

# Second Philippine Legislature, First Session.

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## JOURNAL OF THE COMMISSION.

MONDAY, JANUARY 23, 1911.

The Commission met pursuant to adjournment.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, Elliott, and the President.

Absent: Commissioner Worcester (on official business) and Commissioner Luzuriaga (on leave).

### READING OF JOURNAL.

By unanimous consent, the reading of the Journal for Friday, January 20, 1911, was postponed until the next meeting of the Commission.

### PUBLIC HEARING ON A. B. 401, GRANTING A FRANCHISE FOR A GAS SYSTEM IN THE CITY OF MANILA AND SUBURBS.

The Commission then went into Committee of the Whole for the purpose of hearing anyone who desired to present his views on the subject of the franchise for the operation of a gas system in the city of Manila and vicinity, before the Commission as Assembly Bill No. 401, entitled "An Act to provide for the granting of a franchise to construct, maintain, and operate gas systems for the furnishing of gas for heat, lighting, and power in the city of Manila and the Province of Rizal, Philippine Islands."

A number of business men of the city of Manila and representatives of the press were present, and addresses were made by Mr. Henry D. Woolfe in favor of putting the franchise up to public

bidding, Mr. Thomas D. Aitken, the grantee, in his own behalf, and Mr. Arcadio del Rosario in the interests, as he stated, of the Philippine people, in opposition to putting the concession up at public auction or any action that would tend to create a monopoly.

At 10 o'clock and 30 minutes antemeridian, no other persons having asked to be heard, the hearing was declared closed, and the Commission proceeded to the consideration of the bill in Committee of the Whole.

After some consideration, the committee rose, reported progress and asked leave to sit again.

Pending further consideration of the bill,

ADJOURNMENT.

Thereupon, at 11 o'clock and 30 minutes antemeridian,

On motion by the President,

The Commission adjourned to meet at the call of the President.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

# Second Philippine Legislature, First Session.

## JOURNAL OF THE COMMISSION.

TUESDAY, JANUARY 24, 1911.

The Commission met at the call of the President at 10 o'clock antemeridian.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, Elliott, and the President.

Absent: Commissioner Worcester (on official business) and Commissioner Luzuriaga (on leave).

### READING OF JOURNAL.

The Journals of Friday, January 20, 1911, and Monday, January 23, 1911, were read and approved.

### CONSIDERATION OF A. B. NO. 401.

The Commission resolved itself into the Committee of the Whole for the purpose of continuing consideration of Assembly Bill No. 401, entitled "An Act to provide for the granting of a franchise to construct, maintain, and operate gas systems for the furnishing of gas for heat, lighting, and power in the city of Manila and the province of Rizal, Philippine Islands."

Mr. Lewis F. Patstone, acting city engineer, was present during the consideration of the bill for the purpose of giving the Commission information on the technical questions involved.

After consideration, the committee rose, reported progress, and asked leave to sit again.

Pending further consideration of the bill,

MESSAGES FROM THE ASSEMBLY.

JANUARY 20, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 13, 1911, passed the following bill (A. B. No. 155), in which it requests the concurrence of the Commission: An Act declaring the port of Tabaco, Province of Albay, a port of entry.

I have the honor to inclose copies of the report of the Committee on Industry and Commerce (A. Rep. No. 103) and the explanatory statement of Delegate Brimbuela, for the information of the Commission.<sup>1</sup>

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 155 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, for report and recommendation.

JANUARY 20, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 16, 1911, passed the following bill (A. B. No. 279), in which it requests the concurrence of the Commission: An Act further to amend section one of Act Numbered Seven hundred and eighty, entitled "An Act providing for the examination and licensing of applicants for the positions of master, mate, patron, and engineer of seagoing vessels in the Philippine coastwise trade, and prescribing the number of engineers to be employed by such vessels," as amended by Act Sixteen hundred and two, prescribing the number and class of the persons who shall constitute the Board on Philippine Marine Examinations; to amend likewise sections three, six, thirteen, fourteen, fifteen, seventeen and eighteen of said Act, and section one of Act Numbered One thousand and twenty-five, amendatory of section four thereof; to repeal Act Numbered Seventy-three and the Acts amending the same, and Act Numbered One thousand and sixty-six, and to provide for other purposes.

I have the honor to inclose copies of the report of the Committee on Navigation (A. Rep. No. 101)<sup>1</sup> for the information of the Commission.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

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<sup>1</sup> These documents are on file with the bill in the office of the Secretary of the Commission.

By unanimous consent, Assembly Bill No. 279 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, for report and recommendation.

JANUARY 20, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 16, 1911, passed the following bill (A. B. No. 486), in which it requests the concurrence of the Commission: An Act to amend Act Numbered Thirteen hundred and ninety-six, entitled "The Special Provincial Government Act," providing for the free issue of cedula to the persons who have paid, or worked out, the tax imposed in section nineteen of said Act, and for the appointment of the third member of the provincial board by the Governor-General under certain circumstances.

Copies of the report of the Committee on Matters Pertaining to Mindanao and Special Governments (A. Rep. No. 115)<sup>1</sup> are inclosed for the information of the Commission.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 486 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of the Interior, for report and recommendation.

JANUARY 19, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 16, 1911, passed the following bill (A. B. No. 376), in which it requests the concurrence of the Commission: An Act to amend subsection (a) of section twenty of Act Numbered Seventeen hundred and sixty-one, known as the Opium Act, by providing for the collection of taxes on the amount of opium or its derivatives contained in certain medicinal preparations, and for other purposes.

I have the honor to inclose copies of the report of the Committee on Appropriations (A. Rep. No. 92)<sup>1</sup> for the information of the Commission.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

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<sup>1</sup> This report is on file with the bill in the office of the Secretary of the Commission.

By unanimous consent, Assembly Bill No. 376 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, for report and recommendation.

JANUARY 20, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 16, 1911, passed the following bill (A. B. No. 303), in which it requests the concurrence of the Commission: An Act providing for the creation of a council of hygiene for the Philippine Islands.

Copies of the report of the Committee on Health (A. Rep. No. 80)<sup>1</sup> are attached for the information of the Commission.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 303 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of the Interior, for report and recommendation.

JANUARY 21, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 16, 1911, passed the following bill (A. B. No. 362), in which it requests the concurrence of the Commission: An Act to authorize judges of Courts of First Instance to dismiss criminal cases of the court of a province other than that in which they are.

Copies of the report of the Judiciary Committee (A. Rep. No. 110)<sup>1</sup> are inclosed for the information of the Commission.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 362 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of Finance and Justice for report and recommendation.

JANUARY 21, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 17, 1911, passed the following bill (A. B.

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<sup>1</sup> This report is on file with the bill in the office of the Secretary of the Commission.

No. 491), in which it requests the concurrence of the Commission: An Act to regulate the possession and use of firearms in the Philippine Islands.

Very respectfully,

RAMÓN DIOKNO,

*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 491 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of Commerce and Police, for report and recommendation.

JANUARY 18, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 14, 1911, passed the following bill (A. B. No. 480), in which it requests the concurrence of the Commission: An Act to reorganize the justice of the peace courts and amend in this sense sections one, three, four, five, six, seven, eight, fourteen, twenty-six, twenty-seven, twenty-nine, and thirty-seven of Act Numbered Sixteen hundred and twenty-seven, and their amendments.

Copies of the report of the Judiciary Committee (A. Rep. No. 100)<sup>1</sup> are inclosed for the information of the Commission.

Very respectfully,

RAMÓN DIOKNO,

*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 480 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, for report and recommendation.

JANUARY 20, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 19, 1911, passed without amendment Commission Bill No. 29, entitled "An Act to amend Act Numbered Eleven hundred and eighty-nine, entitled 'The Internal Revenue Law of Nineteen hundred and four,' as amended, by imposing a tax at the rate of seventy centavos per liter on all distilled spirits and manufactured liquors, with certain exceptions and by extending the meaning of the term

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<sup>1</sup>This report is on file with the bill in the office of the Secretary of the Commission.



'manufactured liquors' as used in said Act so as to include certain medicinal, toilet, and other liquid preparations; and for other purposes."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

*Ordered*, That Commission Bill No. 29 be enrolled and printed as an Act.

RECESS.

At 12 o'clock and 50 minutes postmeridian the President declared a recess until 3 o'clock postmeridian.

RECONVENED—CONSIDERATION OF ESTIMATES FOR APPROPRIATIONS.

At 3 o'clock postmeridian the Commission reconvened and proceeded to an informal consideration of the estimates for the fiscal year 1912 for the Executive Bureau and the Bureaus of Audits, Civil Service, and Health.

ADJOURNMENT.

Thereupon, at 5 o'clock and 50 minutes postmeridian,

On motion by Commissioner Elliott,

The Commission adjourned to meet at 10 o'clock antemeridian, Wednesday, January 25, 1911.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

# Second Philippine Legislature, First Session.

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## JOURNAL OF THE COMMISSION.

WEDNESDAY, JANUARY 25, 1911.

The Commission met pursuant to adjournment.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, Elliott, and the President.

Absent: Commissioner Worcester (on official business) and Commissioner Luzuriaga (on leave).

The President being temporarily absent at the opening of the session, Commissioner Gilbert took the chair.

### READING OF JOURNAL.

The Journal of Tuesday, January 24, 1911, was read and approved.

### MESSAGE FROM THE GOVERNOR-GENERAL.

MANILA, *January 23, 1911.*

To the PHILIPPINE COMMISSION:

I have the honor to invite the attention of the Commission to the fact that no appropriation was made, prior to the recent arrival in the Philippine Islands of the Secretary of War, for the expenses incident to the inspection trips made by him, and for his entertainment. Hitherto expenses of this nature have been provided for by special appropriation, as will be seen by reference to Acts Nos. 1416 and 1679. It will be noted that Act No. 1416 appropriated a total sum of ₱45,000 for the cost of transportation of the Secretary of War and the members of the congressional party accompanying him to the Islands, August-October, 1905, and for their entertainment, and that Act No. 1679 appropriated the sum of ₱15,000 to cover the cost of a trip made to the Islands in 1907 by the Secretary of War for the purpose of inaugurating the Philippine Assembly. On neither of these previous occasions was the travel performed by the Secretary of War in the Philippine Islands so extensive as during the last visit, and it is believed the appropriation requested herein—₱12,391.73—is very moderate. As no appropriation

had been made and for the sake of convenience, the expenses incurred by the Government during the last visit of the Secretary of War, in August and September, 1910, were defrayed from the appropriation of the Executive Bureau, and, in order to secure reimbursement for that Bureau, for the cost of entertainment in the non-Christian provinces, I now submit a proposed Act carrying an appropriation of ₱12,391.73, and urgently recommend its passage.

The cost of entertainment, for which this appropriation is to be made, is constituted as follows:

Transportation:

By rail—

For special train .....	₱572.50	
Of various persons Manila to Camp One .....	113.22	
Total railway .....		₱685.72

By steamer—

Charter of coast guard cutter 9.31 days, at ₱155 .....	1,443.44	
Charter of steamer <i>Rizal</i> , 6.25 days, at ₱450 .....	2,812.50	
Total steamer .....		4,255.94

By automobile:

Domestics transported over the Benguet Road .....	70.00	
Six machines used on southern trip (prorated cost) .....	1,043.71	
Miscellaneous automobile service..	8.75	
Total automobile .....		1,122.46

Of baggage and supplies and special transportation .....		2,049.00
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Total transportation .....		₱8,113.12
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Subsistence of party while away from Manila .....		412.33
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Funds turned over to the Mountain Province to defray expenses in connection with entertainment of the Secretary of War not properly chargeable against provincial funds .....		2,935.02
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Miscellaneous (prorated portion of per diems for additional aid, secret service, photographs, telegrams, etc.) .....		931.26
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Total expenses .....		12,391.73
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Respectfully,

W. CAMERON FORBES,  
Governor-General.

The following bill accompanying the message was then taken up and considered:

Commission Bill No. 71. An Act appropriating the sum of twelve thousand three hundred and ninety-one pesos and seventy-three centavos, out of any funds in the Insular Treasury not otherwise appropriated, to reimburse the appropriation of the Executive Bureau for expenses incident to the visit of the Secretary of War to the Philippine Islands during the year nineteen hundred and ten.

Commission Bill No. 71 was read the first time.

By unanimous consent, it was read the second time by title only and referred to the Committee on Appropriations for report and recommendation.

#### CONSIDERATION OF A. B. NO. 401.

The Commission then resolved itself into the Committee of the Whole for consideration of Assembly Bill No. 401, entitled "An Act to provide for the granting of a franchise to construct, maintain, and operate gas systems for the furnishing of gas for heat, lighting, and power in the city of Manila and the Province of Rizal, Philippine Islands."

Mr. Lewis F. Patstone, acting city engineer, was present during the consideration of the bill for the purpose of giving the Commission technical advice on the various points involved.

After some consideration, the committee rose and reported with the recommendation that the bill pass with the following amendments:

Section 1, page 1, line 2, strike out the word "promulgation" and insert in lieu thereof the word "passage"; in line 4, strike out the words "and his successors and assigns"; in line 5, strike out the words "its suburbs" and insert in lieu thereof "municipalities of the Province of Rizal."

Section 2, page 1, lines 10 and 11, strike out the words "and his successors or assigns"; at the end of line 11 change the word "grantees" to "grantee", and insert the word "his" in lieu of the word "its" wherever in the bill it refers to the grantee.

Section 3, page 1, line 15, strike out the words "manners and locations" and insert in lieu thereof the words "manner and in the locations"; page 2, line 13, insert after the word "guaranteed" the words "and subscriptions for said amount shall be deemed a sufficient guaranty for the purpose of this section: *And provided further*, That the grantee shall, within the time provided for the beginning of the operation of the plant by section eleven hereof, have constructed and in operation at least fifty kilometers of main pipe lines. Plans for the use of the streets and laying of mains

and conduits shall be subject to the approval of the city engineer in the city of Manila, and of the district engineer in the Province of Rizal.”; strike out lines 14 and 15 and insert in lieu thereof the following: “Mains may be placed on or under such bridges in the said city of Manila as may be indicated by the city engineer, and on or under such bridges in the Province of Rizal as may be indicated by the district engineer.”; insert as subsection (c) the following:

“(c) All reasonable or necessary and proper changes in the routes of the pipe lines of the grantee may be made by the grantee with the approval and consent of the city engineer of the city of Manila, or of the district engineer of the Province of Rizal, as the case may be.”

Strike out the present subsection (c) and insert in lieu thereof the following:

“(d) The grantee shall hold the city of Manila, the Province of Rizal, and the municipalities of the said province, as the case may be, harmless from any and all claims, accounts, demands, or actions which may arise out of accidents or injuries, whether to properties or persons, caused by the construction, installation, or operation, of the plant, and shall place all streets, thoroughfares, roads, and public places upon which excavations have been made or pipes laid, in the same condition in which they were before making said excavations or laying of said pipes.”

Section 4, page 2, line 25, strike out the word “three” before the word “elements.”

Section 6, page 3, line 5, strike out the words “four thousand calories” and insert in lieu thereof the words “five thousand French calories.”

Section 7, page 3, line 29, before the word “repairing” insert the words “inspecting and”; page 4, line 13, strike out the words “such as messes”; strike out subsection (c) and insert in lieu thereof the following:

“(c) If in any year the net earnings of the grantee exceed ten per centum on his invested capital, the maximum rate shall be reduced one-half centavo per cubic meter for the ensuing year until one uniform rate of seven centavos shall have been reached: *Provided*, That in no year shall such reduction be made unless the excess has been sufficient so that the reduction of one-half centavo will not reduce the net earnings of the grantee below ten per centum.”

Insert new section numbered 8 as follows:

“SEC. 8. The rates to be charged as fixed and determined in this franchise shall at all times be subject to revision and regulation by the Board of Rate Regulation created by Act Numbered Seventeen hundred and seventy-nine, or any successor of said Board duly or legally created.”

Change section 8 to 9, and in line 30, page 4, strike out the words “other than” and insert in lieu thereof the word “except”; in line 31 insert the word “other” before the word “personal”, and in line 32 change the word “company” to “grantee”, and strike out the remainder of the section contained in lines 32 and 33, page 4.

Change section 9 to 10; in lines 1 and 2 of page 5 strike out the words “all collections for gas sold” and insert in lieu thereof the words

"all gas sold and collections made;" and in line 8 strike out the word "eight" and insert in lieu thereof the word "nine".

Change section 10 to 11.

Insert new section numbered 12 as follows:

"SEC. 12. Within ninety days after the passage of this Act the grantee shall pay to the Insular Treasurer the sum of one hundred thousand pesos for and in consideration of the franchise herein granted."

Change section 11 to 13 and amend the same to read as follows:

"SEC. 13. To secure the performance of the provisions of section eleven the grantee shall, within nine months after the passage of this Act, deposit with the Insular Treasurer the sum of fifty thousand pesos in money or securities to be approved by the Governor-General: *Provided, however,* That if the deposit be made in money the same shall be deposited at interest in some interest-paying bank and all interest accruing on such deposit shall be collected by the Insular Treasurer and paid to the grantee, his successors, or assigns, on demand: *And provided further,* That if the deposit made with the Insular Treasurer be negotiable bonds or other interest-bearing securities the interest on the same shall be collected by the Insular Treasurer and paid over to the grantee, his successors or assigns, on demand: *Provided,* That the said sum of fifty thousand pesos shall be repaid by the said Treasurer to the grantee in the event of the faithful performance by the grantee of all the conditions of this franchise and of all the obligations herein imposed on the grantee whenever, within the period hereinbefore fixed, three-fourths of the plant including at least fifty kilometers of pipe lines covered by this franchise shall have been constructed.

"If, however, the grantee shall within the time required, fail to perform the obligations of his contract, then the Insular Treasurer may by appropriate action recover as liquidated damages for the breach thereof the sum of fifty thousand pesos so deposited."

Strike out section 12 in its entirety.

Change section 13 to 14.

Change section 14 to 15, and in lines 27 and 28, page 6, strike out the words "Municipal Board of the city of Manila" and insert in lieu thereof the word "Governor-General"; lines 31 and 32, strike out the words "*Provided,* That said corporation be not engaged in a business like or similar to that of the grantee; and" and the word "further" at the end of the line; line 1, page 7, strike out the word "natives" and insert the word "citizens".

Change section 15 to 16, and in line 8, page 7, after the word "terms" insert the word "conditions", and in line 12 after the word "franchise" insert the words "at all times."

Insert new section numbered 17 as follows:

"SEC. 17. No stocks or bonds shall be issued by any corporation owning or operating under this grant, except in exchange for actual cash, or for property at a fair valuation, equal to the par value of the stock or bonds so issued; nor shall such corporation declare any stock or bond dividend;

nor shall any person, company, or corporation receiving this franchise from the Government of the Philippine Islands, or from its grantee, use, employ, or contract for the labor of persons claimed or alleged to be held in involuntary servitude, and any person, company, or corporation violating this provision shall forfeit all charters, grants, franchises, and concessions for doing business in the Philippine Islands, and in addition be deemed guilty of an offense, and punished therefor as provided by law."

Change section 16 to 18, and in line 14, page 7, strike out the words "promulgation of this law" and insert in lieu thereof the words "passage of this Act."

Add a new section numbered 19 as follows:

"Sec. 19. If the grantee hereunder, or his successors or assigns, fail to accept this franchise, and pay therefor the sum of one hundred thousand pesos, or make a deposit of fifty thousand pesos, as herein provided, or to construct and put in operation the gas system herein specified within the time required by this Act, the Governor-General, after a hearing duly had, is hereby authorized to declare all the rights in this franchise of the grantee, his successors or assigns, at an end, and thereafter to offer the said franchise for sale to the highest and best bidder. At least three months' public notice of such sale shall be given, and the right shall be reserved to reject any and all bids."

The report and recommendation of the Committee of the Whole were adopted and the bill was ordered on file for third reading.

#### MESSAGES FROM THE ASSEMBLY.

JANUARY 23, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 20, 1911, passed the following bill (A. B. No. 229), in which it requests the concurrence of the Commission: An Act assigning a per diem to the *defensor de officio* in the Courts of First Instance and amending section two of Act Numbered Nineteen hundred and forty-two.

I have the honor to inclose copies of the report of the Committee on Judiciary (A. Rep. No. 135)<sup>1</sup> for the information of the Commission.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 229 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, for report and recommendation.

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<sup>1</sup> This document is on file with the bill in the office of the Secretary of the Commission.

At this point the President entered the Session Chamber and took the chair.

JANUARY 23, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 20, 1911, passed the following bill (A. B. No. 168), in which it requests the concurrence of the Commission: An Act further amending section twelve of Act Numbered One hundred and ninety, entitled "Code of Procedure in Civil Actions and Special Proceedings in the Philippine Islands," as amended, by providing that the Spanish language shall continue to be the official language of the courts until such time as the Philippine Legislature shall provide otherwise, and for other purposes.

Copies of the report of the Judiciary Committee (A. Rep. No. 136)<sup>1</sup> are inclosed for the information of the Commission.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 168 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of Public Instruction, for report and recommendation.

JANUARY 24, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on January 19, 1911, passed the following bill (A. B. No. 260), in which it requests the concurrence of the Commission: An Act to amend sections one hundred and forty and one hundred and forty-four of Act Numbered Eleven hundred and eighty-nine, known as "The Internal Revenue Law of Nineteen hundred and four."

Copies of the report of the Committee on Appropriations (A. Rep. No. 132)<sup>1</sup> are inclosed for the information of the Commission.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 260 was read the first time by title only and referred to the Committee on Matters Per-

<sup>1</sup>This document is on file with the bill in the office of the Secretary of the Commission.



taining to the Department of Finance and Justice, for report and recommendation.

JANUARY 24, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on January 19, 1911, passed the following bill (A. B. No. 113), in which it requests the concurrence of the Commission: An Act to reduce the tax on alcohol and amend in this sense subsection (a) of section four of Act Numbered Nineteen hundred and forty, amending Act Numbered Eleven hundred and eighty-nine, entitled "The Internal Revenue Law of Nineteen hundred and four," and its amendments.

Copies of the report of the Committee on Appropriations (A. Rep. No. 130)<sup>1</sup> are inclosed for the information of the Commission.

Very respectfully,

RAMÓN DIOKNO,

*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 113 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, for report and recommendation.

JANUARY 24, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on January 19, 1911, passed the following bill (A. B. No. 222), in which it requests the concurrence of the Commission: An Act to amend section ninety-seven of Act Numbered Eleven hundred and eighty-nine, entitled "The Internal Revenue Law of Nineteen hundred and four."

Copies of the report of the Committee on Appropriations (A. Rep. No. 131) and of the explanatory statement of Delegates Lozada and Ruiz are inclosed for the information of the Commission.<sup>1</sup>

Very respectfully,

RAMÓN DIOKNO,

*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 222 was read the first time by title only and referred to the Committee on Matters Per-

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<sup>1</sup> These documents are on file with the bill in the office of the Secretary of the Commission.

taining to the Department of Finance and Justice, for report and recommendation.

JANUARY 24, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 20, 1911, passed the following bill (A. B. No. 400), in which it requests the concurrence of the Commission: An Act authorizing the Insular Treasurer to invest the accretions to the gold-standard fund in certain loans to provinces and municipalities to aid in the construction of public works.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 400 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, for report and recommendation.

At this point the President was called from the Session Chamber and Commissioner Gilbert took the chair.

#### REPORTS OF STANDING COMMITTEES.

[Committee Report No. 124.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of the Interior, to which was referred on January 11, 1911, Assembly Bill No. 343, entitled "An Act authorizing the sale of the land known as the 'San Lazaro Estate' to the present tenants thereof," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

In section 1 it is provided that the lands shall be sold to the present occupants at the assessed value, payable in twenty annual installments, each payment to be 5 per cent of the purchase price, no provision being made for interest on deferred payments.

The present rentals fixed by the Bureau of Lands are figured at 5 per cent of the assessed value. Thus it will be seen that in effect this bill means nothing more than that at the end of twenty years the Government will convey title to the property without having received any more than the rental during the said twenty years; or, in other words, the Government would have parted with its principal at present valued at ₱1,500,000 and an annual income of at least ₱50,000.

Section 2 provides that the annual installments are due and payable at the end of each year, and that interest on delinquent payments shall be charged at the rate of 4 per cent per annum, with the proviso that the occupant shall have one year's grace in which to pay the installment; it is

safe to assume that in view of the low penalty fixed the one year's grace would be taken advantage of in every instance.

Section 3 in exempting the landholders from future payment of rent shows that the idea is simply to make the amount that is now paid as rent a part payment of the purchase price.

Section 4 provides the manner in which title shall issue.

Section 5 provides for the sale of unoccupied land to Filipinos only. This would clearly be against the interests of the Government. This section also gives adjoining owners certain rights, called *derecho de tanteo*, which they have not acquired through any effort on their part.

Section 6 elaborates this right.

Section 7 provides that the amounts collected under this Act shall, as heretofore, be used for the benefit of the Culion leper colony, but only for a period of twenty years.

The purpose of this bill is to turn over the San Lazaro Estate to the tenants after payment of twenty annual installments exactly equal to the yearly rental now paid; i. e., 5 per cent of the assessed value of the land. As this would result in the Government giving away the estate at the end of twenty years without receiving anything in return, it is recommended that this bill be not approved.

Respectfully,

W. CAMERON FORBES,  
*Committee on Matters Pertaining to  
the Department of the Interior.*

To the PRESIDENT OF THE PHILIPPINE COMMISSION:

The report was adopted.

[Committee Report No. 125.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of the Interior, to which was referred on December 27, 1910, Assembly Bill No. 383, entitled "An Act amending various sections of Act Numbered Eleven hundred and twenty which refers to the administration, temporary leasing and sale of certain haciendas and parcels of land, commonly known as friar lands, as amended, making applicable to said lands the limitations set forth in the Public Land Act with certain exceptions, granting the lessees the right to be heard in the valuation of their lands, providing for a form of administration, maintenance, and improvement of irrigation systems on said lands, declaring certain lands used for public purposes by municipalities or provinces to be of the public domain of the municipalities or provinces wherein situated, prescribing the procedure for settling controversies among the lessees over the use of the waters of said systems, and for other purposes," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That consideration of this bill be postponed until the completion of the investigation by Congress of the administration of friar lands in the Philippine Islands.

Respectfully submitted.

W. CAMERON FORBES,  
*Committee on Matters Pertaining to  
the Department of the Interior.*

To the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 126.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of the Interior, to which was referred on January 4, 1911, Assembly Joint Resolutions Nos. 12, 13, and 15, entitled "Joint Resolution temporarily suspending the sale of the friar estates situate in certain municipalities," "Making Assembly Joint Resolution Numbered Twelve applicable to the La Piedad Estate, Caloocan, Rizal," and "Making Assembly Joint Resolution Numbered Twelve, entitled 'Joint Resolution temporarily suspending the sale of the friar estates situate in certain municipalities,' extensive to the tenants of the estate of Imus, Cavite," respectively, has examined the same and has the honor to report back to the Commission with the following recommendation, viz:

That the consideration of Assembly Joint Resolutions Nos. 12, 13, and 15 be postponed until the completion of the investigation by Congress of the administration of friar lands in the Philippine Islands.

Respectfully submitted.

W. CAMERON FORBES,  
*Committee on Matters Pertaining to  
the Department of the Interior.*

To the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted, Commissioner Sumulong voting in the negative.

#### EXPLANATION OF VOTE.

Commissioner SUMULONG. I vote "No" in so much as this report disposes of the feature of the joint resolution and the bill of the Assembly referred to, providing for a new investigation of the valuation of the land as fixed by the Bureau of Lands.

[Committee Report No. 127.]

MR. PRESIDENT: The Committee on Matters Pertaining to the Department of Public Instruction, to which was referred on January 17, 1911, Assembly Bill No. 479, entitled "An Act authorizing the municipal councils to appropriate at the beginning of each year a certain sum from the school funds to pay the traveling expenses of municipal teachers

when, at a certain time of the year, they have to go to Manila or to provincial capitals or any place in the provinces to attend the so-called summer schools," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That it be passed.

Municipal teachers are very poorly paid in most cases, and are very greatly in need of the instruction which they get at normal institutions or so-called summer schools. This bill authorizes the municipal councils to pay the necessary traveling expenses of municipal teachers when attending such gatherings. It does not compel municipal councils to do this, and only in cases where they are able to do it may the law be invoked. It is believed that it will help to increase the efficiency of our municipal teachers and that the law should be placed upon the statute books.

Respectfully submitted.

NEWTON W. GILBERT,  
*Committee on Matters Pertaining to the  
Department of Public Instruction.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted and Assembly Bill No. 479 was ordered on file for second reading.

[Committee Report No. 128.]

MR. PRESIDENT: The Committee on Matters Pertaining to the Department of Public Instruction, to which was referred on January 17, 1911, Assembly Bill No. 463, entitled "An Act providing for the purchase of the books and other documents of Doctor Rizal and appropriating funds for that purpose," has examined the same and has the honor to report it back to the Commission without recommendation.

This bill provides for the expenditure of ₱32,000 for the purchase of the original manuscript of the "Noli Me Tangere" by Rizal. This manuscript is very interesting and in a fair state of preservation, and it would be of interest to the Government of the Philippine Islands to own the same; together with all books, papers, pamphlets, and other documents that remain in his private library. The only question arising in the mind of your committee is whether or not in view of the small resources of this Government it is wise, at this time, to expend this large sum of money in this way. Your committee appreciates the great character of Rizal and believes that his name will figure in history as one of the first among Orientals. It believes that it would be a misfortune to have this manuscript and other documents pass into the hands of strangers or out of the country. It is claimed that this is threatened now, and that some one is standing in waiting to make this purchase if the Government does not. It is also claimed that Rizal's family lost an amount equal to, or greater than, the amount named in this bill

directly because of the advanced views of this patriot, and that the Government should reimburse the family for such loss.

Your committee finds itself halting between two opinions: Practically, the money could be used to further the cause of education, or to make further public improvements, or to add to the Philippines Library books which would be used day after day by the students of the Philippine Islands, and any of which uses would be of great benefit. On the other hand the committee has great regard for the sentiment which desires to honor the name of Rizal in every possible way, and it feels that too much can not be said or done with reference to him so that his true character may be kept before the people and his public speeches and writings not be distorted to fit the views of the politicians of to-day or of the future.

If it is felt that the revenues of the Government will permit of this expenditure without seriously deterring the advancement of the people, then your committee has no objection to the recognition of this sentiment.

Respectfully submitted.

NEWTON W. GILBERT.

*Committee on Matters Pertaining to the  
Department of Public Instruction.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted favorable to the passage of the bill, and the bill was ordered on file for second reading.

#### EXECUTIVE SESSION.

On motion by the President,

The Commission proceeded to the consideration of executive business.

After consideration of executive business, the Commission returned to regular session.

(For appointment confirmed in executive session see p. 837).

#### RECESS.

Thereupon, at 12 o'clock and 55 minutes postmeridian, the President declared the Commission at recess until 3 o'clock postmeridian.

#### RECONVENED—CONSIDERATION OF ESTIMATES FOR APPROPRIATIONS.

At 3 o'clock postmeridian the Commission reconvened and proceeded to an informal consideration of the estimates for the fiscal year 1912 for the Bureaus of Health, Quarantine, Forestry, Lands, Science, Constabulary, Navigation, and the Weather Bureau, Doctor

Fox, Major Ahern, Mr. Wilson, Doctor Freer, General Bandholtz, and Mr. Reis being present during the consideration of the estimates of their respective Bureaus.

## ADJOURNMENT.

Thereupon, at 6 o'clock and 30 minutes postmeridian,  
On motion of Commissioner Branagan,  
The Commission adjourned to meet at the call of the President.  
Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

# Second Philippine Legislature, First Session.

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## JOURNAL OF THE COMMISSION.

THURSDAY, JANUARY 26, 1911.

The Commission met at the call of the President at 10 o'clock and 30 minutes antemeridian.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, Elliott, and the President.

Absent: Commissioner Worcester (on official business) and Commissioner Luzuriaga (on leave).

### READING OF JOURNAL.

The Journal of Wednesday, January 25, 1911, was read and approved.

### MESSAGE FROM THE GOVERNOR-GENERAL.

JANUARY 23, 1911.

#### *To the Philippine Legislature:*

I have the honor to invite the attention of the Legislature to the fact that no appropriation was made, prior to the recent arrival in the Philippine Islands of the Secretary of War, for the expenses incident to the inspection trips made by him, and for his entertainment. Hitherto expenses of this nature have been provided for by special appropriation, as will be seen by reference to Acts Nos. 1416 and 1679. It will be noted that Act No. 1416 appropriated a total sum of ₱45,000 for the cost of transportation of the Secretary of War and the members of the congressional party accompanying him to the Islands, August-October, 1905, and for their entertainment, and that Act No. 1679 appropriated the sum of ₱15,000 to cover the cost of a trip made to the Islands in 1907 by the Secretary of War for the purpose of inaugurating the Philippine Assembly. On neither of these previous occasions was the travel performed by the Secretary of War in the Philippine Islands



so extensive as during the last visit, and it is believed the appropriation requested herein—₱16,384.32—is very moderate. As no appropriation had been made and for the sake of convenience, the expenses incurred by the Government during the last visit of the Secretary of War, in August and September, 1910, were defrayed from the appropriation of the Executive Bureau, and in order to secure reimbursement for that Bureau, I now submit a proposed Act carrying an appropriation of ₱16,384.32, and urgently recommend its passage.

The cost of entertainment, for which this appropriation is to be made, is constituted as follows:

Transportation:

By rail—		
Two special trains .....	₱530.00	
By steamer—		
Charter of three coast guard cutters, 15.69 days, at ₱155 .....	₱2,431.56	
Charter of steamer <i>Rizal</i> , 13.75 days, at ₱450.....	6,187.50	
Total steamer .....	8,619.06	
By automobile—		
Various machines used in Manila .....	290.25	
Six machines used on southern trip .....	1,938.33	
Total automobile .....	2,228.58	
Of baggage and supplies.....	9.45	
Total transportation .....	₱11,387.09	
Subsistence of party while away from Manila.....	941.81	
Funds turned over to provinces to defray expenses in connection with entertainment of the Secretary of War not properly chargeable against provincial funds.....	2,224.37	
Miscellaneous (prorated portion of per diems for additional aid, secret service, photographs, telegrams, etc.).....	1,831.05	
Total expenses .....	16,384.32	

The above account refers only to those services and expenses in connection with the time spent by the Secretary of War within the limits of those parts of the Archipelago over which the Commission and the Assembly have concurrent jurisdiction. Other provision has been made for meeting the expenses connected with the inspection in the Moro and other non-Christian provinces.

Very respectfully,

W. CAMERON FORBES,  
Governor-General.

The following bill accompanying the message was then taken up and considered :

Commission Bill No. 72. An Act appropriating the sum of sixteen thousand three hundred and eighty-four pesos and thirty-two centavos, out of any funds in the Insular Treasury not otherwise appropriated, to reimburse the appropriation of the Executive Bureau for expenses incident to the visit of the Secretary of War to the Philippine Islands during the year nineteen hundred and ten.

Commission Bill No. 72 was read the first time.

By unanimous consent it was read the second time by title only.

On motion by Commissioner Gilbert, unanimously carried.

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and the bill was unanimously passed and the title was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

#### CONFERENCE REPORT NO. 8.

The committee of conference on the disagreeing votes of the two houses on the amendment of the Assembly to Commission Bill No. 38, entitled "An Act to amend Act Numbered Eighteen hundred and sixty-five by increasing to sixty per centum of the value of the mortgaged property the amount which may be loaned by the Agricultural Bank," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the bill be approved by the Assembly in the form in which it was transmitted to that body by the Commission.

GREGORIO ARANETA,  
FRANK A. BRANAGAN,  
JUAN SUMULONG,

*Managers on the part of the Commission.*

ESPIRIDION GUANCO,  
J. D. LUNA,

M. FERNANDEZ YANSON,

*Managers on the part of the Assembly.*

JANUARY 24, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has agreed to the report of the committee of conference on the disagreeing votes of the two Houses to the amendments of the Assembly to Commission Bill No. 38, entitled "An Act to amend Act

Numbered Eighteen hundred and sixty-five by increasing to sixty per centum of the value of the mortgaged property the amount which may be loaned by the Agricultural Bank."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

*Ordered*, That Commission Bill No. 38 be enrolled and printed as an Act.

REPORT OF STANDING COMMITTEE (OUT OF ORDER).

[Committee Report No. 129.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on January 14, 1911, Assembly Bill No. 147, entitled "The Negotiable Instruments Law," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill pass with the following amendments:

1. Section 77, page 18, line 33, after the word "them" insert the words "even though there has been a dissolution of the firm."

2. Section 193, page 41, lines 4 and 5, strike out the words "and in all cases to the time limits established by the existing Code of Commerce."

This bill was prepared and submitted to the Legislature by the Code Committee with the view of making the Philippine law on the subject of negotiable instruments uniform with that of Great Britain and a majority of the States and Territories of the American Union, viz: Alabama, Arizona, Colorado, Connecticut, Florida, Idaho, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, Tennessee, Utah, Virginia, Washington, West Virginia, Wisconsin, Wyoming, the District of Columbia, and the Territory of Hawaii.

It has, however, been amended by the Assembly in two particulars, thus destroying the uniformity which is the object of the bill, and the amendments now proposed by your committee are merely for the purpose of restoring the bill to the form in which it was recommended by the Code Committee, which is the form in which it is in force in the greater portion of the world with which the Philippine Islands have important commercial relations.

Besides this question of uniformity, your committee calls your attention to the comments of the Code Committee hereto attached<sup>1</sup> giving special reasons for not adopting the amendments of the Assembly. The

<sup>1</sup> This document is on file with the bill in the office of the Secretary of the Commission.

reasoning of the Code Committee is concurred in by the Committee on Matters Pertaining to the Department of Finance and Justice.

Respectfully submitted.

GREGORIO ARANETA,  
*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

Assembly Bill No. 147 was read the second time.

On motion by Commissioner Araneta, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and the bill unanimously passed.

Commissioner Araneta moved to amend the title to read as follows: "An Act entitled 'The Negotiable Instruments Law.'"

The motion prevailed.

*Ordered*, That the Secretary request the concurrence of the Assembly in the amendments of the Commission.

#### THIRD READING AND PASSAGE OF BILL.

Assembly Bill No. 401. An Act to provide for the granting of a franchise to construct, maintain, and operate gas systems for the furnishing of gas for heat, lighting, and power in the city of Manila and the Province of Rizal, Philippine Islands.

Assembly Bill No. 401 was read the third time.

In this connection the Secretary, at the direction of the President, read a communication from Germann & Co., Limited, of Manila, stating that they were desirous of an opportunity of bidding on the proposed franchise for a gas plant in the city of Manila on behalf of a Swiss-German concern.

Ordered filed.

Commissioner Gilbert moved the following amendment:

Section 3, page 1, line 17, strike out the words "the proper municipal authorities" and insert in lieu thereof the words "the city engineer in the city of Manila and by the district engineer in the Province of Rizal."

The motion prevailed.

The President moved the following amendment:

Section 3, page 3, line 7, strike out the words "as the case may be."

The motion prevailed.

Commissioner Gilbert moved the following amendments:

Section 3, page 3, line 10, strike out the word "properties" and insert "property," and in line 15 strike out the word "of."

The motion prevailed.

Commissioner Elliott moved the following amendment:

Section 4, page 3, line 17, strike out the words "or it may be water gas" and insert in lieu thereof the words "or water."

The motion prevailed.

Commissioner Araneta moved the following amendments:

Section 6, page 3, line 31, strike out the words "five thousand" and insert in lieu thereof the words "five thousand five hundred," and in section 7, page 4, line 6, change "may" to "shall."

The motion prevailed.

Commissioner Gilbert moved the following amendment:

Strike out the proviso to section 7 (a) contained in lines 9 to 19 inclusive of page 4.

The motion prevailed.

The President voted in the negative on this amendment, on the ground that the provision stricken out was a usual one and he saw no objection to it in this case.

Commissioner Elliott voted in the affirmative on this amendment because he considered the terms of the proviso referred to too general. He stated: "If under section 5 it were provided that the initial expense of installation were to be paid by the grantee, I should not object to his being reimbursed by a monthly tax or rental, but I do object to that rental continuing indefinitely after his reimbursement."

Commissioner Gilbert moved the following amendments:

Section 7, page 4, lines 20 and 21, strike out the words "municipal authorities" and insert in lieu thereof the words "city engineer of the city of Manila or district engineer of the Province of Rizal, as the case may be;" in line 21 strike out the word "authorities" and insert in lieu thereof the word "persons;" in line 23 strike out the words "the proper authorities"

and insert the words "these officers;" and strike out subsection (c) on page 5 and insert in lieu thereof the following:

"(c) If, during three consecutive years, the average net earnings of the grantee exceed ten per centum per annum on his invested capital, the maximum rate for the ensuing year or years shall be reduced one-half centavo per cubic meter, and thereafter if in any year the net earnings of the grantee exceed ten per centum on his invested capital, the said maximum rate shall for the succeeding year or years be reduced one-half centavo per cubic meter, and this shall continue until one uniform rate of seven centavos per cubic meter shall have been reached: *Provided*, That in no year shall such reduction be made unless the excess has been sufficient so that the reduction of one-half centavo would not have reduced the net earnings of the grantee for the previous year below ten per centum."

The motion prevailed.

The President moved the following amendment:

Section 9, page 6, line 3, after the word "respectively" insert the words "during the preceding year."

The motion prevailed.

Commissioner Gilbert moved the following amendments:

Section 10, page 6, line 7, after the word "gas" insert the words "and other products;"

In section 13, page 7, line 20, strike out the word "may" and insert the word "shall".

In section 15, page 8, line 11, strike out the word "the" and insert the word "any".

Strike out section 18 in its entirety.

The motion prevailed.

Commissioner Elliott moved to insert a new section 18 to read as follows, renumbering subsequent sections accordingly:

"SEC. 18. The franchise herein granted shall be subject to amendment, alteration, or repeal by the Congress of the United States, and upon the termination of this franchise by forfeiture, repeal, or expiration the right to use the streets and other public lands or places herein granted shall revert to the city of Manila, the Province of Rizal, or the municipalities thereof, or the Insular Government, as the case may be."

The motion prevailed.

Commissioner Elliott moved the following amendment:

Section 19, page 9, line 20, strike out the word "and" and insert in lieu thereof the word "or."

The motion prevailed.

Commissioner Gilbert moved the following amendment:

Section 19, page 9, line 27, strike out the words "the said franchise for sale to the highest and best bidder" and insert in lieu thereof the words "for sale to the highest and best bidder a franchise containing substantially the terms and conditions hereof."

The motion prevailed.

Commissioner Araneta moved to add the following section, to be numbered 20:

"SEC. 20. The public good requiring the speedy enactment of this bill, the same shall take effect on its passage, in accordance with section one of Act Numbered Nineteen hundred and forty-five of the Philippine Legislature."

The motion prevailed.

The question then being upon its passage, the roll was called and Assembly Bill No. 401 was passed, Commissioners Branagan and Elliott voting in the negative.

The title was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the amendments of the Commission.

#### EXPLANATIONS OF VOTES.

Commissioner GILBERT. For the reason stated on my vote on the motion made in Committee of the Whole on an amendment to provide for putting up the franchise at public auction recently, and contrary to my idea of the right way to grant franchises, I vote "Aye."

Commissioner BRANAGAN. For the reasons stated heretofore, I vote "No."

Commissioner ELLIOTT. I stated my views in Committee of the Whole the other day, which I think were made of record, in connection with the vote on the motion to amend this bill to provide for putting this concession up at public auction, and everything that has occurred since that time has tended to confirm the correctness of my conclusions. At the present time we have additional parties asking an opportunity to bid, including a Swiss-German concern represented by Germann & Co., of Manila. I am at an utter loss to understand why Mr. Aitken should receive special consideration

in violation of the sound policy which requires franchises to be offered to the best bidder. I therefore vote "No."

The PRESIDENT. I vote "Aye" because I want to get capital here and a gas plant started. I would prefer that the franchise be put up at auction, but that feature of the bill having been disposed of by the Commission in the negative, the failure of that amendment does not disturb my belief in the advisability of the bill.

RECESS.

At 12 o'clock and 40 minutes postmeridian the President declared the Commission at recess until 3 o'clock postmeridian.

RECONVENED.

At 3 o'clock postmeridian, the Commission reconvened, The President and Commissioner Elliott temporarily absent, Commissioner Gilbert in the chair.

CONFERENCE REPORT NO. 9.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Assembly to Commission Bill No. 50, entitled "An Act conferring upon the municipal court of the city of Manila concurrent jurisdiction with the Court of First Instance of Manila over all criminal cases arising under the law relating to *estafa* where the property involved in the offense does not exceed the sum or value of two hundred pesos," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Assembly recede from its amendment to the bill and that both Houses give unanimous consent to the following change in the text already agreed upon by both Houses:

Strike out all after the enacting clause and insert in lieu thereof the following:

"SECTION 1. The word 'embezzlement' as used in section forty of Act Numbered One hundred and eighty-three, entitled 'An Act to incorporate the city of Manila,' as amended by section ten of Act Numbered Two hundred and sixty-seven, shall be construed to include the offense of *estafa* punished by the Penal Code.

"SEC. 2. This Act shall take effect on its passage."

Amend the title to read as follows:

"An Act providing that the word 'embezzlement' as used in section



forty of Act Numbered One hundred and eighty-three, as amended, shall be construed to include the offense of *estafa*."

GREGORIO ARANETA,  
RAFAEL PALMA,  
C. B. ELLIOTT,

*Managers on the part of the Commission.*

JOSÉ A. CLARÍN,  
HERMÓGENES REYES,  
FULGENCIO CONTRERAS,

*Managers on the part of the Assembly.*

JANUARY 24, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has agreed to the report of the committee of conference on the disagreeing votes of the two Houses to the amendments of the Assembly to Commission Bill No. 50, entitled "An Act conferring upon the municipal court of the city of Manila concurrent jurisdiction with the Court of First Instance of Manila over all criminal cases arising under the law relating to *estafa* where the property involved in the offense does not exceed the sum or value of two hundred pesos."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Assembly to Commission Bill No. 50 was unanimously adopted.

*Ordered,* That Commission Bill No. 50 be enrolled and printed as an Act.

#### SECOND READING AND PASSAGE OF BILL.

Assembly Bill No. 479. An Act authorizing the municipal councils to appropriate at the beginning of each year a certain sum from the school funds to pay the traveling expenses of municipal teachers when, at a certain time of the year, they have to go to Manila or to provincial capitals or any place in the provinces to attend the so-called summer schools.

Assembly Bill No. 479 was read the second time, and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass.

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Gilbert, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and the bill was unanimously passed and the title read and approved.

*Ordered*, That the Secretary notify the Assembly thereof.

#### REPORTS OF STANDING COMMITTEES.

[Committee Report No. 130.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on January 24, 1911, Assembly Bill No. 362, entitled "An Act to authorize judges of Courts of First Instance to dismiss criminal cases of the court of a province other than that in which they are," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill do not pass.

There appears to be no necessity for the passage of new legislation on this subject, since under the provisions of section 12 of Act No. 867, known as the Act for the reorganization of courts, the judge of First Instance when without the province but within his district already has the power to dismiss the proceedings in a criminal case before the arraignment of the accused, which is the object sought by the Assembly bill. For this reason it is recommended that the bill do not pass.

Respectfully submitted.

GREGORIO ARANETA,

*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 131.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on January 25, 1911, Assembly Bill No. 260, entitled "An Act to amend sections one hundred and forty and one hundred and forty-four of Act Numbered Eleven hundred and eighty-nine, known as 'The Internal Revenue Law of Nineteen hundred and four,'" has examined the same and has the

honor to report it back to the Commission with the following recommendation, viz:

That the bill do not pass.

This is the same bill that was passed by the Assembly at the second session of the First Philippine Legislature, but failed of passage in the Commission. At that time the undersigned made an unfavorable report on the bill, which was unanimously adopted. Said report, which may be found on page 435 of the Journal of the Commission for the year 1909,<sup>1</sup> is hereby referred to and made a part of this report.

Respectfully submitted.

GREGORIO ARANETA,  
*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 132.]

MR. PRESIDENT: Your Committee on Municipal and Provincial Governments, to which was referred on January 17, 1911, Assembly Bill No. 162, entitled "An act granting vacation leave to the municipal treasurers and reëstablishing municipal autonomy in certain particulars, amending certain sections of Act Numbered Seventeen hundred and ninety-one, entitled 'An Act to amend in certain respects Act Numbered Eighty-two, known as The Municipal Code,'" has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be not passed.

The proposed bill changes the present law (1) so as to entitle municipal treasurers to all privileges of the Civil Service Act including vacation and leaves of absence; (2) so as to require the municipal treasurers to secure the approval of the municipal councils to all appointments of clerks and employees in their offices; (3) so as to nullify the power now vested in the provincial boards by which they may fix the number and salaries of the clerks in the municipal treasurers' offices in the event the municipal councils fail or refuse to provide them with a sufficient force; (4) so as to transfer the power to approve municipal annual estimates from the provincial treasurers to the provincial boards, and (5) so as to restrict the power of the provincial boards so that they may pass on the legality of proposed expenditures only, and not on their advisability.

(1) In reference to the first amendment, your committee believes that, while there is some ground on general principle to extend to the municipal treasurers all the privileges of the Civil Service Act, however, under the prevailing conditions, the proposition is thoroughly impracticable

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<sup>1</sup> Journal of the Second Session, First Legislature.

owing to the lack of material with which to relieve the municipal treasurers in cases of leave and vacation. Prior to the present law, every provincial treasurer kept in his office in training for the position of municipal treasurer a certain number of *aspirantes*. These aspirantes were held in reserve and could be sent out at any time to relieve municipal treasurers. After the passage of Act No. 1846, requiring that vacancies in the position of municipal treasurer be filled from nominations made by the municipal councils, it was found to be practically impossible to induce municipal councils to nominate these men who had received special training, the recommendations in almost every instance being governed altogether by personal reasons and without reference to the qualifications of the nominee. Under the changed conditions, being unable to place these aspirantes after they had qualified, provincial treasurers were compelled to discontinue the positions, thus doing away with the only possibility of properly relieving municipal treasurers should it be decided to grant the leave privileges.

(2) In reference to the second amendment, your committee is of the opinion that municipal treasurers are bonded officers and being responsible for the acts of their subordinates should be permitted to appoint them without outside interference.

(3) In reference to the third amendment, your committee believes that the absolute failure of many municipal councils to provide municipal treasurers with a sufficient office force handicapped the proper conduct of the office to such an extent and interfered so with the rights of the taxpayers that it became absolutely necessary to provide a method whereby, when councils refused or failed to act, provincial boards might remedy matters. The proposed bill attempts to leave the matter to the municipal councils and deprives provincial boards of any power to act.

(4) In reference to the fourth amendment, your committee does not consider it necessary to make the change, as the right of appeal now lies from the decision of the provincial treasurer to the provincial board, whose decision is final.

(5) In reference to the fifth amendment, your committee has found that the old law restricted the provincial treasurer to passing solely on the legality of proposed expenditures, but so many inadvisable municipal expenditures were made that it was thought best to amend the law as it now stands so as to give the provincial treasurer the right to pass on the advisability of municipal expenditures as well as on the legality, reserving to the municipalities the right to appeal to the provincial board, whose decision is final.

Respectfully submitted.

RAFAEL PALMA,

*Chairman pro tempore, Committee on Municipal  
and Provincial Governments.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 133.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Commerce and Police, to which was referred on January 24, 1911, Assembly Bill No. 491, entitled "An Act to regulate the possession and use of firearms in the Philippine Islands," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be laid on the table.

Your committee does not see any necessity for changing the present law on this subject.

Respectfully submitted.

C. B. ELLIOTT,  
*Committee on Matters Pertaining to the  
Department of Commerce and Police.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 134.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on January 24, 1911, Assembly Bill No. 376, entitled "An Act to amend subsection (a) of section twenty of Act Numbered Seventeen hundred and sixty-one, known as the Opium Act, by providing for the collection of taxes on the amount of opium or its derivatives contained in certain medicinal preparations, and for other purposes," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill do pass.

The original draft of this bill was prepared by the Director of Health after consultation with the Collector of Internal Revenue, and is in entire accord with the suggestions and recommendations made by the undersigned to the Governor-General in an indorsement on papers relating to this subject dated April 14, 1910.

Many complaints have been received that certain household remedies and regular medical preparations containing a small percentage of opium are taxed under the present Opium Law on the weight of the entire preparation. The purpose of this Act is to remedy this injustice by providing that the tax shall be levied only on the actual amount of opium contained in such preparations.

Respectfully submitted.

GREGORIO ARANETA,  
*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

Assembly Bill No. 376 was read the second time and referred to the Committee of the Whole.

It was considered in Committee and reported to the Commission with the recommendation that it pass.

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Araneta, unanimously carried.

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 376 was unanimously passed and the title was read and approved.

*Ordered*, That the Secretary notify the Assembly thereof.

[Committee Report No. 135.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on January 17, 1911, Assembly Bill No. 131, entitled "An Act imposing a severer penalty on persons guilty of the theft of work animals, and amending article five hundred and twenty of the existing Penal Code to that effect," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be passed in the following form:

"SECTION 1. Paragraph numbered five of article five hundred and three of the Penal Code is hereby amended so as to read as follows:

"5. With the penalty of *presidio correccional* to *presidio mayor* in its medium degree in other cases, except where the thing stolen was any kind of large cattle, in which case the guilty person shall be punished with the penalty of *presidio mayor* in its minimum degree to *presidio mayor* in its medium degree.'

"SEC. 2. Article five hundred and eight of the Penal Code is hereby amended by adding at the end thereof the following paragraph:

"'In the cases mentioned in the three last preceding paragraphs, when the thing stolen was any kind of large cattle the guilty persons shall be punished with the penalty of *presidio correccional* in its maximum degree to *presidio mayor* in its minimum degree.'

"SEC. 3. Article five hundred and twelve of the Penal Code is hereby amended by adding at the end thereof the following paragraph:

"'In the cases mentioned in this article, when the thing stolen was any kind of large cattle the guilty persons shall be punished with the penalty of *presidio correccional* in its maximum degree to *presidio mayor* in its minimum degree.'

"SEC. 4. Article five hundred and twenty of the Penal Code is hereby amended by adding at the end thereof the following paragraph:

"'4. If the thing stolen was any kind of large cattle.'

"SEC. 5. For the purposes of this Act the term 'large cattle' shall be held to include carabaos, horses, mules, asses, and all members of the bovine family."

The bill as passed by the Assembly increased only the punishment for the theft of work animals but does not touch upon the robbery of work animals. This omission is covered by the bill in the form submitted herewith.

For the words "work animal" the phrase "large cattle" is used, which is defined in the bill to include carabaos, horses, mules, asses and all members of the bovine family.

The bill in its present form has been prepared by the undersigned in collaboration with the members of the Code Committee, and is respectfully submitted for the consideration of the Commission.

GREGORIO ARANETA,  
*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

Assembly Bill No. 131 as amended was read the second time.

On motion by Commissioner Araneta, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 131 was unanimously passed.

Commissioner Araneta moved to amend the title to read as follows:

An Act amending paragraph numbered five of article five hundred and three, and articles five hundred and eight, five hundred and twelve, and five hundred and twenty of the Penal Code, by imposing a severer penalty for the crimes of robbery and theft of large cattle.

The motion prevailed.

The title as amended was read and approved.

*Ordered,* That the Secretary request the concurrence of the Assembly in the amendments of the Commission.

REPORTS OF SELECT COMMITTEES.

[Committee Report No. 136.]

MR. PRESIDENT: The Committee on Amendments to the Election Law, to which was referred on November 2, 1910, a communication from the fiscal of the First Judicial District relative to the registration of voters,

has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That it be laid on the table.

While it is true that in the case referred to some slight inconvenience was caused to some, it is believed that these cases are so rare that it is not wise to ask an amendment to the Election Law to fit it, and it is therefore recommended that it be laid upon the table.

Respectfully submitted.

NEWTON W. GILBERT,  
GREGORIO ARANETA,  
RAFAEL PALMA,

*Committee on Amendments to the Election Law.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 137.]

MR. PRESIDENT: The Committee on Amendments to the Election Law, to which was referred on November 2, 1910, resolution No. 25 of the convention of municipal presidents, Province of Pampanga, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the same be laid on the table.

This resolution recommends that the watchers during the canvass of the election should be permitted to go within the guard rail and about the table. Your committee believes that this would add confusion to the election room, where dignity should prevail, and have no practical effect for good. It is based upon the idea that all three of the election inspectors of a precinct are bad and corrupt men, and it is hard to believe that this condition can prevail except in a few isolated cases, and to permit the watchers within the guard rail and around the table to obstruct and hinder would, in the minds of your committee, be unwise.

Respectfully submitted.

NEWTON W. GILBERT,  
GREGORIO ARANETA,  
RAFAEL PALMA,

*Committee on Amendments to the Election Law.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 138.]

MR. PRESIDENT: The Committee on Amendments to the Election Law, to which was referred on November 22, 1910, resolution No. 183 of the municipal council of Magdalena, La Laguna, has examined the same and



has the honor to report it back to the Commission with the following recommendation, viz:

That it be laid on the table.

The resolution proposes three changes in the Election Law. One is that section 15 of said law should be so amended that an election inspector should be forbidden to act as a leader for any candidate for office. This can not be a practical law for the reason that it is impossible to determine what a leader is. Any person of sufficient prominence and intelligence to act as an election inspector would very likely, and very properly, take an interest in the election, and might well be considered by some to be a leader of some particular candidate.

The second suggestion is that section 22 of said law should be so amended that an illiterate voter be allowed to take into the booth with him his children, relatives, or friends, or two persons trusted by him, even though not qualified voters, to aid him in preparing his ballot. Your committee is preparing an amendment to the law which will require such ballot to be prepared in the presence of all three of the election inspectors, but it is thought we must proceed on the assumption that a board of three selected men will not all be scoundrels, and inasmuch as it is provided that the two parties having the largest number of votes at the preceding election shall be represented on the election board, it is believed that this is much better than taking into the balloting place children and other persons who are not qualified voters as this would simply tend to add to the confusion.

The third suggestion is that Delegates to the Philippine Assembly be obliged to visit the municipalities of their districts before the opening of the regular session and that their traveling expenses be paid by the Philippine Assembly. Your committee does not believe it necessary to have any law which shall definitely define the duties of the members of the Philippine Assembly as to visitations, nor does it believe that the Philippine Assembly itself would desire to pay traveling expenses for Assemblymen who are simply going about their own districts which they have been elected to represent.

No one of these recommendations is believed practicable and it is therefore recommended that the resolution be laid upon the table.

Respectfully submitted.

NEWTON W. GILBERT,  
GREGORIO ABANETA,  
RAFAEL PALMA,

*Committee on Amendments to the Election Law.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 139.]

MR. PRESIDENT: The Committee on Amendments to the Election Law, to which was referred on November 2, 1910, resolution of the assembly of municipal presidents of the Province of Batangas, relative to qualifications of voters, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That it be laid on the table.

There is a good deal to be said for this resolution. It provides that those persons who are unable to read or write for any reason be disqualified from voting, and on the other hand that those who can speak, read, and write English, Spanish, or the dialect of the locality shall be qualified electors. If this were an original proposition it would merit some discussion, but it seems inadvisable to your committee to at this time disqualify a large number of persons who have heretofore been designated as electors. As the years go by and pupils from the public schools reach the age of voters, illiteracy will decrease and the objections which this convention had in mind will disappear.

The same convention also petitioned the Philippine Legislature to so amend the law that election inspectors should receive ₱20 per day, and that the penalties for violations of the law on their part be doubled. Your committee does not believe that either proposition is desirable, and it is therefore recommended that this be laid upon the table.

Respectfully submitted.

NEWTON W. GILBERT,  
GREGORIO ARANETA,  
RAFAEL PALMA,

*Committee.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 140.]

MR. PRESIDENT: The Committee on Amendments to the Election Law, to which was referred on November 2, 1910, resolution No. 28 of the convention of municipal presidents, Province of Pampanga, recommending the amendment of the Election Law to the effect that a person elected to any office by a majority of votes shall assume office on the day designated by law, even when the election is contested and the decision pending, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the same be laid on the table.

The adoption of this resolution would so reverse all principles of equity and justice that it hardly seems that any statement is necessary of the reasons why it should be laid on the table. Until a contest is determined,

final decision has not been reached and the procedure proposed would simply add to the confusion.

Respectfully submitted.

NEWTON W. GILBERT,  
GREGORIO ARANETA,  
RAFAEL PALMA,

*Committee on Amendments to the Election Law.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 141.]

MR. PRESIDENT: Your select committee of one, to which was referred on January 17, 1911, Assembly Bill No. 481, entitled "An Act prohibiting the admittance of women and of minors under eighteen years of age into cockpits established in the Philippine Islands," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be passed with the following amendments:

On page 1, line 13, after the word "cockpit," insert the words "licensees or."

Strike out section 3.

The spirit of the social reform contained in the text of this bill recommends the same to this body for approval. It is, perhaps, not the best remedy for the evil which it is intended to combat, but tends to lessen its detrimental effects with regard to a considerable portion of the community.

The words "cockpit licensees" constituting the first amendment are, in the judgment of the committee, necessary for the reason that the word "contractor" has its peculiar significance, and in some cases such licensees may be construed as "parties to a contract," and the intent of the law may thus be defeated on account of a mere technicality.

Respectfully submitted.

RAFAEL PALMA,  
*Select Committee of One.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

Assembly Bill No. 481 as amended was read the second time and referred to the Committee of the Whole.

Commissioner Elliott entered the Session Chamber during the consideration of the bill in Committee of the Whole.

The bill was considered in committee and reported to the Com-

mission with the recommendation that it pass with the following amendments:

Section 1, page 1, in lines 3 and 4, strike out the words "and condition" and strike out the two provisos contained in lines 6 to 12 inclusive.

Strike out section 2 in its entirety and insert in lieu thereof the following:

"SEC. 2. Any woman or minor violating this Act shall be punished by a fine of not less than five pesos nor more than fifty pesos, and any cockpit licensee or contractor who permits any person within the prohibited age or condition under this Act to enter a cockpit of which he is the licensee or contractor shall be guilty of an offense and punished by imprisonment of one month or a fine of one hundred pesos, or both, in the discretion of the court."

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Palma, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 481 was unanimously passed, and the title was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the amendments of the Commission.

#### REPORT OF STANDING COMMITTEE.

[Committee Report No. 142.]

MR. PRESIDENT: Your Committee on Appropriations, to which was referred on January 25, 1911, Commission Bill No. 71, entitled "An Act appropriating the sum of twelve thousand three hundred and ninety-one pesos and seventy-three centavos, out of any funds in the Insular Treasury not otherwise appropriated, to reimburse the appropriation of the Executive Bureau for expenses incident to the visit of the Secretary of War to the Philippine Islands during the year nineteen hundred and ten," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be passed.

Respectfully submitted.

GREGORIO ARANETA,  
FRANK A. BRANAGAN,  
*Committee on Appropriations.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

On motion by Commissioner Branagan, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time.

During the reading of the bill, the President returned to the Session Chamber and resumed the chair.

The question then being upon its passage, the roll was called and Commission Bill No. 71 was unanimously passed, and the title read and approved.

*Ordered*, That Commission Bill No. 71 be enrolled and printed as an Act, the enactment of same being within the exclusive general legislative jurisdiction of the Commission over all that part of the Philippine Islands inhabited by Moros or other non-Christian Tribes.

#### SECOND READING AND PASSAGE OF BILL.

Assembly Bill No. 463. An Act providing for the purchase of the books and other documents of Doctor Rizal and appropriating funds for that purpose.

Assembly Bill No. 463 was read the second time.

On motion by Commissioner Araneta, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and the bill was unanimously passed, and the title read and approved.

*Ordered*, That the Secretary notify the Assembly thereof.

#### CONSIDERATION OF ESTIMATES FOR APPROPRIATIONS.

The Commission then proceeded to an informal consideration of the estimate for the fiscal year 1912 of the Bureau of Health, Doctor Fox, the Assistant Director of Health, being present during the consideration of his Bureau, after which the estimates of the Bureau of Public Works were gone over with Mr. Greene, the Director of Public Works.

After some discussion of the estimates of the Bureau of Public Works, it was

On motion of the President,

*Resolved*, That it is the sense of the Commission that all appropriations for the Bureau of Public Works shall hereafter be included in a bill to be known as the "Public Works Bill," the first section

of which shall provide for that part of the appropriation which it is proper to class under the head of "Current expenses," and which shall include the general expenses of the head office and other expenses of the Bureau in the city of Manila; that all appropriations to be expended by the Bureau for construction shall appear in another section of the bill, under the head of "Permanent improvements," and a fixed authorized maximum charge of ten per centum may be made by the Bureau against all projects performed for the Insular Government, the provinces and municipalities, which shall cover all charges of whatever nature of the Bureau of Public Works against such projects.

## ADJOURNMENT.

Thereupon, at 6 o'clock and 35 minutes postmeridian,

On motion by Commissioner Elliott,

The Commission adjourned to meet at 10 o'clock antemeridian,  
Friday, January 27, 1911.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

# Second Philippine Legislature, First Session.

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## JOURNAL OF THE COMMISSION.

FRIDAY, JANUARY 27, 1911.

The Commission met pursuant to adjournment.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, Elliott, and the President.

Absent: Commissioner Worcester (on official business) and Commissioner Luzuriaga (on leave).

### READING OF JOURNAL.

The Journal of Thursday, January 26, 1911, was read and approved.

After the reading of the Journal the President left the Session Chamber, and

Commissioner Gilbert took the chair.

### REPORT OF STANDING COMMITTEE.

[Committee Report No. 143.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Commerce and Police, to which was referred on January 18, 1911, Assembly Bill No. 482, entitled "An Act granting a franchise to Simplicio Rodis to construct, maintain, and operate a street railway in the city of Cebu," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That it pass with the following amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"SECTION 1. Authority is hereby granted to construct, maintain, and operate a street railway over certain designated streets, thoroughfares,

public bridges and places in the city of Cebu, Province of Cebu, Philippine Islands, and the Governor-General is hereby authorized on behalf of the Government of the Philippine Islands to offer for public bidding the franchise set forth in this Act, and to grant said franchise to the best bidder, upon such terms as to percentage of gross earnings paid in lieu of Insular, provincial, and municipal taxes on the franchise and earnings thereof, which shall in no case be less than ..... per centum, and upon such terms and conditions as to advertisement and manner of bidding as he shall deem proper.

"SEC. 2. The franchise referred to in section one hereof shall be substantially in the following form:

"FRANCHISE.

"ARTICLE 1. There is hereby granted to ..... for the period of fifty years from and after the passage of this Act, the right and privilege to construct, maintain, and operate a street railway in the city of Cebu, over the streets, thoroughfares, public bridges, and places hereinafter designated, subject to all the laws and ordinances of said city which are not inconsistent with the provisions of this Act.

"ART. 2. The grantee hereunder, or his assigns or assignees, is authorized to make all necessary excavations and constructions in and upon any of the streets, thoroughfares, public bridges, and places designated in this Act, for the purpose of placing, removing, and repairing tracks, sidings, curves, switches, and connections, and to erect the necessary poles, wires, and other overhead structures connected therewith.

"ART. 3. With the consent of the municipal council of Cebu previously obtained, the said excavations and constructions may be made in and upon the following streets of the said city:

"(a) Commencing at the intersection of Calle de los Martires and Calle López Jaena, along the latter street to Calle Mabini, thence to Calle Colon, thence to Calle Juan Climaco, thence along Calle Juan Climaco throughout the length of such street to Calle Magallanes, thence across the bridge called Puente Concordia to Calle Tupas, thence along Calle Tupas to Calle Tuti on the west side of the San Nicolás Roman Catholic Church, thence along the said Calle Tuti to Calle Padilla, thence along Calle Padilla and its extension, in a westerly direction, to a point in front of the Roman Catholic Church of the barrio of El Pardo.

"(b) From the Concordia bridge along Calle Magallanes to Calle Carmelo, thence to Calle Morga (Comercio), thence along the latter street to its intersection with Calle de Los Martires, thence along Calle de los Martires throughout its entire length to the first intersecting street north of the Mabolo Roman Catholic Church.

"(c) From the intersection of Calle Magallanes and Calle Carmelo, along Calle Magallanes to Calle Pedro Burgos, thence along Calle Burgos to its intersection with Calle Morga.

"(d) From the intersection of Calle Magallanes and Calle Norte América, along the latter street to its junction with Calle Colon.



“(e) Reasonable and necessary changes in and extensions of the afore-said lines and routes may be made by the grantee with the consent of the municipal council, and the approval of the Governor-General.

“ART. 4. The grantee may lay double tracks upon each and all of the streets and thoroughfares mentioned in the last preceding article, except Calle Lopez Jaena; Calle Mabini from Lopez Jaena to Calle Colon; Calle Padilla, in the barrio of San Nicolas, from Calle Colon to Calle Carlock; and Calle Norte América. Upon these excepted streets double tracks may be laid only after the express consent of the municipal council thereto has been obtained.

“ART. 5. The motive power to be used by the grantee hereunder shall be electricity: *Provided*, That the grantee may at any time adopt other motive power for the good of the service, with the consent of the municipal council and the approval of the Governor-General.

“ART. 6. In the construction of the track, standard ‘T’ rails of not less than fifty pounds in weight per yard shall be used, and where the same pass through or over any street or thoroughfare, they shall be laid and maintained true to the finished grade of the street or thoroughfare, and the gauge of all tracks laid or maintained hereunder shall not be less than three feet six inches.

“ART. 7. The construction, operation, and maintenance of so much of the construction herein provided for as may be upon any public road, street, highway, or place, shall be subject to the following terms, conditions, and limitations:

“(a) The grantee shall in all cases lay and maintain his tracks so as to conform to the grades of the streets, thoroughfares, bridges, and public places along or across which said tracks may be constructed, and whenever such grades shall hereafter be established or altered by the municipal authorities of the city of Cebu the grantee shall lay and maintain his tracks to such established grades at his own expense: *Provided*, That if the grade at which any such track is laid be altered by the municipal authorities of the city of Cebu within seven years from the date hereof, the said city shall at its expense furnish the material to enable the grantee to conform the bed of his track to the altered grade, and the material necessary to reconstruct the cement substructure of the track of the grantee at the new grade: *And provided further*, That whenever the grade at which any such track is laid is altered by the said municipal authorities after more than seven years from the date hereof, the city of Cebu shall furnish the material to enable the grantee to conform the bed of his tracks to the altered grade, but not the cement for the substructure of the track.

“(b) The said tracks shall be so constructed and maintained as not to interfere with the ordinary use of the general public of said streets or highways as regulated by the municipal ordinances, and to that end the same shall be so laid as to leave sufficient space on one or both sides thereof for vehicles to pass without danger of collision with the cars being operated on said tracks.

“(c) The maximum rate of speed at which the grantee may operate his cars shall be fixed by the municipal authorities wherever the same shall be operated over or across a street, highway, or public place.

“(d) Members of the police and fire departments of the city of Cebu wearing official badges shall be entitled to ride free upon the cars of the grantee, subject to such reasonable and proper restrictions as may be imposed.

“(e) The grantee shall hold the city of Cebu harmless from all claims, accounts, demands, or actions arising out of accidents or injuries, whether to property or persons, caused by the construction or operation of the road.

“ART. 8. The grantee shall at all times keep the tracks, rolling stock, and other construction in good repair. Provision shall be made for carrying first and second class passengers: *Provided*, That except when demanded by special parties, all cars carrying first-class passengers shall be divided into first and second class compartments. The grantee shall at all times furnish and operate sufficient cars to satisfy the public demand, and to carry comfortably all the members of the public desiring to ride therein.

“ART. 9. In consideration of the franchise hereby granted, the per centum of the gross earnings of the enterprise agreed upon at the time of the award of this franchise shall be paid in lieu of all Insular, provincial, and municipal taxes on the franchise and the privileges granted hereunder, except taxes on real estate. The amount of gross earnings thus paid shall be distributed equally between the Insular Government, the Province of Cebu, and the city of Cebu.

“ART. 10. The grantee shall keep a record of all fares collected and tickets sold, and receipts from the transportation of freight, baggage, and express, which shall be subject to the inspection of the Insular Auditor, whose duty it shall be to audit and approve the accounts of the grantee at the end of each quarter, before the payment of the percentage tax. The accounts when thus audited and approved shall, in the absence of fraud or mistake, be final and conclusive evidence of the liability of the grantee under the provisions of article nine of this franchise.

“ART. 11. Whenever any franchise or right of way is granted to any other person or corporation now or hereafter in existence, over portions of the lines and tracks of the grantee herein, the terms on which said other person or corporation shall use said right of way, and the compensation to be paid the grantee herein by such other person or corporation for said use, shall be determined by the members of the Supreme Court of the Philippine Islands, sitting as a board of arbitrators. The decision of a majority of said board shall be final.

“ART. 12. The franchise herein granted shall be subject to amendment, alteration, or repeal by the Congress of the United States and upon the termination of this franchise by forfeiture, repeal, or expiration of time, the right to use the streets and other public lands herein granted shall revert to the city, province, or Insular Government, as the case may be.

"ART. 13. The grantee herein may sell, lease, give, grant, convey, or assign this franchise, and all property and rights acquired thereunder, to any person, company, or corporation competent to conduct the business authorized thereby, but no title to this franchise, or to the property or rights acquired thereunder, shall pass by sale, lease, gift, grant, conveyance, or assignment to the vendee, lessee, donee, transferee, or assignee, or be enjoyed by him until he shall have filed in the office of the Secretary of Commerce and Police an agreement in writing to comply with all the terms and conditions imposed on the grantee by the franchise, and accepting the said franchise subject to all its existing terms and conditions: *Provided, however,* That no transfer of this franchise shall become effective under the provisions of this article until it has been previously approved in writing by the Secretary of Commerce and Police.

"ART. 14. Should the grantee of this franchise sell, transfer, or assign the franchise as herein authorized to a corporation to be formed and organized in and under the laws of the Philippine Islands, the said corporation shall offer and place on sale in the Philippine Islands, to citizens of the Philippine Islands, at a price not exceeding par, twenty-five per centum of the stock of said corporation. The offer to sell said stock on said terms shall be duly advertised in the city of Cebu, and shall remain open for six months after the date of such advertisement. After the expiration of that period, the unsold part of said stock may be sold free from such restrictions.

"ART. 15. All the terms, conditions and restrictions required and imposed by section seventy-four of the Act of Congress of July first, nineteen hundred and two, are hereby by reference incorporated in and made a part of this franchise, and the grantee and his successors and assigns take and hold said franchise at all times subject thereto.

"ART. 16. No stocks or bonds shall be issued by any corporation owning or operating under this grant, except in exchange for actual cash, or for property at a fair valuation, equal to the par value of the stock or bonds so issued; nor shall such corporation declare any stock or bond dividend; nor shall any person, company, or corporation receiving this franchise from the Government of the Philippine Islands, or from its grantee, use, employ, or contract for the labor of persons claimed or alleged to be held in involuntary servitude, and any person, company, or corporation violating this provision shall forfeit all charters, grants, franchises, and concessions for doing business in the Philippine Islands, and in addition be deemed guilty of an offense, and punished therefor as provided by law.

"ART. 17. The books and accounts of said corporation shall at all times be subject to inspection and examination by the Auditor of the Philippine Islands, or his duly authorized representative.

"ART. 18. The fare which may be charged by the grantee shall not exceed the sum of twelve centavos on a first-class car, or ten centavos on a second-class car for one continuous ride from one point to another on the railway herein authorized to be constructed. The fares charged

for children under seven years of age shall not exceed the ordinary rate of half fare. Children in arms shall ride free: *Provided*, That where a change of cars is necessary there shall be established by the grantee a method of transfer not unreasonably burdensome in its restrictions to the transferred passengers; and in cases of a failure to comply with the foregoing requirement as to transfers it may be enforced upon application of the municipal council by mandamus to the proper Court of First Instance or the Supreme Court: *And provided further*, That the rates to be charged shall at all times be subject to revision and regulation by the Board of Rate Regulation, legally created by Act Numbered Seventeen hundred and seventy-nine, or any successor of said Board.

"ART. 19. The grantee shall begin the construction of the street railway herein provided for within one year from the date of the granting of the franchise, and the same shall be completed and in operation within eighteen months after the expiration of said period of one year unless prevented by the act of God, or the public enemy, usurped or military power, martial law, riot, civil commotion, or inevitable cause; otherwise the franchise herein granted shall become liable to forfeiture.

"ART. 20. The grantee shall have the right to acquire from corporations or private parties, by purchase, contract, lease, and grant or donation, such real estate as may be necessary for the construction, maintenance, and operation of the railway.

"ART. 21. The grantee shall have the right to transport freight and express packages over his tracks and make reasonable charges for the same, with the approval of the municipal council.

"ART. 22. Within ten days after the granting of this franchise, in pursuance of the public bidding required by this Act, the grantee shall file a formal written acceptance of the grant in the office of the Secretary of Commerce and Police, and within thirty days after such acceptance the grantee shall deposit in the Insular Treasury in cash or negotiable bonds of the United States, or other securities to be approved by the Governor-General, the sum of three thousand pesos Philippine currency, and within six months thereafter the further sum of seven thousand pesos, as security for the performance of the obligations of the franchise: *Provided*, That the said sums shall be repaid by the Insular Treasurer to the grantee whenever, within the period heretofore fixed, the Chief of the Bureau of Public Works shall certify that three-fourths of the mileage of the road covered by this franchise shall have been constructed according to the terms and conditions herein imposed on the grantee. If, however, the grantee shall, within the time required, fail to perform the obligations of his contract, then the city may, by appropriate action, recover the sum so deposited as liquidated damages for the breach.

"ART. 23. At any time after twenty-five years, the city of Cebu may purchase, and the grantee shall sell to the city of Cebu all of its lines, tracks, cars, real estate, buildings, plant, rights under this franchise, and other property used by it in the operation of a street railway in

the city of Cebu, at a valuation based upon the net earnings of the grantee, the valuation to be determined, after hearing evidence, by the Supreme Court of the Islands, sitting as a board of arbitrators, whose decision, by a majority of the members thereof, shall be final."

C. B. ELLIOTT,

*Committee on Matters Pertaining to the  
Department of Commerce and Police.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

Assembly Bill No. 482 was read the second time as amended and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following further amendments:

Strike out the words "city of Cebu" wherever they occur in the bill and insert in lieu thereof the words "municipality of Cebu."

Section 1, page 1, insert the words "one and one-half" in the blank space in line 11.

Section 2, article 2, line 4, page 2, strike out the words "or his assigns or" and insert in lieu thereof the word "his assigns and."

Same section, article 6, line 27, page 3, strike out the words "fifty pounds" and insert in lieu thereof the words "twenty-four and eight-tenths kilos," and strike out the word "yard" and insert in lieu thereof "meter;" and in line 2 of page 4, strike out the words "three feet and six inches" and insert in lieu thereof the words "one meter six and sixty-eight hundredths centimeters."

Same section, article 9, page 5, insert before the words "in lieu of" in line 28, the words "quarterly into the Insular Treasury;" and in lines 3 and 4 of page 6, strike out the words "equally between the Insular Government, the Province of Cebu, and the city of Cebu" and insert in lieu thereof the words "between the Insular Government, the Province of Cebu, and the municipality of Cebu, as may be provided by general law."

Same section, article 12, page 6, strike out the words "shall be" in line 25 and insert the word "is."

Same section, article 13, page 7, strike out the word "thereunder" in lines 7 and 10 and insert "hereunder;" and in line 8, strike out the word "thereby" and insert "hereby."

Same section, article 14, page 7, strike out the word "the" after the word "period" in line 30 and insert the word "any."

Same section, article 18, page 9, strike out the word "cases" in line 3 and insert the word "case;" in line 5, strike out the words "by mandamus;" and in line 9, strike out the word "legally" before the word "created" and insert the words "legally created" before the word "successor."

Same section, article 22, page 10, line 1, strike out the words "Philippine currency;" in line 6, strike out the words "Chief of the Bureau of Public Works" and insert the words "Director of Public Works;" in line 8, strike out the words "shall have" and insert the word "has;" and in line 11, strike out the word "city" and insert the words "Insular Treasurer."

The report and recommendation of the Committee of the Whole were adopted by unanimous vote, and the bill was ordered on file for third reading.

#### INTRODUCTION OF BILLS (OUT OF ORDER).

Commissioner Gilbert introduced the following bill:

Commission Bill No. 73. An Act to provide for the survey and classification of Philippine soils, to regulate the sale of commercial fertilizers, feed-stuffs, and insecticides, to prevent the importation and spread of plant pests and diseases, and for other purposes.

By unanimous consent, Commission Bill No. 73 was read the first time by title only.

The bill was read the second time and consideration postponed until the next meeting of the Commission.

Commissioner Gilbert introduced the following bill:

Commission Bill No. 74. An Act to provide for a locust board, to specify the persons liable for service in the control of locusts, to provide a system for the extermination of the locust pest, and for other purposes.

By unanimous consent, Commission Bill No. 74 was read the first time by title only.

The bill was read the second time and consideration postponed until the next meeting of the Commission.

Commissioner Gilbert introduced the following bill:

Commission Bill No. 75. An Act to prevent the introduction into the Philippine Islands of dangerous communicable animal diseases, to prevent the spread of such diseases within the Philippine Islands, to define the duties of officials charged with the control of such diseases, and for other purposes.

By unanimous consent, Commission Bill No. 75 was read the first time by title only.

The bill was read the second time and consideration postponed until the next meeting of the Commission.

Commissioner Gilbert introduced the following bill:

Commission Bill No. 76. An Act providing for the proof and acknowledgment of instruments without the Islands.

Commission Bill No. 76 was read the first time.

By unanimous consent, it was read the second time by title only and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following amendments:

Section 1, page 1, line 3, strike out the words "State thereof, or any territory" and insert in lieu thereof the words "State or Territory thereof, the District of Columbia or any territory;" line 7, insert after the word "territory" the words "thereof, the District of Columbia or territory under the jurisdiction or control of the United States;" line 9, insert after the word "Territory" the words "the District of Columbia, or other territory;" after the word "territory" in lines 10 and 11 insert the words "District or other territory;" line 12, strike out the words "or Territory" and insert in lieu thereof the words "Territory, District or other territory;" line 15, strike out the words "or Territory" and insert in lieu thereof the words "Territory, District or other territory;" lines 21 and 22, strike out the words "or Territory" in each case where they occur in said lines and insert in lieu thereof the words "Territory, District or other territory;" line 24, strike out the words "or district" and insert the words "district or other subdivision;" line 28, strike out the words "or Territory" and insert the words "Territory, District or other territory."

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Gilbert, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission and read the third time by title only.

The question then being upon its passage, the roll was called and the bill was unanimously passed, and the title was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

Commissioner Araneta entered the Session Chamber at this point.

## MESSAGES FROM THE ASSEMBLY.

JANUARY 27, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on January 24, 1911, passed the following bill (A. B. No. 499), in which it requests the concurrence of the Commission: An Act to amend articles forty-nine and fifty of the Penal Code, so as to provide that preference shall be given to the collection of fines, and for other purposes.

Copies of the report of the Committee on Revision of Laws (A. Rep. 145) and of the explanatory statement of Delegate Sotto are inclosed for the information of the Commission.<sup>1</sup>

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 499 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, for report and recommendation.

JANUARY 27, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 24, 1911, passed the following bill (A. B. No. 239), in which it requests the concurrence of the Commission: An Act to amend section one of Act Numbered Five hundred and eighteen, entitled "An Act defining highway robbery or brigandage, and providing for the punishment therefor," so as to reduce the penalty therein designated.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent Assembly Bill No. 239 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, for report and recommendation.

## REPORTS OF STANDING COMMITTEES.

[Committee Report No. 144.]

MR. PRESIDENT: Your Committee on Municipal and Provincial Governments, to which was referred on January 14, 1911, Assembly Bill No. 187,

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<sup>1</sup>These documents are on file in the office of the Secretary of the Commission.



entitled "An Act declaring the Province of Samar a province of the second class and granting it the rights and privileges inherent to its class," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be laid on the table.

The bill provides for a change of the province from third class to second class, but there is nothing in this Act or any other specifying what either a second or third class province is.

The designation of provinces as first, second, third, fourth, and fifth class is purely administrative and is used to indicate their relative importance and the salaries paid the provincial governors and provincial treasurers.

An examination of such data as is available shows that Samar stands at the head of what are administratively known as "third-class provinces" and is on an equality with the lowest of the "second-class" provinces.

No advantage would accrue to the province by changing its class, the only difference being that the salaries of the provincial governor and the provincial treasurer would be increased ₱500 each per annum.

It is not believed that the object sought to be attained would be accomplished by the passage of this bill.

Respectfully submitted.

RAFAEL PALMA,

*Chairman pro tempore,*

*Committee on Municipal and Provincial Governments.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 145.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on January 25, 1911, Assembly Bill No. 229, entitled "An Act assigning a per diem to the *defensor de officio* in the Courts of First Instance and amending section two of Act Numbered Nineteen hundred and forty-two," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be laid on the table.

The purpose of this bill is to provide for the remuneration of attorneys appointed to defend poor defendants in criminal cases in the Courts of First Instance, such remuneration to be paid by the province at the rate of not less than ₱5 nor more than ₱10 a day.

At the present time attorneys appointed *defensores de officio* are exempt from the payment of the license tax prescribed by the Internal Revenue Law.

In nearly every country in which provision is made for the defense of

poor defendants such service is gratuitous, and I see no reason whatever for establishing a different system in these Islands.

Respectfully submitted.

GREGORIO ARANETA,  
*Committee on Matters Pertaining to the  
 Department of Finance and Justice.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 146.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on January 19, 1911, Assembly Bill No. 223, entitled "An Act prescribing regulations for notaries public," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill pass in the following form:

"SECTION 1. Section eighty-seven of Act Numbered One hundred and thirty-six, entitled 'An Act for the organization of courts in the Philippine Islands,' is hereby amended to read as follows:

"SEC. 87. *Register of official acts.*—Every notary public, including officials who are ex officio notaries public, shall keep a register of all his official acts, to be known as notarial register, and shall give a certified copy of his record, or any part thereof, to any person applying for it and paying the legal fees thereof.

"The notary public shall enter in such register, in chronological order, the nature of each instrument executed or acknowledged before him, the persons executing the instrument, the witnesses, if any, to the signatures, the fees collected, and the date of the acknowledgment of the instrument, and shall give to each entry a consecutive number, beginning with the number one and beginning again with number one on the first day of each calendar year. The notary shall give to each instrument acknowledged before him a number corresponding to the one in his register, and shall also state on the instrument the page or pages of his register on which the same is recorded. No blank line shall be left between entries. At the end of each week the notary public shall enter in his register the number of instruments acknowledged before him, and if none have been acknowledged that fact shall appear. Such register shall be kept in books to be furnished by the Attorney-General to any notary public upon request and upon payment of the actual cost thereof. The register shall be duly paged, and on the first page the Attorney-General shall certify the number of pages of which the book consists.

"At the end of every month the notary public shall send to the clerk of the court of the province wherein he exercises his office a copy of the entries made in his register during the month, if any. The blank forms for such copies shall be furnished by the Attorney-General to the notary public upon request and upon payment by him of the actual cost thereof.

“For the purposes of this section the city of Manila shall be considered a province.

“Failure to comply with the provisions of this section without just cause shall cause the removal of the notary public, and he shall be punished by a fine of not more than five hundred pesos.”

“SEC. 2. Section ninety-two of said Act Numbered One hundred and thirty-six shall be known as section ninety-four, and the following additional sections are hereby added to said Act:

“SEC. 92. *Supervision over notaries public.*—The judge of the Court of First Instance in each district, and in the city of Manila the senior judge, shall at all times exercise supervision over the notaries public within his district and shall keep himself informed of the manner in which they perform their duties by personal inspection wherever possible, or from reports which he may require from them, or from any other available source.

“SEC. 93. *Disposition of notarial register after the expiration of the notary's commission.*—Within fifteen days after the expiration of his commission the notary public shall forward his notarial register to the clerk of the Court of First Instance of the province wherein he exercises his office, who shall examine the same and report thereon to the judge of the Court of First Instance. If the judge finds that no irregularity has been committed in the keeping of the register he shall forward the same to the chief of the division of archives, patents, copyrights, and trade-marks of the Executive Bureau. In case the judge finds that irregularities have been committed in the keeping of the register he shall refer the matter to the provincial fiscal for action, and the sending of the register to the chief of the division of archives, patents, copyrights, and trade-marks of the Executive Bureau shall be deferred until the termination of the case against the notary public.”

This bill is in substance the same as the bill passed by the Assembly, but instead of making a new Act it has been deemed best to amend certain sections of, and add other sections to Chapter VI of Act No. 136, which treats of notaries public. Also there have been left out certain provisions inserted in the Assembly bill apparently under the idea that notaries public now exercise their duties in the same manner as formerly under the Spanish régime.

Respectfully submitted.

GREGORIO ARANETA,  
*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

Assembly Bill No. 223, as amended, was read the second time and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission

with the recommendation that it pass with the following further amendments:

Section 1, page 1, line 14, strike out the word "thereof" and insert the word "therefor;" line 17, after the word "executed" insert the words "sworn to;" line 18, after the word "executing" insert the words "swearing to, or acknowledging;" line 20, before the word "acknowledgment" insert the words "execution, oath or;" page 2, lines 2, 3, and 4, strike out the words "the number one and beginning again with number one on the first day of each calendar year" and insert in lieu thereof the words "number one in each calendar year;" line 5, after the word "instrument" insert the words "executed, sworn to or;" line 11, strike out the word "enter" and insert the word "certify;" line 12, after the word "instruments" insert the words "executed, sworn to or;" line 13, insert the words "executed, sworn to or" before the word "acknowledged" and the words "in the certificate" after the word "appear;" and on page 3, line 2, strike out the word "cause" and insert the words "be ground for."

Section 2, page 3, line 9, strike out the words "added to" and insert the words "inserted in;" and in line 5 of page 4 strike out the words "provincial fiscal" and insert in lieu thereof the words "fiscal of the province and in the city of Manila, to the prosecuting attorney."

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Araneta, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and the bill was unanimously passed.

Commissioner Araneta moved to amend the title to read as follows:

An Act amending Chapter VI of Act Numbered One hundred and thirty-six, entitled "An Act providing for the organization of courts in the Philippine Islands," by prescribing the manner in which notaries public shall keep their official registers, and providing for supervision over notaries public and for the final disposition of notaries' registers, and for other purposes.

The motion prevailed and the title as amended was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the amendments of the Commission.

## THIRD READING AND PASSAGE OF BILL.

Assembly Bill No. 482. An Act granting a franchise to Simplicio Rodis to construct, maintain, and operate a street railway in the city of Cebu.

On motion by Commissioner Elliott, unanimously carried, Assembly Bill No. 482 was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and the bill was unanimously passed.

Commissioner Elliott moved to amend the title to read as follows:

An Act authorizing the granting on certain conditions of a franchise to construct, maintain, and operate a street railway in the municipality of Cebu.

The motion prevailed and the title as amended was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the amendments of the Commission.

## INTRODUCTION OF BILLS.

Commissioner Elliott introduced the following bill:

Commission Bill No. 77. An Act to provide a system for the appropriation of public waters, and for the determining of existing rights thereto; for the public registration of all water rights; for the creation and use of water power; for investigations for and the construction, maintenance, and operation of irrigation systems by the Government of the Philippine Islands; for the repayment of money expended therefor; for the construction, maintenance, and operation of irrigation systems by private persons; for the inspection and regulation of all works pertaining to the use of water; and providing penalties for its violation; and for other purposes.

By unanimous consent, Commission Bill No. 77 was read the first time by title only.

The bill was read the second time and consideration postponed.

Commissioner Araneta introduced the following bill:

Commission Bill No. 78. An Act appropriating the sum of fifty thousand pesos or so much thereof as may be necessary, to be expended, subject to the approval of the Governor-General, together with an equal amount to be contributed by the tobacco interests of the Philippine Islands,

in advertising Philippine tobacco and tobacco products in the United States, and for other purposes.

Commission Bill No. 78 was read the first time.

By unanimous consent, it was read the second time by title only and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following amendments:

Section 1, page 1, line 6, strike out the words "Philippine currency;" line 11, strike out the words "tobacco and tobacco products" and insert in lieu thereof the words "products and interests;" amend the proviso to read as follows:

*"Provided, however,* That only so much of the said sum of fifty thousand pesos shall be expended as above for the said purpose as shall equal an amount contributed to said fund by private persons interested in the development of the Philippine Islands. Such amounts so contributed, together with the amount herein appropriated, shall be expended for the said purpose by the Insular Treasurer with the prior approval of the Governor-General."

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Araneta, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and the bill was unanimously passed.

Commissioner Araneta moved to amend the title to read as follows:

*"An Act* appropriating the sum of fifty thousand pesos, or so much thereof as may be necessary, to be expended, subject to the approval of the Governor-General, together with an equal amount to be contributed by private persons interested in the development of the Philippine Islands, to advertise in the United States, Philippine products and interests, and for other purposes."

The motion prevailed, and the title as amended was read and approved.

*Ordered,* That the Secretary request the concurrence of the Assembly in the bill as passed.

## CONFERENCE REPORT NO. 10.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Commission to Assembly Bill No. 331, entitled "An Act to provide for an exposition of Philippine products in the city of Manila in the year nineteen hundred and eleven, to appropriate funds therefor, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

(1) That the Assembly recede from its disagreement to the amendments of the Commission to sections 1, 5, and 7, and to the title.

(2) That section 2 read as follows:

"SEC. 2. This exposition shall be under the direction and control of a board of directors, which shall be known as the Philippine Exposition Board and composed of the Secretary of Commerce and Police, who shall be the president thereof; the chairman of the Committee on Industry and Commerce of the Philippine Assembly, who shall be the vice-president; and three members who shall be appointed by the Governor-General. Of the members appointed by the Governor-General, one shall be a member of the Philippine Chamber of Commerce and another a member of the Manila Merchants' Association.

"The board of directors shall serve as such without pay and shall have charge of the assembling and display of the exhibits received and the expenditure of the funds hereinafter appropriated. It shall appoint such subordinate officers and employees as may be necessary and fix the salaries thereof: *Provided*, That the total expenditures for salaries shall not exceed ten thousand pesos: *Provided further*, That if the Philippine Exposition shall be held in nineteen hundred and eleven, the total amount for salaries shall not exceed ten thousand pesos, and if in nineteen hundred and twelve, a sum not exceeding three thousand pesos may be spent for salaries during the year nineteen hundred and eleven, leaving the remaining seven thousand for salaries during the year nineteen hundred and twelve: *Provided further*, That, if requested, the Governor-General may detail such officers and employees of the Insular, provincial, and municipal governments, or of the city of Manila, as may be considered necessary, who shall serve without additional compensation: *And provided, finally*, That, except as provided in this section, the officers or employees of the Government detailed under this Act, are hereby prohibited from rendering any other services for purposes not expressly provided for by this Act, during the time of their detail."

(3) That section 4 read as follows:

"SEC. 4. The aforementioned board of directors is hereby authorized in its discretion to purchase the most desirable articles exhibited or offered for exhibition, and to retain the same for the purpose of developing the existing Philippine Museum."

(4) That the Commission recede from the first part of its amendment to section 6, and that the Assembly agree to the second part of said amendment. And

(5) That section 8 be stricken out.

W. CAMERON FORBES,

C. B. ELLIOTT,

JUAN SUMULONG,

*Managers on the part of the Commission.*

V. CONCEPCIÓN,

GREGORIO NIEVA,

V. SINGSON ENCARNACIÓN,

*Managers on the part of the Assembly.*

The report was adopted.

RECESS.

Thereupon, at 12 o'clock and 40 minutes postmeridian,  
The Chair declared a recess until 3 o'clock postmeridian.

RECONVENED.

At 3 o'clock postmeridian, the Commission reconvened.  
Commissioner Gilbert in the chair.

#### CONSIDERATION OF ESTIMATES FOR APPROPRIATIONS.

The Commission then engaged in an informal consideration of the estimates for the fiscal year 1912 of the Bureaus of Posts, Coast and Geodetic Survey, Labor, Justice, Customs, Internal Revenue, Treasury, Education, and the Offices of the Consulting Architect and the Supervising Railway Expert.

#### MESSAGES FROM THE ASSEMBLY.

JANUARY 27, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 25, 1911, passed the following concurrent resolution (No. 5), in which it requests the concurrence of the Commission: Concurrent Resolution authorizing the Executive Secretary to enter into a contract with two American and two Filipino newspapers for the publication of official notices.

Very respectfully,

RAMÓN DIOKNO,

*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.



The resolution is as follows:

Assembly Concurrent Resolution No. 5. Concurrent Resolution authorizing the Executive Secretary to enter into a contract with two American and two Filipino newspapers for the publication of official notices.

*Resolved by the Philippine Assembly, the Philippine Commission concurring,* That the Executive Secretary be, as he hereby is, authorized to enter into a contract with two American and two Filipino newspapers of general circulation for the publication of all Acts and joint and concurrent resolutions of the Philippine Legislature, the Philippine Commission or the Philippine Assembly; executive orders and proclamations of the Governor-General; and other public notices of the different Departments and Bureaus of the Philippine Government, as sent by the Executive Secretary to such newspapers for publication; with the understanding that for such service rendered in the publication of such official notices, each of the newspapers contracted with shall receive the sum of five hundred pesos Philippine currency monthly. The contract so entered into shall contain a clause to the effect that it may be rescinded at any time by the Governor-General, in the name of the Philippine Government, after one month's notice.

*Be it further resolved,* That the notices relating to actions in the courts and in the Court of Land Registration shall not be understood to be included among the notices which shall be published in accordance with the contract hereby authorized.

*Be it resolved finally,* That the payments hereby authorized to be made during the fiscal year nineteen hundred and ten shall be paid from the funds heretofore appropriated for the Executive Bureau.

Assembly Concurrent Resolution No. 5 was read the first time and referred to the Committee on Matters Pertaining to Bureaus under the Executive Control of the Governor-General, for report and recommendation.

JANUARY 27, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 25, 1911, passed the following bill (A. B. No. 469), in which it requests the concurrence of the Commission: An Act to amend Act Numbered Fourteen hundred and seven, as amended, by extending to ten years the period during which timber, firewood, resin, stone, earth, and other forest products may be cut or taken from the public forests without the payment of forestry charges and extending such benefits to the agricultural estates, subject to certain conditions.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent Assembly Bill No. 469 was read by title only and referred to the Committee on Matters Pertaining to the Department of the Interior, for report and recommendation.

JANUARY 27, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 24, 1911, passed the following bill (A. B. No. 507), in which it requests the concurrence of the Commission: An Act to amend section one hundred and twenty-two of Act Numbered Eleven hundred and eighty-nine, entitled "The Internal Revenue Law," by abolishing imprisonment for delinquents in the payment of the personal cedula tax.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent Assembly Bill No. 507 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, for report and recommendation.

#### REPORT OF STANDING COMMITTEE.

[Committee Report No. 147.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on October 21, 1910, Commission Bill No. 25, entitled "An Act regulating the registration, branding, conveyance, and slaughter of large cattle; providing for the disposition, care, custody, and sale of estrays and large cattle captured or seized; providing for the surrender of certificates of ownership, and so forth, of dead cattle and those transferred, slaughtered, lost, and so forth, providing penalties for noncompliance with its provisions and for theft, robbery, and so forth, of large cattle; repealing all prior laws, ordinances, and regulations inconsistent with its provisions, and for other purposes," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That consideration of this bill be postponed until the next session.

This is a lengthy and important bill, including many amendments to existing law, and in view of the fact that Commissioner Luzuriaga, who first proposed the revision of the Cattle Registration Law and gave a great deal of consideration to this subject, is absent on leave, your committee would prefer to give him an opportunity to study its provisions and express his views on the subject.

Furthermore, there remain but a few days of the present session and

it is believed that the importance of the subject justifies more careful consideration of the proposed changes than can be given during the short time remaining.

GREGORIO ABANETA,

*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

MESSAGES FROM THE ASSEMBLY.

JANUARY 27, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 25, 1911, passed the following bill (A. B. No. 263), in which it requests the concurrence of the Commission: An Act to abolish the death penalty.

Copies of the report of the Committee on Revision of Laws (A. Rep. No. 138) are inclosed for the information of the Commission.<sup>1</sup>

Very respectfully,

RAMÓN DIOKNO,

*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent Assembly Bill No. 263 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, for report and recommendation.

JANUARY 27, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 25, 1911, passed the following bill (A. B. No. 519), in which it requests the concurrence of the Commission: An Act to amend section two of Act Numbered Nineteen hundred and thirty-five, entitled "An Act providing for the consolidation of all libraries belonging to any branch of the Philippine Insular Government, for the creation of 'The Philippines Library,' and for the maintenance and regulation of the same, and for other purposes," by defining the status of the libraries of both Houses of the Legislature.

Very respectfully,

RAMÓN DIOKNO,

*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

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<sup>1</sup> Copies of this report are on file in the office of the Secretary of the Commission.

By unanimous consent Assembly Bill No. 519 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of Public Instruction, for report and recommendation.

INTRODUCTION OF BILL.

The President introduced the following bill:

Commission Bill No. 79. An Act imposing an internal-revenue tax on polished rice manufactured in or imported into the Philippine Islands.

Commission Bill No. 79 was read the first time and laid on the table.

REPORTS OF STANDING COMMITTEES.

[Committee Report No. 148.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on January 24, 1911, Assembly Bill No. 155, entitled "An Act declaring the port of Tabaco, Province of Albay, a port of entry," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be laid on the table.

This bill was referred to the Insular Collector of Customs for comment. Among other things the Collector of Customs stated as follows:

"The opening of Tabaco or Legaspi as a port of entry has been discussed a number of times before and the decision of the Commission has always been that there was no apparent need for a port of entry at either Tabaco or Legaspi and that the expense of maintaining such a port would in all likelihood be greater than the revenue collected thereat.

"This also has been the opinion of the undersigned and nothing has occurred since this subject was last discussed to change that opinion.

"It is improbable that any foreign boats carrying import cargoes or any foreign boats seeking their export cargoes would go to the port of Tabaco to discharge or receive the same. The marketing of the produce which is grown within the territory adjacent to the port of Tabaco is virtually controlled at the port of Manila and, even if Tabaco were an open port, it is believed that, under present conditions, this produce would still come to the port of Manila for sale and shipment.

"On October 11, 1907, the Commission passed Act No. 1775, authorizing the Insular Collector of Customs to clear foreign vessels for the ports of Legaspi and Tabaco under such rules and regulations as he might, with the approval of the Secretary of Finance and Justice, impose. Section 76, Act No. 355, also permits collectors of customs to permit bulk cargo, imported in foreign vessels, to be unladen under the supervision of customs officers at places other than ports of entry within their respective districts.

"The undersigned can remember no instance, since the passage of Act No. 1775, where a foreign vessel has requested permission to proceed either to the port of Legaspi or Tabaco for the purpose of discharging bulk cargo or taking on board export cargo. There have at different times been a number of minor entry ports in the Philippine Islands, such as Aparri, north Island of Luzon, Davao on the southeast coast of Mindanao, and Siasi on the Island of Siasi, Jolo Archipelago. None of these ports ever did a sufficient business to justify their maintenance as ports of entry and all have been subsequently closed under the authority of existing law."

In the above-quoted views of the Insular Collector of Customs the undersigned concurs.

Respectfully submitted.

GREGORIO ARANETA,  
*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 149.]

MR. PRESIDENT: The Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on January 5, 1911, Assembly Joint Resolution No. 14, requesting the Congress of the United States, through the Resident Commissioners, for the enactment of a law to amend section 13 of an Act of Congress passed August 5, 1909, so as to lower the export duty on abacá to 5 cents for each 100 kilos gross weight, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the resolution in the following form be adopted:

"Whereas abacá is the chief agricultural product of the Philippine Islands; and

"Whereas there has been a steady decline in the price of all classes of abacá during the past four years to such an extent that the price now received for this product is but little more than half that received four years ago, leaving very little profit for the producers; and

"Whereas it is the sense of the Philippine Legislature that the export duty of seventy-five cents per hundred kilos on abacá as compared with the export duty on copra and sugar is excessive; and

"Whereas a reduction of the export duty on abacá would unquestionably have the effect of bringing about a better price for this commodity; and

"Whereas the loss in revenue which would result from such reduction would be amply compensated by the increased prosperity necessarily following the increased price received for abacá: Now, therefore, be it

*"Resolved by the Philippine Commission and the Philippine Assembly,*

That the Congress of the United States be requested, as it is hereby requested, through the Resident Commissioners in Washington, to amend section thirteen of an Act of Congress passed August fifth, nineteen hundred and nine, so that the sum of five cents be collected as an export duty upon each one hundred kilos of abacá exported from the Philippines to any foreign country whatsoever.

*Resolved further*, That copies of this resolution be transmitted to the Resident Commissioners so that the matter of the amendment herein requested may be promptly taken up by them."

Your committee in making this recommendation does not lose sight of the fact that the proposed reduction would cause a falling off in the revenues of the Insular Government. The net amount of export duty collected on abacá during the fiscal year 1910 amounted to \$383,979. Had the export duty been 5 cents per hundred kilos the net amount collected would have been \$25,598, a reduction of \$358,381. Notwithstanding this we do not hesitate to recommend the reduction of this export duty, as it is in fact excessive as compared with the duty paid on copra and sugar.

During the fiscal year 1910 the average price per ton of hemp exported was \$102, of copra \$78, and of sugar \$55, while the export duty on copra and sugar is only 10 and 5 cents per hundred kilos, respectively. There appear no grounds whatever for so great a discrimination against abacá.

The loss in revenue would be sufficiently compensated by the better price that would be obtained for this commodity. The decreased price for abacá is largely owing to the competition of Mexican sisal, which not only does not pay any export duty but, as we are informed, receives an export bounty.

Respectfully submitted.

GREGORIO ARANETA,

*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

Consideration of the report was postponed.

ADJOURNMENT.

Thereupon, at 7 o'clock postmeridian,

On motion by Commissioner Elliott,

The Commission adjourned to meet at 9 o'clock, Saturday,  
January 28, 1911.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

# Second Philippine Legislature, First Session.

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## JOURNAL OF THE COMMISSION.

SATURDAY, JANUARY 28, 1911.

The Commission met pursuant to adjournment.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, Elliott, and the President.

Absent: Commissioner Worcester (on official business) and Commissioner Luzuriaga (on leave).

### READING OF JOURNAL.

The Journal of Friday, January 27, 1911, was read and approved.

During the reading of the Journal the President left the Session Chamber, and Commissioner Gilbert took the chair.

### REPORTS OF STANDING COMMITTEES (OUT OF ORDER).

[Committee Report No. 150.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Public Instruction, to which was referred on October 29, 1910, the recommendation of the Governor-General regarding an appropriation for a locust campaign, has studied the matter and presented a bill to the Legislature covering the subject.<sup>1</sup>

Respectfully submitted.

NEWTON W. GILBERT,  
*Committee on Matters Pertaining to the  
Department of Public Instruction.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was accepted.

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<sup>1</sup> Commission Bill No. 74.

[Committee Report No. 151.]

MR. PRESIDENT: The Committee on Matters Pertaining to the Department of Public Instruction, to which was referred on January 25, 1911, Assembly Bill No. 168, entitled "An Act further amending section twelve of Act Numbered One hundred and ninety, entitled 'Code of Procedure in Civil Actions and Special Proceedings in the Philippine Islands,' as amended, by providing that the Spanish language shall continue to be the official language of the courts until such time as the Philippine Legislature shall provide otherwise, and for other purposes," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That it be laid upon the table.

There are several reasons why in the opinion of your committee this bill should not become a law. Among them may be mentioned, first, the passage of this bill will necessarily retard the realization of the aspirations of the people of the Philippines for a larger participation in the Government. Second, for the reason that the passage of this bill would be a severe blow to the public-school system of the Philippine Islands which has been developed with so much care and which bids fair to be of so much benefit to the people of the Philippine Islands.

The only language that all the people in the Philippine Islands have an opportunity of acquiring is the English language. Before American occupation the privilege of learning the Spanish language was accorded only to a very favored few, so that the great masses of the people of the Philippines to-day are not able to speak or read or write Spanish. For some ten years now the English language has been taught in all parts of the Philippine Islands so that a very large percentage of the rising generation are able to speak, read, and write that tongue. No people can ever hope to maintain a democratic form of government unless all the people are able to communicate with each other. If only a few are able to understand the language of the Government, the Government at the best would be an oligarchy no matter by what name it should be called. The people of the Philippines have a proper and a natural ambition for a larger participation in the Government and their ambitions are in the direction of a government of democratic form. In the opinion of your committee it would be a backward step and a severe blow upon these aspirations to pass this bill.

It is also true that we are now beginning to graduate from the high schools of the Islands a large number of young men and women who understand the English language well and who have no considerable acquaintance with any other. This is true not only in all the public schools of the Archipelago, but it is true of many of the best private schools, which are seeking more and more to instruct their pupils in English with the knowledge that in a few years unless this is done the graduates of these institutions will be greatly handicapped in their life work. It is true that if some such bill as this is not passed a



few elderly persons in the Islands will suffer some hardship, but this number at most should be very few indeed; because of the knowledge that now exists of the law, which is not effective until January 1, 1913, any person of ordinary intelligence, and certainly all of those who have to do with the administration of justice in our courts, either as officers of the court or attorneys, can readily acquire this language, and if upon that date there are still some who have not done so interpreters will, of course, still be provided for them.

As an illustration of how widely disseminated the English language has become, perhaps no better illustration can be given than to consider the members of the Philippine Assembly. These men almost without exception belong to the favored class which was permitted to learn Spanish, and yet to-day a very large proportion of them speak, read, and write English, and every election the number will greatly increase.

Your committee can not bring itself to take this backward step and the giving of this severe blow to Philippine aspirations or to the curtailment of opportunity to the youth of the land which this bill would involve, for after all the future of every country depends upon its young men.

Respectfully submitted.

NEWTON W. GILBERT,  
*Committee on Matters Pertaining to the  
Department of Public Instruction.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

#### EXPLANATIONS OF VOTES.

Commissioner ARANETA. I vote for the adoption of the report because I do not think this is the proper time to take the matter up.

Commissioner PALMA. I vote for the adoption of the report as I think the bill is premature, but I am not opposed to some extension of the time for the use of Spanish as the official language.

#### THIRD READING AND PASSAGE OF BILL.

Commission Bill No. 75. An Act to prevent the introduction into the Philippine Islands of dangerous communicable animal diseases, to prevent the spread of such diseases within the Philippine Islands, to define the duties of officials charged with the control of such diseases, and for other purposes.

By unanimous consent, Commission Bill No. 75 was read the third time by title only.

Commissioner Araneta moved to strike out section 30.

The motion prevailed, Commissioner Gilbert voting in the negative.

Commissioner Gilbert moved to insert a new section 30 to read as follows:

"SEC. 30. For the purpose of carrying out the provisions of section twenty-six hereof there is hereby appropriated out of any funds in the Insular Treasury not otherwise appropriated, the sum of fifty thousand pesos; which amount shall be provided for annually in the regular appropriation Act."

The motion prevailed.

The question then being upon its passage, the roll was called and the bill was unanimously passed.

Commissioner Gilbert moved to amend the title by inserting after the word "diseases" the words "appropriating funds for the enforcement of this Act."

The motion prevailed, and the title as amended was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

Commission Bill No. 73. An Act to provide for the survey and classification of Philippine soils, to regulate the sale of commercial fertilizers, feed-stuffs, and insecticides, to prevent the importation and spread of plant pests and diseases, and for other purposes.

By unanimous consent, the bill was read the third time by title.

Commissioner Araneta moved to insert the words "of the Bureau of Agriculture" after the word "soils" in line 1, section 1, page 1.

The motion prevailed.

The question then being upon its passage, the roll was called and the bill was unanimously passed, and the title was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

The President returned to the Session Chamber and resumed the chair.

Commission Bill No. 74. An Act to provide for a locust board, to specify the persons liable for service in the control of locusts, to provide a system for the extermination of the locust pest, and for other purposes.

Commission Bill No. 74 was read the third time.

The President moved the following amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"SECTION 1. Section one of Act Numbered Eight hundred and seventeen is hereby amended to read as follows:

"SECTION 1. Under the presidency of the provincial governor a board is

hereby created in each province for the purpose of preparing plans and carrying on the work in connection with the extermination of locusts, such board to be made up of the members of the provincial board and three members to be appointed by the Director of Agriculture, and to be known as the locust board, who shall serve as such without compensation. The provincial treasurer shall act as disbursing officer of the locust board without additional compensation. It shall be the duty of the locust board to enforce the provisions of this Act relating to the extermination of locusts and the rules and regulations prescribed by the Director of Agriculture and approved by the Secretary of Public Instruction.'

"SEC. 2. Section two of Act Numbered Eight hundred and seventeen is hereby amended to read as follows:

"SEC. 2. In every province in which a plague of locusts is threatened or exists every able-bodied inhabitant, subject to such regulations and limitations as the board constituted under this Act may adopt with the approval of the Governor-General, is hereby declared to be liable to service in the destruction of the locusts. The board shall adopt regulations subject to the approval of the Secretary of Public Instruction, directing the conduct of the persons summoned for the purposes of this Act and shall control their operations, either directly or through the municipal officers of the various municipalities, who are hereby, in respect to the scope of this Act, made subordinates of the board hereby constituted. The regulations of the board may require that the inhabitants shall work en masse or in such force and in such manner as may be deemed by the board most efficacious to the end in view, or the board may require that each inhabitant subject to this Act shall collect a given quantity of locusts.

"Any person required under authority of this Act to render services may, upon the payment to the disbursing officer of the locust board of the province or his representative of an amount to be fixed by said locust board as equivalent to the value of the amount of work required of him, be exempted from the rendition of such personal services, and the money so paid shall be used for the purposes of this Act.'

"SEC. 3. Section four of Act Numbered Eight hundred and seventeen is hereby amended to read as follows:

"SEC. 4. The boards constituted by this Act, when they consider it necessary to incur expenses for the suppression of the pest, shall apply to the Director of Agriculture for an allotment of money, giving an estimate of the cost and full details of the situation. The Director of Agriculture may allot, at his discretion, to any board so making application such sum of money as he may consider necessary from any unexpended balance of appropriations available for the use of his Bureau, subject to the approval of the Secretary of Public Instruction. The money so allotted shall be expended by the board under rules prescribed by the Director of Agriculture and approved by the Secretary of Public Instruction.'

"SEC. 4. Section six of Act Numbered Eight hundred and seventeen is hereby amended to read as follows:

"SEC. 6. The moneys accruing from fines for violations of this Act shall

be turned over to the disbursing officer of the locust board of the province to be used for the purposes of this Act.'

"Sec. 5. There is hereby appropriated for the Bureau of Agriculture, out of any funds in the Insular Treasury not otherwise appropriated, the sum of fifty thousand pesos, which amount shall hereafter be provided for annually in the annual appropriation Act.

"Sec. 6. Section seven of Act Numbered Eight hundred and seventeen is hereby repealed.

"Sec. 7. This Act shall take effect on its passage."

The motion prevailed.

The question then being upon its passage, the roll was called and the bill was unanimously passed.

The President moved to amend the title to read as follows:

An Act amending Act Numbered Eight hundred and seventeen, entitled "An Act declaring that the presence of locusts in various provinces of the Islands so threatens the food supply for the coming year as to present a public emergency requiring radical action, and authorizing and providing for the appointment of a board in each province with full powers to call upon all able-bodied inhabitants thereof to take united action to suppress the pest, and for other purposes," by changing the method of appointment of locust boards, by defining the relation of the Bureau of Agriculture to the locust boards, and appropriating a sum of money for the purposes of said Act, and for other purposes.

The motion prevailed, and the title as amended was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

#### REPORTS OF STANDING COMMITTEES.

[Committee Report No. 152.]

MR. PRESIDENT: Your Committee on Matters Pertaining to Bureaus under the Executive Control of the Governor-General, to which was referred on January 19, 1911, Assembly Bill No. 327, entitled "An Act providing for the cancellation, under certain conditions, of the indebtedness contracted by the provincial and municipal governments with the Insular Treasury under the provisions of section eleven of Act Numbered Fourteen hundred and one, as amended," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be laid on the table.

This bill proposes to allow the provinces which have been remiss in paying their bills to the Bureau of Public Works to repudiate their debts, on condition that they set aside for the coming year a sum equal to their present debt for public works from general provincial funds. This would

be manifestly unjust to those provinces who have paid their debts, would be encouraging provinces to disregard their just obligations, and would necessitate a bill appropriating a similar sum to the Bureau of Public Works to pay them for the work done and for which they have had no appropriation.

Respectfully submitted.

W. CAMERON FORBES,  
*Committee on Matters Pertaining to Bureaus under the  
Executive Control of the Governor-General.*

To the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.<sup>1</sup>

[Committee Report No. 153.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of the Interior, to which was referred on January 24, 1911, Assembly Bill No. 303, entitled "An Act providing for the creation of a council of hygiene for the Philippine Islands," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be laid on the table.

In view of the fact that the Government, in 1905, adopted the definite policy of administration by a single head instead of a board system, the adoption of this bill would be a complete reversal of that policy. There is nothing in the report of the Assembly Committee on Health on this bill which in any way points out that there has been any abuse or failure satisfactorily to administer the health laws since the single head system was adopted. The only abuses that are referred to occurred during the time when the board system was in vogue.

The advantages of a single head policy over the board system have been so thoroughly demonstrated during the past five years that it does not seem necessary to bring the matter up for discussion at this time. The enormous amount of time saved has resulted in more efficient and economical administration.

Respectfully submitted.

W. CAMERON FORBES,  
*Committee on Matters Pertaining to the  
Department of the Interior.*

To the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 154.]

MR. PRESIDENT: Your Committee on Matters Pertaining to Bureaus under the Executive Control of the Governor-General, to which was referred

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<sup>1</sup> This bill was on January 29 taken from the table, amended, and passed.

on January 17, 1911, Assembly Bill No. 141, entitled "An Act repealing the last paragraph of Act Numbered Nineteen hundred and seventy-nine, so that the authority conferred by said Act upon the provincial boards shall be exercised by them unconditionally, without need of the approval of the Governor-General," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be laid on the table.

The purpose of this bill seems to be to increase the autonomy of the provinces by removing the provision providing that the exercise of certain powers of the provincial boards are subject to approval by the Governor-General. This provision was passed at the last session of this Legislature in Baguio and in so far as it relates to powers previously held was contained in the original Act. The passage of this bill would enable the provinces to postpone the collection of the land and cedula taxes and to suspend the double cedula law. The object of this clause was to take the matter of the collection of taxes and the maintenance of roads out of the domain of politics. Too often political pressure has been brought upon local officials on the eve of election either to vote for some popular measure or to make pledges in regard to their votes in the same manner. By placing the responsibility squarely on the Governor-General in regard to these matters the local officials are relieved from the onus and any responsibility or unpopularity which may come from insisting upon the payment of taxes.

Under the provisions of Act No. 1988 a continual annual appropriation of ₱500,000 in the matter of assisting roads is available only in case all the provinces have in effect the double cedula tax for the year. To approve this bill would enable one of the smallest provinces in the Archipelago to cut out automatically the ₱500,000 for the construction of roads and thus set back the prosperity of the whole people of the Islands.

Respectfully submitted.

W. CAMERON FORBES,

*Committee on Matters Pertaining to Bureaus under the  
Executive Control of the Governor-General.*

To the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

REPORTS OF SELECT COMMITTEES (OUT OF ORDER).

[Committee Report No. 155.]

MR. PRESIDENT: Your select committee of two, to which was referred on October 29, 1910, an excerpt from the message of the Governor-General recommending the passage of a general law covering the distribution of the percentage paid to the Government by public service corporations in lieu of taxes, between the Insular, provincial, and municipal treasuries,

has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the accompanying bill, prepared in accordance with the recommendation of the Governor-General, be passed.

Respectfully submitted.

GREGORIO ARANETA,  
C. B. ELLIOTT,  
*Select Committee of Two.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted and the following bill accompanying same was taken up and considered:

Commission Bill No. 80. An Act to provide for the collection and apportionment between the Insular, provincial, and municipal governments of taxes paid by the grantees of franchises, their lessees, successors, or assigns, on the gross earnings or receipts from the business covered by the law granting the franchise or any amendment thereof.

Commission Bill No. 80 was read the first time.

By unanimous consent, it was read the second time by title only and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following amendments:

Section 1, page 1, lines 11 to 14, strike out the words "two-fifths to the Insular Government, one-fifth to the province or provinces, and two-fifths to the municipality or municipalities," and insert in lieu thereof the following:

"Where the franchise is for the operation of a steam railroad or marine railway, three-fifths to the Insular Government, one-fifth to the province or provinces concerned, and one-fifth to the municipality or municipalities concerned;

"Where the franchise is for the operation of an interurban electric or tramway line, one-fifth to the Insular Government, two-fifths to the province or provinces concerned, and two-fifths to the municipality or municipalities concerned;

"Where the franchise is for a municipal public service entirely within the limits of the municipality, one-fifth to the Insular Government, one-fifth to the province, and three-fifths to the municipality: *Provided*, That if, under the franchise, the grantee, his lessees, successors, or assigns is entitled to, and does in fact, transact business in any contiguous municipality, then the said gross earnings tax shall be apportioned between the municipality

or municipalities and province or provinces concerned in proportion to the business transacted within their respective limits."

Same section, page 2, insert before the word "*Provided*" in line 8 the words "apportionment shall not apply in cases as above provided of municipal public service corporations."

Insert following as section 3:

"SEC. 3. This Act shall apply to all gross earnings or receipts hereafter accruing under existing franchises, and to all franchises hereafter granted."

The report and recommendation of the Committee of the Whole were adopted by unanimous vote and the bill was ordered on file for third reading.

[Committee Report No. 156.]

MR. PRESIDENT: Your select committee of two, to which was referred on January 14, 1911, Assembly Bill No. 251, entitled "An Act to provide for the organization of agricultural colonies in uninhabited places of the Philippine Islands, under the direction of the Bureau of Labor, and appropriating funds for said purpose," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That it be laid on the table.

This Act involves legislation of a character different from any which has yet been undertaken by this Government. It is in the highest degree paternal, and your committee believes that before enacting such legislation it should be examined with the greatest minuteness and the principles involved subjected to thorough discussion and consideration. Your committee feels that there is not sufficient time remaining during the present session to give the bill the necessary study and consideration.

Respectfully submitted.

NEWTON W. GILBERT,  
C. B. ELLIOTT,  
*Select Committee of Two.*

To the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

#### REPORTS OF STANDING COMMITTEES (RESUMED).

[Committee Report No. 157.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of the Interior, to which was referred on January 20, 1911, Assembly Bill No. 487, entitled "An Act amending Act Numbered Four hundred and ninety-six, entitled 'The Land Registration Act,' as amended by Acts Numbered Eighteen hundred and seventy-five and Nineteen hundred and thirty-seven, so as to afford greater facilities for the registration of property



in the Philippine Islands," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill do not pass.

There are two objects to this bill: First, to give private surveyors who held diplomas in the time of the Spanish Government an opportunity to prove their ability to make surveys of sufficient accuracy to serve as bases for Torrens titles. These surveyors claim that under Act No. 1937 they were deprived of the right to practice their profession without having been given an opportunity to demonstrate whether they could carry out the surveying instructions of the Bureau of Lands, and prepare accurate plans.

The work that was done by these surveyors when they were authorized to make surveys, and the resulting inaccuracies, confusion, and expense, are sufficient to make it clear that this provision of the law should not pass.

Second, to transfer the regulation of private surveys from the Bureau of Lands to the Court of Land Registration. This is adding another administrative function to the Court of Land Registration which they do not desire and for which they are in no way prepared and depriving the Bureau of Lands of this work for which they are fully prepared.

Respectfully submitted.

W. CAMERON FORBES,  
*Committee on Matters Pertaining to the  
Department of the Interior.*

To the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

RECESS.

At 1 o'clock postmeridian the President declared the Commission at recess until 3 o'clock and 30 minutes postmeridian.

RECONVENED.

At 3 o'clock and 30 minutes postmeridian the Commission reconvened,

The President in the chair.

REPORTS OF STANDING COMMITTEES.

[Committee Report No. 158.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on January 25, 1911, Assembly Bill No. 113, entitled "An Act to reduce the tax on alcohol and amend in this sense subsection (a) of section four of Act Numbered Nineteen hundred and forty, amending Act Numbered Eleven hundred and eighty-nine, entitled "The Internal Revenue Law of Nineteen hundred and

four,' and its amendments," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill do not pass.

At the last regular session of the Legislature a bill to the same effect was introduced in the Assembly and passed by that body, but was rejected by the Commission. The reasons then brought forward and considered for not extending the time for putting into effect this increased tax rate on distilled spirits still hold good. In fact time has demonstrated that the effect of this increased rate has not been to diminish the output of distilled spirits, but on the contrary, that such output has increased.

The Collector of Internal Revenue states that the actual removals of distilled spirits during the calendar year 1910, the first year after the taking effect of the increase in tax rate from 20 to 25 centavos per proof liter, exceeded the removals made during any previous year except the calendar year 1909, during the last three months of which year the removals were abnormal in anticipation of the increased rate on January 1, 1910. He further states that if removals continue during the fiscal year 1911 at the same rate as shown to January 20, 1911, the number of proof liters removed during this fiscal year will exceed the removals during any previous fiscal year since the taking effect of the Internal Revenue Law.

For the above reasons it is recommended that this bill do not pass.

Respectfully submitted.

GREGORIO ARANETA,

*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 159.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on January 27, 1911, Assembly Bill No. 507, entitled "An Act to amend section one hundred and twenty-two of Act Numbered Eleven hundred and eighty-nine, entitled 'The Internal Revenue Law,' by abolishing imprisonment for delinquents in the payment of the personal cedula tax," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be laid on the table.

The object of this bill is to abolish the provisions of section 122 of the Internal Revenue Law which empowers the provincial treasurer to enforce the payment of the cedula or registration tax by causing the delinquent to be prosecuted for such delinquency, the punishment in such case being imprisonment for ten days. Were the Assembly bill to be enacted into law the cedula tax in a great many cases would be impossible

of collection for the reason that many persons possess no personal property susceptible of seizure for the payment of this tax.

Respectfully submitted.

GREGORIO ARANETA,  
*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 160.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on January 27, 1911, Assembly Bill No. 239, entitled "An Act to amend section one of Act Numbered Five hundred and eighteen, entitled 'An Act defining highway robbery or brigandage, and providing for the punishment therefor,' so as to reduce the penalty therein designated," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill do pass with the following amendment:

Strike out all after the enacting clause, and insert in lieu thereof the following:

"SECTION 1. Section one of Act Numbered Five hundred and eighteen, entitled 'An Act defining highway robbery or brigandage and providing for the punishment therefor, as amended by Act Numbered Eleven hundred and twenty-one, is hereby further amended to read as follows:

"SECTION 1. Whenever three or more persons, conspiring together, shall form a band of robbers for the purpose of stealing carabaos, cattle, horses, rice, or personal property of any description, or for the purpose of extortion or obtaining ransom, or for any other purpose, by means of force and violence, and shall be armed with deadly weapons for this purpose, they shall be deemed highway robbers, or brigands, and every person engaged in the original formation of the band, or joining it thereafter, shall, upon conviction thereof, be punished by imprisonment for not more than twenty years, in the discretion of the court: *Provided, however,* That if the band shall have committed acts penalized by other laws with a greater punishment such greater punishment shall be imposed upon the persons forming such band."

"SEC. 2. Section four of Act Numbered Five hundred and eighteen, as amended by Act Numbered Eleven hundred and twenty-one, is hereby further amended to read as follows:

"SEC. 4. Every person knowingly aiding or abetting such a band of brigands as that described in section one by giving them information of the movement of the police or Constabulary or other peace officers of the Government, or of the forces of the United States Army when acting in aid of the Government, or by securing or receiving stolen property from such

brigands, or by procuring for them supplies of money, food, clothing, arms, ammunition, or other property of any kind, or by furnishing the same to them, or by knowingly hiding, lodging, or harboring in his house or assisting in any way in the escape of a member of such a band of robbers as defined in section one, shall, upon conviction, be punished by imprisonment for not more than ten years.'

"Sec. 3. This Act shall take effect on its passage."

Respectfully submitted.

GREGORIO ARANETA,  
*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

The bill as amended was read the second time.

On motion by Commissioner Araneta, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and the bill was unanimously passed.

Commissioner Araneta moved to amend the title to read as follows:

An Act to amend sections one and four of Act Numbered Five hundred and eighteen, entitled "An Act defining highway robbery or brigandage, and providing for the punishment therefor," as amended, so as to reduce the penalties therein prescribed.

The motion prevailed, and the title of the bill as amended was read and approved.

*Ordered,* That the Secretary request the concurrence of the Assembly in the amendments.

#### THIRD READING AND PASSAGE OF BILL.

Commission Bill No. 80. An Act to provide for the collection and apportionment between the Insular, provincial, and municipal governments of taxes paid by the grantees of franchises, their lessees, successors, or assigns, on the gross earnings or receipts from the business covered by the law granting the franchise or any amendment thereof.

On motion by Commissioner Elliott, unanimously carried,

The bill was considered as urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

Commissioner Gilbert moved to strike out the word "contiguous" in line 9 of page 2, section 1, and insert the word "other."

The motion prevailed.

Commissioner Araneta moved to strike out the words "municipality or municipalities and province or provinces" in lines 10 and 11, and insert in lieu thereof the words "municipalities or provinces."

The motion prevailed.

The President moved to insert the words "gross receipts from" before the word "business" in line 12, page 2.

The motion prevailed.

The President moved to insert the words "except as above provided" before the words "the part" in line 16, page 2.

The motion prevailed.

Commissioner Araneta then moved to strike out the words "this apportionment shall not apply in cases as above provided of municipal public service corporations," in lines 22 to 24 of page 2.

The motion prevailed.

The question then being upon its passage, the roll was called and the bill was unanimously passed and the title was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

#### INTRODUCTION OF BILLS.

Commissioner Araneta introduced the following bill:

Commission Bill No. 81. An Act to correct an error in Act Numbered Nineteen hundred and ten, entitled "An Act amending sections twenty-two, twenty-six, thirty-one, and thirty-two of Act Numbered Seventeen hundred and sixty-one, referred to as 'The Opium Act,' by providing for the disposition of all taxes, fines, and all other moneys collected under this Act, increasing the penalties for the violation of sections thirty-one and thirty-two, repealing section twenty-seven, and for other purposes."

The bill was read the first time.

By unanimous consent, it was read the second time by title only.

On motion by Commissioner Araneta, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and

the bill was unanimously passed, and the title was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

The President introduced the following bill (without recommendation) :

Commission Bill No. 82. An Act providing for the refund to the city of Manila of the sums paid by said city as customs duties on materials received for and employed in the construction of the new water and sewer systems.

Laid on the table.

#### CONSIDERATION OF ESTIMATES FOR APPROPRIATIONS.

The Commission then proceeded to an informal consideration of the estimates for the Bureaus of Agriculture and Prisons, the Judiciary, Philippines Library, University of the Philippines, and the Provinces of Mindoro, Palawan, and Batanes, Doctors Nesom and Robertson being present during the consideration of the estimates for the Bureau of Agriculture and the Philippines Library, respectively.

#### ADJOURNMENT.

Thereupon, at 7 o'clock postmeridian,

On motion by Commissioner Branagan,

The Commission adjourned to meet at 3 o'clock postmeridian, Sunday, January 29, 1911.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

# Second Philippine Legislature, First Session.

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## JOURNAL OF THE COMMISSION.

SUNDAY, JANUARY 29, 1911.

The Commission met pursuant to adjournment.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, Elliott, and the President.

Absent: Commissioner Worcester (on official business) and Commissioner Luzuriaga (on leave).

### READING OF JOURNAL.

By unanimous consent the reading of the Journal of Saturday, January 28, 1911, was postponed until the next meeting of the Commission.

### INTRODUCTION AND PASSAGE OF BILLS.

Commissioner Elliott introduced the following bills:

Commission Bill No. 83. An Act for the issue of bonds of the Government of the Philippine Islands to the amount of two million five hundred thousand dollars, gold coin of the United States of the present standard value, for the purpose of providing funds for certain public works and permanent improvements for the development of the Philippine Islands, repealing certain portions of Act Numbered Nineteen hundred and eighty-eight, and making appropriations out of the funds resulting from the sale of bonds, and for other purposes.

Commission Bill No. 84. An Act making appropriation for public works and permanent improvements and for other purposes.

and submitted in connection therewith the following explanatory statement:

In submitting to the Commission these two bills, I desire to make a statement of fact with reference to the condition of the Bureau of Public Works.

That condition is far from satisfactory. The operating expenses of the Bureau are, and in my judgment always have been, excessive. The organization in some respects is cumbersome and unsatisfactory; this is particularly true of the accounting system.

Due to various causes for which no one man is responsible, this Bureau which, because of the nature of its work, should be the most popular of any in the service, has been subjected to much public and private criticism. We are making earnest efforts to effect a reorganization which we confidently believe will remove all cause for criticism.

The expense of maintaining a Bureau which is in charge of the expenditure of over ₱8,000,000 annually is necessarily large. The appropriations have never been adequate to pay the operating expenses of the Bureau. For the past six years the appropriations have been as follows:

Ending June 30, 1911 .....	₱286,000.00
Ending June 30, 1910 .....	370,000.00
Ending June 30, 1909 .....	532,340.00
Ending June 30, 1908 .....	627,300.00
Ending June 30, 1907 .....	669,523.00
Ending June 30, 1906 .....	548,003.70

At present the expense of operating the Bureau is paid in small part from Insular appropriations (for the present year ₱286,000, of which ₱166,000 is for maintenance of public buildings, leaving only ₱120,000 for the operating expenses of the Bureau).

Based on the month of December last, the cost of operating the Bureau for the present year will be:

Salaries .....	₱530,000.00
Expenses of personnel .....	28,600.00
Transportation .....	16,800.00
Office expenses .....	103,400.00
Rentals .....	12,000.00
Incidental expenses .....	52,200.00
Maintenance of stationary machinery .....	2,000.00
Maintenance of portable machinery .....	6,000.00
Maintenance of furniture and fixtures .....	5,000.00
Maintenance of miscellaneous equipment .....	2,870.00

Total .....	758,870.00
Maintenance of public buildings .....	166,000.00

In addition the salaries of the engineering force in the provinces is between ₱300,000 and ₱400,000 per annum. The expense of personnel and transportation will increase this amount to ... 600,000.00

Making a total of .....	1,524,870.00
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This is a conservative estimate, as the month of December is not a heavy construction month. Road and bridge work will increase rapidly toward the latter part of the year, when the work is at its height and the administrative expenses of the Bureau will tend to rise.

For various reasons, this method of operation has not worked very satisfactorily:

- (1) The former inefficiency of the accounting methods of this Bureau—now in large measure remedied;
- (2) The reluctance of the provinces to pay their debts, and the failure to compel them to do so;
- (3) The inherent cumbersomeness of the system, where the work is so widely scattered, in a country where mail and transportation are slow. If the accounting system were more decentralized, the administrative expenses of the bureau could be lessened.

At the present time the provinces and the municipalities owe the Bureau about ₱600,000 for services rendered during the fiscal year ending June 30, 1910. Bills for ₱300,000 worth of services to the provinces have been prepared for the present fiscal year up to January 1, but not yet sent out pending the determination of the general expense which will add considerably to these bills.

The work of the Bureau is very closely interwoven with that of the provinces, and, owing to the antagonism which has been aroused through the present method of charging expenses, the efficiency of the Bureau is considerably injured.

Several plans have been suggested to remedy the above conditions. The one advocated by Mr. Greene, the Director of the Bureau, is as follows:

Have the Insular Government appropriate to cover the general expense (including undistributed salaries of the Bureau), and allow the Bureau to collect a flat charge of 10 per cent for engineering superintendence on all projects in the provinces. The work of construction and repair of public works in each province is so scattered, and there are so many small projects, that 10 per cent is regarded as the minimum flat charge which could be fixed at the present time, and it would require close economy for the Bureau to live within that figure. It would have the advantage of enabling the provincial board to know exactly what a project would cost, and would give a constant motive for economy on the part of the engineering force in order to keep within the figure.

Should this plan be adopted, provincial treasurers should be required to open an account with the Bureau in each province (each province now being an engineering unit, as the former thirteen districts have been abolished and each province made a district), and to credit the Bureau of Public Works with 10 per cent on all work done under its supervision and debit the Bureau with the salaries and expenses of the district engineer and his engineering force, which would be paid by the treas-

urers directly and audited by the district auditor, thereby avoiding an enormous mass of correspondence, as the number of vouchers alone which now travel to and from the provinces and Manila amount to between 3,500 and 4,000 a month. The accounts could be adjusted semiannually, either the province or the Bureau remitting the balance due.

Should this system be adopted and put into effect the appropriation required to cover the central expenses of the Bureau (including those of the division engineers) is ₱750,000 for the fiscal year 1912, and ₱630,000 for the present fiscal year, as ₱120,000 has already been appropriated and is available.

There is one condition which must not be overlooked. The provinces owe the Bureau something over ₱600,000 for work done during the last fiscal year; that is, prior to the 1st of July, 1910. Should these bills be paid, the situation would be as stated in the preceding paragraph, but there is no immediate prospect of payment, and the Assembly has passed a bill which if it became a law would wipe out the obligations and leave the Bureau stranded, unless the Legislature came to its assistance by direct appropriation of money to take the place of the provincial obligations.

At the present time the Bureau is carrying a large overdraft at the Treasury on the credit of the bills due it from the provinces. Some time ago I directed that this overdraft should not be increased because it is manifestly in violation of the Act of Congress to draw money from the Treasury except in pursuance of appropriations duly made.

The plan outlined above, and which has the support of the Director of Public Works, would put the Bureau in a good working condition, and cost less money than the present system, but it requires a large appropriation under the head of current expenses, and makes no provision for the present payment of the provincial debts and the relief of the Bureau, which is in the position of a contractor who has, under contracts for the construction of public works, completed his work, paid for his material and labor, and is waiting for the other party to fulfill his obligation of payment. Unless something is done such a contractor soon comes to the end of his business career.

I doubt very seriously whether the Legislature will make this large appropriation for current expenses, and therefore I am not inclined to urge the plan suggested. I think there is an even more satisfactory plan by which we may escape from the present situation. For the purpose of remedying the immediate financial difficulties, I urge the passage of Commission Bill No. 84, which makes a present new appropriation of ₱1,000,000 for public works and improvements under terms such as are contained in the previous appropriation bill providing money for the construction of roads, bridges, etc., allottable in the discretion of the Secretary of Commerce and Police. The part allotted to indebted provinces would be used to pay their debts, they thus being relieved in accordance with their present desires, which have met with the approval of the Assembly. The other provinces, having paid their debts to the Bureau of Public Works, will be rewarded by receiving their share of this appropriation for further

public works. The only objection to the passage of this bill is that it calls on the Treasury for ₱1,000,000. It may be suggested, however, in this connection, that the greater part of this amount has already been paid out by the Treasurer and that it is represented by the claim against the Bureau secured by the debts of the provinces. The practical result would be little more than the Treasury carrying this amount as an appropriation instead of as an overdraft. The bill contains a proviso to the effect that the money shall not become available for allotment until made available by order of the Governor-General. This enables the Governor-General to release the money when in his judgment the condition of the Treasury will justify it.

We will doubtless pass another Act appropriating additional sums of money for public works, conditioned upon the action of Congress in authorizing the issuance of bonds. In that Act there is an item of ₱1,000,000 which is designed to provide the funds which shall be released by the Governor-General as required by the Act now under consideration, thus furnishing the money for the purposes there desired.

Having thus taken care of the indebtedness of the Bureau due to the failure of the provinces to pay their debts to the Bureau, I urge the insertion in the current expense appropriation bill of the exact sum appropriated for the Bureau last year, to wit, ₱286,000, with an additional item for maintenance, alteration, and repair to public buildings, etc., of ₱150,000. This keeps the appropriation for the actual current expenses of the Bureau where it was last year. In this bill as presented there is a provision that the "salaries and expenses of Bureau employees engaged on provincial, municipal, or other work, may with the approval of the Director of Public Works, be paid direct by the province, municipality, Bureau, or person concerned, or by the province for the municipality: *Provided, however,* That in the event of their being so employed, the charge of the Bureau of Public Works for the general administrative expenses of the Bureau shall be eight per centum of the total cost of the project, which rate is hereby fixed to remain as the charge for the general administrative expenses on all work performed under the supervision of the Bureau of Public Works: *Provided further,* That this paragraph shall take effect as of July first, nineteen hundred and ten."

This scheme is proposed and I urge the passage of all the items in the form proposed, as any modification may easily defeat the whole plan and leave the Bureau practically stranded.

It is inevitable that a Bureau which is directing the expenditure of ₱8,000,000 scattered over the Islands should have considerable expense for administration, and the small appropriations for the past two years are of course entirely inadequate for the purpose.

Commission Bill No. 83 was read the first time.

By unanimous consent it was read the second time by title only and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following amendments:

Section 1, page 1, insert the words "September first" in the blank space in line 7.

Section 2, page 2, insert the words "Guaranty Trust Company of" in the blank space in line 22.

Section 4, page 4, insert the words "one million" in the blank space in line 6.

Section 8, page 5, strike out the following words in lines 7 to 10, inclusive: "For the purposes designated in Act Numbered ..... is to be available when made so by order of the Governor-General, being for the purpose of providing the funds appropriated by said Act, one million pesos;" and insert in lieu thereof the following: "For the construction and improvement of ports, harbors and navigable rivers, two million pesos;"

Same section, same page, strike out the following words in lines 11 to 13 inclusive:

"For the construction of a bridge over the Pasig River near its mouth in conjunction with the city, etc., five hundred thousand pesos;"

Same section, same page, line 14, strike out the words "For the construction" and insert in lieu thereof the words "For the beginning of the construction;" same section, same page, lines 16 to 21 inclusive, strike out the words:

"For ports and harbors, one million pesos;

"For one additional wharf in the port district of Manila, ..... pesos;

"For a building for the University of the Philippines, ..... pesos;

"For a new custom-house, ..... pesos;" and insert in lieu thereof the following:

"For the construction of roads and bridges, seven hundred and fifty thousand pesos;

"For the construction of a dormitory for the use of students attending the University, and for other buildings in connection with school work, five hundred thousand pesos;"

Same section, same page, insert between lines 21 and 22 the words "In all, four million pesos."

The report and recommendation of the Committee of the Whole were adopted by unanimous vote and the bill was ordered on file for third reading.

Commission Bill No. 84, entitled "An Act making appropriation for public works and permanent improvements and for other purposes," was then taken up and read the first time.

By unanimous consent it was read the second time by title only and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it be laid on the table and that Assembly Bill No. 327, entitled "An Act providing for the cancellation, under certain conditions, of the indebtedness contracted by the provincial and municipal governments with the Insular Treasury under the provisions of section eleven of Act Numbered Fourteen hundred and one, as amended," laid on the table by the Commission on January 28, 1911, be taken up and considered in lieu thereof.

The report and recommendation of the Committee of the Whole were adopted and the following bill was taken from the table and considered:

Assembly Bill No. 327. An Act providing for the cancellation, under certain conditions, of the indebtedness contracted by the provincial and municipal governments with the Insular Treasury under the provisions of section eleven of Act Numbered Fourteen hundred and one, as amended.

Assembly Bill No. 327 was read the second time and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any funds in the Insular Treasury not otherwise appropriated, for the construction, improvement, and, where necessary, maintenance of roads and bridges in those provinces which shall accept the provisions of Act Numbered Sixteen hundred and fifty-two, and which shall by resolution of the provincial board, guarantee, by continuing annual appropriations, the establishment of such conservation system as may be necessary in the judgment of the Director of Public Works on all first-class roads now or hereafter constructed and declared to be such by the Director of Public Works, including the construction, improvement, and maintenance of roads and bridges in the Provinces of Mindoro, Palawan, and Batanes, to be allotted in the discretion of the Secretary of Commerce and Police, one million pesos: *Provided*, That no part of the appropriation herein made shall be available for use until released for allotment by the Governor-General: *And provided further*, That until such time as the money hereby appropriated shall be thus made available for use, the Insular Treasurer is authorized and empowered to advance to the Bureau of Public Works an amount not exceeding ninety per centum of the amount owing to the Bureau of Public Works by the provinces, and to apply the money received from the provinces in payment of said claims to the repayment of the sums thus advanced to the said Bureau.

"SEC. 2. The public good requiring the speedy enactment of this bill, the same shall take effect on its passage in accordance with section one of Act Numbered Nineteen hundred and forty-five of the Philippine Legislature and the appropriations herein made shall become immediately available, subject to the above proviso."<sup>1</sup>

The report and recommendation of the Committee of the Whole were adopted.

On motion by Commissioner Elliott, unanimously carried, the bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 327 was unanimously passed.

The President moved to amend the title to read as follows:

An Act to relieve the provinces by appropriating the sum of one million pesos to be used to assist them in the construction of roads and bridges and to define the relation between the provinces, the Bureau of Public Works, and the Insular Treasury in regard to the settlement of mutual accounts.

The motion prevailed and the title as amended was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the amendments of the Commission.

The Committee on Appropriations introduced the following bill:

Commission Bill No. 85. An Act making appropriations for the maintenance of the Bureau of Public Works, fiscal year nineteen hundred and twelve, for public works and permanent improvements, and for other purposes.

Commission Bill No. 85 was read the first time.

By unanimous consent it was read the second time by title only and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following amendments:

Section 1, page 4, insert between lines 21 and 22 the following: "The salaries and expenses of the bureau employees engaged on provincial, municipal, or other work may, with the approval of the Director of Public Works, be paid directly by the province, municipality, bureau, or person concerned, or by the province for the municipality: *Provided, however*, That in the event of their being so employed, the charge of the Bureau of Public Works for the general administrative expense of the Bureau shall be fixed

<sup>1</sup> The text of this amendment is that of Commission Bill No. 84.

by the Secretary of Commerce and Police, not in any case to exceed eight per centum of the total cost of the project, which rate is hereby fixed and limited as the charge for the general administrative expense on all work performed under the supervision of the Bureau of Public Works: *Provided further*, That this paragraph shall take effect as of July first, nineteen hundred and ten;" same section, same page, line 22, strike out the words "seven hundred and fifty thousand" and insert in lieu thereof the words "five hundred thousand;" same section, same page, strike out the following:

"PUBLIC BUILDINGS.

"For maintenance, alteration, and repairs to public buildings, including leased buildings the contract for which provides that the maintenance, alteration, and repairs shall be made at the expense of the Government: *Provided*, That no expenditure shall be made under this paragraph except upon approval by the Secretary of Commerce and Police, one hundred and fifty thousand pesos."

and strike out the paragraph beginning with line 32, page 4, section 1, and insert the same in section 2, between lines 7 and 8 of page 7.

Section 2, pages 5 and 6, strike out the paragraph appearing under the heading "Bureau of Science;" same section, page 6, line 32, strike out the words "one million five hundred thousand pesos" and insert in lieu thereof the words "one million pesos;" same section, page 7, lines 3 and 4, strike out the words "five hundred thousand pesos" and insert in lieu thereof the words "two hundred and fifty thousand pesos;" same section, same page, lines 8, 9, and 10, strike out the words

"For the determination of existing water rights, to be expended in the discretion of the Director of Public Works, forty thousand pesos."

and insert in lieu thereof the words "In all, one million four hundred and fifty thousand pesos;" same section, same page, line 18, strike out the words "seven hundred and fifty thousand pesos" and insert in lieu thereof the words "five hundred thousand pesos;" same section, same page, lines 19 to 22 inclusive, strike out the words "for the construction of lights, buoys, and beacons, including keepers' houses, and so forth, as approved by the Lighthouse Board, subject to the approval of the Secretary of Commerce and Police, two hundred and fifty thousand pesos" and insert in lieu thereof the following: "*Provided*, That in case of the approval by Congress of a law authorizing the sale of bonds for public improvements and the approval of a law by the Legislature appropriating part of the proceeds from the sale of such bonds for the improvement of ports, this appropriation shall be of no force or effect;" same section, same page, lines 23 to 30 inclusive, strike out the words

"For the purchase of a steam launch for use on the Pasig River and in Manila Bay, twenty-five thousand pesos; for the construction and equipment of a light-draft steel hull for stern-wheel engine and boiler, now owned by the Bureau, to be used on the Rio Grande de Cagayan, thirty thousand pesos; for the construction of cutter *Corregidor*, for use as a buoy ship, for laying and overhauling buoys and constructing beacons, fifty thousand

pesos;" and insert in lieu thereof the following: "For the purchase of launches and the improvement of cutters for the purpose of fitting them up for new work, forty thousand pesos;" same section, same page, lines 30 and 31, strike out the words "in all, one million one hundred and five thousand pesos" and insert in lieu thereof the words "in all, five hundred and forty thousand pesos;" same section, page 8, strike out all under the heading "Bureau of Customs;" same section, same page, lines 11 to 14, under the heading "Bureau of Agriculture," strike out the words "one hundred and eighty-one thousand and three hundred pesos; for the construction of offices, houses, barns, sheds, and fences at La Granja Modelo, twenty thousand pesos; in all, two hundred and one thousand three hundred pesos" and insert in lieu thereof the words "twenty thousand pesos;" same section, same page, strike out all under the head "Bureau of Prisons;" same section, page 9, insert at the end of the paragraph headed "Philippines Library" the following: "In all, twenty-six thousand pesos;" same section, same page, strike out all under the head "Palawan Province," same section, same page, after the word "improvements" in lines 5 and 6 insert the words "two million eight hundred and ninety-six thousand five hundred pesos."

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Branagan, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Commission Bill No. 85 was unanimously passed.

The President moved to amend the title to read as follows: "An Act making appropriations for public works."

The motion prevailed and the title as amended was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

The Committee on Appropriations introduced the following bill:

Commission Bill No. 86. An Act making appropriation for sundry expenses of the Insular Government for the fiscal year ending June thirtieth, nineteen hundred and twelve, and other designated periods.

Commission Bill No. 86 was read the first time.

By unanimous consent it was read the second time by title only and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following amendments:



Section 4, page 3, line 13, after the word "duties" insert the words: "Provided, That no per diem shall be allowed to any member of any committee for days on which he is not present at the sessions of the committee."

Insert the following as section 16:

"BUREAU OF PUBLIC WORKS.

"SEC. 16. *Public Buildings*.—For maintenance, alteration, and repairs to public buildings, including leased buildings the contract for which provides that the maintenance, alteration, and repairs shall be made at the expense of the Government: *Provided, however*, That no expenditure shall be made under this paragraph except upon approval by the Secretary of Commerce and Police; one hundred and sixty-five thousand pesos."

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by the President, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Commission Bill No. 86 was unanimously passed and the title was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

ADJOURNMENT.

Thereupon, at 7 o'clock and 40 minutes postmeridian,

On motion by Commissioner Branagan,

The Commission adjourned to meet at the call of the President.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary*.

# Second Philippine Legislature, First Session.

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## JOURNAL OF THE COMMISSION.

MONDAY, JANUARY 30, 1911.

The Commission met at 10 o'clock and 30 minutes antemeridian at the call of the President.

Present: Commissioners Araneta, Palma, Branagan, Sumulong, Elliott, and the President.

Absent: Commissioner Gilbert (excused), Commissioner Worcester (on official business), and Commissioner Luzuriaga (on leave).

### READING OF JOURNAL.

The Journals of Saturday, January 28, 1911, and Sunday, January 29, 1911, were read and approved.

### MESSAGES FROM THE ASSEMBLY.

JANUARY 30, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 28, 1911, passed without amendment Commission bill (C. B. No. 31) entitled "An Act to amend section two of Act Numbered Seventeen hundred and ninety-five, entitled 'An Act authorizing the compensation of students in industrial and agricultural schools for work done therein outside of regular school hours and not connected with their regular school work,' by providing for the creation of reimbursable funds."

Very respectfully,

RAMÓN DIÓKNO,

*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

*Ordered,* That Commission Bill No. 31 be enrolled and printed as an Act.

JANUARY 30, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has disagreed to the amendment of the Commission to Assembly Bill No. 147, entitled "The Negotiable Instruments Law."

It asks a conference with the Commission on the disagreeing votes of the two Houses thereon, and has appointed as managers at the same on its part, Delegates Clarin, Reyes, and Contreras.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

*Resolved*, That the Commission insist upon its amendments to Assembly Bill No. 147, entitled "The Negotiable Instruments Law," disagreed to by the Assembly, and agree to the conference requested by the Assembly on the disagreeing votes of the two Houses thereon.

*Ordered*. That Commissioners Araneta, Palma, and Sumulong be the conferees on the part of the Commission.

JANUARY 30, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has disagreed to the amendment of the Commission to Assembly Bill No. 131, entitled "An Act imposing a severer penalty on persons guilty of the theft of work animals, and amending article five hundred and twenty of the existing Penal Code to that effect."

It asks a conference with the Commission on the disagreeing votes of the two Houses thereon, and has appointed as managers at the same on its part, Delegates Sotto, Ilagan, and Ledesma.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

*Resolved*, That the Commission insist on its amendments to Assembly Bill No. 131, entitled "An Act imposing a severer penalty on persons guilty of the theft of work animals, and amending article five hundred and twenty of the existing Penal Code to that effect," disagreed to by the Assembly, and agree to the conference requested by the Assembly on the disagreeing votes of the two Houses thereon.

*Ordered*, That Commissioners Araneta, Palma, and Elliott be the conferees on the part of the Commission.

INTRODUCTION AND PASSAGE OF BILL (OUT OF ORDER).

The Committee on Appropriations introduced the following bill:

Commission Bill No. 87. An Act appropriating funds for sundry expenses of the University of the Philippines during the fiscal year ending June thirtieth, nineteen hundred and twelve, and for other purposes.

Commission Bill No. 87 was read the first time.

By unanimous consent it was read the second time by title only and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following amendments:

Section 1, page 1, lines 10 and 11, strike out the words "For the office of the Board of Regents, seventeen thousand pesos" and insert in lieu thereof the words "For the salary of the president of the university, fourteen thousand pesos; for the office of the Board of Regents, three thousand pesos;" insert the words "and maintenance" after the word "establishment" in lines 14 and 15 and also in line 16; page 2, line 7, after the word "authorized" insert the words "with the consent and approval of the Director of Bureau and Secretary of Department concerned;" insert the words "officers and" before the word "employees" in lines 7 and 10; and before the word "pesos" in line 13, insert the words "five hundred and ten."

Strike out section 2 in its entirety.

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Branagan, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Commission Bill No. 87 was unanimously passed and the title was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

MESSAGES FROM THE ASSEMBLY (RESUMED).

JANUARY 28, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 26, 1911, passed the following bill (A. B. No. 183), in which it requests the concurrence of the Commission: An Act to repeal Act Numbered Sixteen hundred and ninety-six, entitled "An Act to prohibit the display of flags, banners, emblems, or devices used in the Philippine Islands for the purpose of rebellion or insurrection against the authority of the United States and the display of Katipunan flags, banners, emblems, or devices, and for other purposes."

Very respectfully,

RAMÓN DIOKNO,

*Secretary, Philippine Assembly*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent Assembly Bill No. 183 was read the first time by title only and referred to the Committee on Matters Pertaining to Bureaus under the Executive Control of the Governor-General, for report and recommendation.

JANUARY 28, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 24, 1911, passed the following bill (A. B. No. 504) in which it requests the concurrence of the Commission: An Act to provide that all elective provincial and municipal offices shall be for four years; to prohibit a second reelection to the same; to change the date of the general elections; to amend Act Numbered Nineteen hundred and twenty-nine, entitled "An Act to change the date for commencing future annual sessions of the Philippine Legislature," to amend certain sections of Act Numbered Fifteen hundred and eighty-two, known as "The Election Law," and for other purposes.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 504 was read the first time by title only and referred to the Committee on Amendments to the Election Law, for report and recommendation.

JANUARY 28, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 24, 1911, passed the following bill (A. B. No. 79), in which it requests the concurrence of the Commission: An Act to provide Government scholarships for young Filipinos who shall have completed any professional course of study or who are otherwise licensed or authorized to practice scientific, artistic, or industrial professions, in order that they may continue their studies in the higher educational institutions in America or in Europe, and for other purposes.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 79 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of Public Instruction, for report and recommendation.

JANUARY 28, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 28, 1911, passed the following bill (A. B.

No. 145), in which it requests the concurrence of the Commission: An Act to amend section ten of Act Numbered Eleven hundred and forty-seven, entitled "An Act regulating the registration, branding, conveyance, and slaughter of large cattle, and providing for the disposition, care, custody, and sale of estrays or large cattle captured or seized by the Philippines Constabulary or other peace officers, and repealing Act Numbered Six hundred and thirty-seven and so much of Act Numbered Eight hundred and seventy-seven as provides for the disposition, care, custody, or sale of cattle, carabaos, horses, and animals of the bovine family, and all other Acts or parts of Acts inconsistent with the provisions of this Act," as amended by Act Numbered Fourteen hundred and sixty-five, by reducing the charge for certificates of registration of large cattle.

Very respectfully,

RAMÓN DIOKNO,

*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 145 was read the first time by title only, and,

On motion by Commissioner Araneta,

Consideration was postponed until the next session of the Legislature.

JANUARY 28, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 28, 1911, passed the following resolution (A. J. R. No. 17), in which it requests the concurrence of the Commission: Joint Resolution giving instructions to the Resident Commissioners in the United States relative to the repeal of section twenty-one of the existing tariff.

Very respectfully,

RAMÓN DIOKNO,

*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The resolution is as follows:

Assembly Joint Resolution No. 17. Joint Resolution giving instructions to the Resident Commissioners in the United States relative to the repeal of section twenty-one of the existing tariff.

*Resolved by the Philippine Commission and the Philippine Assembly,* That the Resident Commissioners of the Philippine Legislature in the United States secure from Congress the repeal of section twenty-one of the tariff at present in force; and

*Resolved further,* That this resolution be cabled to said Commissioners, in order that they may act during the present session of Congress.

Assembly Joint Resolution No. 17 was read the first time and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, for report and recommendation.

JANUARY 28, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 28, 1911, passed the following bill (A. B. No. 537), in which it requests the concurrence of the Commission: An Act to authorize the municipal council of Vigan, Ilocos Sur, to give up the possession of Calle Corta, situate west of the Vigan high school building between Calles Burgos and Lincoln, and to cede the same to the Province of Ilocos Sur as a lot for the provincial high school.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 537 was read the first time by title only and referred to the Committee on Municipal and Provincial Governments, for report and recommendation.

JANUARY 28, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 28, 1911, passed the following bill (A. B. No. 539), in which it requests the concurrence of the Commission: An Act further to amend section one of Act Numbered Sixteen hundred and fifty-two, as amended by Act Numbered Nineteen hundred and thirty-two, by providing that the thirty per centum increase of the cedula tax shall be expended only in those municipalities where provincial roads passing through the same have not been repaired, and authorizing municipal councils to administer the funds collected for such purpose.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 539 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of Commerce and Police, for report and recommendation.

JANUARY 28, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 28, 1911, passed the following bill (A. B. No. 518), in which it requests the concurrence of the Commission: An Act

to appropriate the sum of fifty thousand pesos for the relief of sufferers from public calamities.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 518 was read the first time by title only and referred to the Committee on Appropriations, for report and recommendation.

JANUARY 28, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 28, 1911, passed the following bill (A. B. No. 361), in which it requests the concurrence of the Commission: An Act to repeal Act Numbered Six hundred and eighty and reenact section three of Act Numbered Six hundred and fifty-five, to extend the time for the redemption of land and improvements forfeited for delinquency in the payment of the land tax, and to authorize the provincial boards to suspend the collection of said tax or remit it in any municipality or municipalities of their respective provinces under certain conditions, and for other purposes.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 361 was read the first time by title only and referred to the Committee on Taxation and Revenue, for report and recommendation.

JANUARY 28, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 27, 1911, passed the following bill (No. 391), in which it requests the concurrence of the Commission: An Act providing certain special proceedings for the settlement and adjudication of land titles.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 391 was read the first time by title only and referred to a select committee composed of Commissioners Elliott and Araneta, for report and recommendation.

JANUARY 28, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 28, 1911, passed the following bill (A. B.



No. 270), in which it requests the concurrence of the Commission: An Act authorizing municipal boards of assessors to revalue real property on request in cases of erroneous and unjust assessments, and providing that provincial boards of tax appeals and the Central Equalization Board can not modify the valuation made by the municipal board except in cases of appeal.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 270 was read the first time by title only and referred to the Committee on Taxation and Revenue, for report and recommendation.

JANUARY 28, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 28, 1911, passed the following bill (A. B. No. 517), in which it requests the concurrence of the Commission: An Act to appropriate the sum of twenty thousand pesos from Insular funds for the purposes of Act Numbered Nineteen hundred and seventy-five, entitled "An Act to provide for the establishment of classes for the instruction and training of male and female nurses under the supervision of the Director of Health."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 517 was read the first time by title only and referred to the Committee on Appropriations, for report and recommendation.

JANUARY 28, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 28, 1911, passed the following bill (A. B. No. 272), in which it requests the concurrence of the Commission: An Act to extend the eligibility period of a person who has passed the civil-service examination from one year to two.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 272 was read the first time by title only and referred to the Committee on Matters

Pertaining to Bureaus under the Executive Control of the Governor-General, for report and recommendation.

JANUARY 28, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 28, 1911, passed the following bill (A. B. No. 297), in which it requests the concurrence of the Commission: An Act to establish equality of salaries or wages between the public officers or civil employees under the Civil Government of the Philippine Islands who hold public offices or positions of equal rank.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 297 was read the first time by title only and referred to the Committee on Matters Pertaining to Bureaus under the Executive Control of the Governor-General, for report and recommendation.

JANUARY 28, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 27, 1911, passed the following bill (No. 421), in which it requests the concurrence of the Commission: An Act to create credit funds for agricultural banks.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 421 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, for report and recommendation.

JANUARY 28, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 27, 1911, passed the following bill (A. B. No. 140), in which it requests the concurrence of the Commission: An Act to amend section thirty-four of Act Numbered Eleven hundred and forty-seven, entitled "An Act regulating the registration, branding, conveyance, and slaughter of large cattle, and providing for the disposition, care, custody, and sale of estrays or large cattle captured or seized by the Philippines Constabulary or other peace officers, and repealing Act Numbered Six hundred and thirty-seven and so much of Act Numbered Eight hundred and seventy-seven as provides for the disposition, care, custody, or sale of cattle, carabaos, horses, and animals of the bovine family, and all other Acts or parts of Acts inconsistent with the provisions of this

Act," by exempting the owners of large cattle over two years of age who voluntarily present the same for branding and registration from the penalty established in said Act, and repealing in such case section forty of Act Numbered Sixteen hundred and twenty-seven.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 140 was read the first time by title only.

On motion by Commissioner Araneta,

The consideration of Assembly Bill No. 140 was postponed until the next session of the Legislature.

JANUARY 28, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 28, 1911, passed the following bill (A. B. No. 534), in which it requests the concurrence of the Commission: An Act to authorize the Governor-General of the Philippine Islands or person legally acting in his stead to postpone, reduce, remit, and cancel, or in any other manner commute, wholly or partially, the forfeiture and execution of bonds in criminal cases and to order reimbursement of money or other personal property seized from private citizens by the United States military authorities during the revolution, under certain conditions.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 534 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, for report and recommendation.

JANUARY 28, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 26, 1911, passed the following bill (A. B. No. 314), in which it requests the concurrence of the Commission: An Act to make elective the office of lieutenant-governor in the subprovinces of Marinduque, Tayabas; of Catanduanes, Albay; of Abra, Ilocos Sur; of Siquijor, Oriental Negros; of Masbate, Sorsogon; and of Romblon, Capiz; and for other purposes.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 314 was read the first time by title only and referred to the Committee on Municipal and Provincial Governments, for report and recommendation.

JANUARY 28, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 26, 1911, passed the following resolution (A. C. R. No. 2), in which it requests the concurrence of the Commission: Concurrent Resolution petitioning the Congress of the United States that it pass an Act amending the Act of July first, nineteen hundred and two, in the sense that the age required in order to vote for the office of Delegate be twenty-one years or over, and authorizing the Philippine Legislature to prescribe the general qualifications of voters in elections for Delegates and to amend those already established.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The resolution is as follows:

Assembly Concurrent Resolution No. 2. Concurrent Resolution petitioning the Congress of the United States that it pass an Act amending the Act of July first, nineteen hundred and two, in the sense that the age required in order to vote for the office of Delegate be twenty-one years or over, and authorizing the Philippine Legislature to prescribe the general qualifications of voters in elections for Delegates and to amend those already established.

Whereas the Act of Congress of the United States of July first, nineteen hundred and two, known as "The Philippines Act," provides in section seven thereof that the qualifications of electors in elections for the office of Delegate shall be the same as then provided by law in case of electors in municipal elections;

Whereas at the time of the passage of the said Act of Congress, the law then in force in the Philippine Islands in matters of election was Act Numbered Eighty-two of the Philippine Commission, entitled "The Municipal Code," and the same provides in section six thereof that the electors shall be twenty-three years old or over and have the other qualifications determined and established in the same section;

Whereas by virtue of the aforesaid Act of Congress it was established *ipso facto* that the Philippine Legislature lacks authority to prescribe qualifications for the office of Delegate or even to amend those already established;

Whereas the Philippine Legislature has passed Act Numbered Nineteen hundred and ninety-one, of May tenth, nineteen hundred and nine, providing that majority age commences on attaining twenty-one years of age, for the full enjoyment of the civil rights;

Whereas in modern legislation it is established as a general rule that the majority age for civil purposes is the best standard for fixing the political capacity of the citizen so far as the exercise of the active right of voting is concerned;

Whereas, in view of the present conditions of the moral, intellectual, social, and political progress of the Philippine people, the necessity is felt that the age qualification for electors be modified and adjusted to the demands of the times and of circumstances; and

Whereas these are variable and the conditions that should qualify the electors depend on them, and the Philippine Legislature being best able to provide speedily and in an adequate manner for such needs, in view of its being in close touch with the people of the Islands: Now, therefore, be it

*Resolved by the Philippine Assembly, the Philippine Commission concurring,* That the Philippine Legislature petition the Congress of the United States for the amendment of the Act of July first, nineteen hundred and two, known as "The Philippines Act," in the sense that the electors for the office of Delegate shall be male persons twenty-one years or over, and conferring upon the said Philippine Legislature the power to prescribe the general qualifications of electors in the elections for said office, and to amend those already established; and

*Resolved further,* That copies of this resolution be furnished to the Resident Commissioners to the United States, with the recommendation that they secure from Congress the early enactment of the legislation requested.

Assembly Concurrent Resolution No. 2 was read the first time and referred to the Committee on Amendments to the Election Law, for report and recommendation.

JANUARY 28, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 27, 1911, passed the following bill (A. B. No. 296), in which it requests the concurrence of the Commission: An Act making the land tax applicable to certain property now exempt from said tax, and for other purposes.

Very respectfully,

RAMÓN DIOKNO,

*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 296 was read the first time by title only and referred to the Committee on Taxation and Revenue, for report and recommendation.

JANUARY 28, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 26, 1911, passed the following bill (A. B.

No. 501), in which it requests the concurrence of the Commission: An Act to amend sections six hundred and eighteen and six hundred and twenty of the Code of Procedure in Civil Actions and Special Proceedings in the Philippine Islands, by safeguarding more efficiently the authenticity of wills.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 501 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, for report and recommendation.

JANUARY 28, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 26, 1911, passed the following bill (A. B. No. 521), in which it requests the concurrence of the Commission: An Act to provide for the establishment of a nautical school in the Philippine Islands.

Copies of the reports of the Committees on Appropriations (A. Rep. No. 154) and of Navigation (A. Rep. No. 155) are inclosed for the information of the Commission.<sup>1</sup>

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 521 was read the first time by title only and referred to a select committee composed of the Committee on Matters Pertaining to the Department of Commerce and Police, the Committee on Matters Pertaining to the Department of Public Instruction, and the Committee on Matters Pertaining to the Department of Finance and Justice, for report and recommendation.

JANUARY 28, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 26, 1911, passed the following bill (A. B. No. 514), in which it requests the concurrence of the Commission: An Act providing for an appropriation of one million pesos for the construc-

<sup>1</sup> Copies of these reports are on file in the office of the Secretary of the Commission.

tion of schools in the municipalities and barrios of the Philippine Islands under certain conditions.

Copies of the report of the Committee on Appropriations (I. A. No. 157) are inclosed herewith for the information of the Commission.<sup>1</sup>

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 514 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of Public Instruction, for report and recommendation.

JANUARY 28, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 26, 1911, passed the following bill (A. B. No. 137), in which it requests the concurrence of the Commission: An Act to amend section sixty-four of General Orders, Numbered Fifty-eight.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 137 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, for report and recommendation.

JANUARY 28, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 26, 1911, passed the following bill (A. B. No. 476), in which it requests the concurrence of the Commission: An Act to amend sections one hundred and fifty and one hundred and eighty-two of Act Numbered Fourteen hundred and fifty-nine.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 476 was read the first time by title only and referred to the Committee on Matters

<sup>1</sup>Copies of this report are on file in the office of the Secretary of the Commission.

Pertaining to the Department of Commerce and Police, for report and recommendation.

JANUARY 28, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 25, 1911, passed the following bill (No. 349), in which it requests the concurrence of the Commission: An Act to amend section two of Act Numbered Seventeen hundred and eight, by providing that the Court of First Instance of Ambos Camarines shall hold a regular term of court in the municipality of Tigaon, of said province, and authorizing the Court of First Instance of the Province of Albay to sit in the municipality of Virac, subprovince of Catanduanes.

I have the honor to inclose copies of the report of the Committee of Judiciary (A. Rep. No. 152), for the information of the Commission.<sup>1</sup>

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 349 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, for report and recommendation.

JANUARY 27, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 26, 1911, passed the following bill (A. B. No. 525), in which it requests the concurrence of the Commission: An Act amending section one of Act Numbered Nineteen hundred and eighty-nine, entitled "An Act making appropriations for sundry expenses of the Insular Government for the fiscal year ending June thirtieth, nineteen hundred and eleven, and other designated periods," in the portion relating to the Philippine Assembly.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 525 was read the first time by title only and referred to the Committee on Appropriations, for report and recommendation.

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<sup>1</sup> Copies of this report are on file in the office of the Secretary of the Commission.



## REPORT OF STANDING COMMITTEE.

[Committee Report No. 161.]

MR. PRESIDENT: Your Committee on Matters Pertaining to Bureaus Under the Executive Control of the Governor-General, to which was referred on January 27, 1911, Assembly Concurrent Resolution No. 5, entitled "Concurrent Resolution authorizing the Executive Secretary to enter into a contract with two American and two Filipino newspapers for the publication of official notices," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

The phraseology "two American and two Filipino newspapers" in the inclosed resolution appears to be too vague. It is recommended that this phraseology be changed to read: "four newspapers of general circulation, two of which are published in the English language and two in the Spanish language."

Respectfully submitted.

W. CAMERON FORBES,

*Committee on Matters Pertaining to Bureaus Under the  
Executive Control of the Governor-General.*

TO THE PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

Assembly Concurrent Resolution No. 5 was read the second time and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following amendment:

Add at the end of the resolution the following:

"This authorization is in lieu of that contained in Concurrent Resolution Numbered Six of the First Philippine Legislature."

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by the President, unanimously carried,

The resolution was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its adoption, the resolution was unanimously adopted.

The President moved to amend the title to read as follows:

Concurrent Resolution authorizing the Executive Secretary to enter into a contract with four newspapers of general circulation, two of which

are published in the English language and two in the Spanish language, for the publication of official notices.

The motion prevailed and the title was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the amendments of the Commission.

CONSIDERATION OF COMMITTEE REPORT NO. 149.

Committee Report No. 149 on Assembly Joint Resolution No. 14, entitled "Joint Resolution requesting the Congress of the United States, through the Resident Commissioners, for the enactment of a law to amend section thirteen of an Act of Congress passed August fifth, nineteen hundred and nine, so as to lower the export duty on abaca to five cents for each one hundred kilos gross weight," the consideration of which was postponed on January 27, 1911, was taken up and considered.

During the consideration of the report the President left the Session Chamber and Commissioner Araneta took the chair.

After some consideration, Commissioner Elliott made the following motion:

That the report be laid on the table and that consideration of the question of asking Congress to abate or lower the export duty on hemp be postponed until the next session of the Legislature, in order to give an opportunity for further study and consideration in connection with legislation looking to the official grading of hemp prepared for export, this motion being made particularly in view of the fact that it is practically certain that on account of the late date Congress would not take up the matter for consideration until next year, and nothing therefore will be lost by this postponement.

The motion prevailed.

ADJOURNMENT.

At 12 o'clock and 15 minutes postmeridian,

The Commission adjourned to meet at 9 o'clock antemeridian, Tuesday, January 31, 1911.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary*.

# Second Philippine Legislature, First Session.

## JOURNAL OF THE COMMISSION.

TUESDAY, JANUARY 31, 1911.

The Commission met pursuant to adjournment.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, Elliott, and the President.

Absent: Commissioner Worcester (on official business) and Commissioner Luzuriaga (on leave).

### READING OF JOURNAL.

The Journal of Monday, January 30, 1911, was read and approved.

### REPORTS OF STANDING COMMITTEES.

[Committee Report No. 162.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on December 29, 1910, Assembly Bill No. 395, entitled "An Act amending Act Numbered Seventeen hundred and seventy-three, entitled 'An Act to provide for the public prosecution of the crimes of *adulterio*, *estupro*, *rapto*, *violación*, *calumnia*, and *injuria*, to abolish the right of pardon by the aggrieved party in such cases, to provide for a special civil action for damages therein, and for other purposes,' restoring with amendments certain provisions of the Penal Code of the Philippine Islands on this subject," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be laid on the table.

By the passage of the Assembly bill Act No. 1773 would be entirely repealed, with the exception of section 3 thereof, which refers to the right of the aggrieved person in the offenses mentioned in said Act to bring a civil action. Act No. 1773 provides that the crimes of *adulterio*, *estupro*, *rapto*, *violación*, *calumnia*, and *injuria* shall be deemed public crimes, it being provided, however, that no prosecution for the crimes of *adulterio*,

*estupro*, and *injuria* against persons other than public officials or employees shall be brought except upon complaint of the aggrieved person, or of the parents, grandparents, or guardian of such person.

With the provisions of the Penal Code reëstablished, as they would be by the passage of the Assembly bill, no prosecution for the crime of *estupro* could be brought except upon complaint of the aggrieved person, or of the parents, grandparents, or guardian of the aggrieved person; none could be brought for the crime of *adulterio* except upon complaint of the aggrieved spouse; and none for the crime of *injuria* except upon complaint of the aggrieved party, save when the offense is committed against a public official or employee.

A necessity was felt for the enactment of Act No. 1773. Many persons aggrieved by the commission of these offenses appealed to the prosecuting officer, asking for the prosecution of the offenders, but under the provisions of the Penal Code no action could be taken. To reëstablish now the provisions of the Penal Code with reference to these crimes would mean that many offenders would go entirely unpunished, since in many instances the aggrieved persons would not be able to pay the expense of a private prosecution, and in many other instances would not care to take the trouble or stand such expense.

The Assembly bill would also reëstablish the provisions of the Penal Code providing that pardon by the offended person extinguishes the criminal liability in the above-mentioned offenses of *adulterio*, *estupro*, *raptó*, *violación*, *calumnia*, and *injuria*. Section 2 of Act No. 1773 contains a provision to the contrary which tends to remedy the abuses and evils which pardon by the aggrieved person in the above-mentioned offenses encourages.

Respectfully submitted.

GREGORIO ARANETA,  
Committee on Matters Pertaining to the  
Department of Finance and Justice.

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 163.]

MR. PRESIDENT: The Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on October 28, 1910, resolution No. 21 of the convention of municipal presidents, Province of Pampanga, requesting the Legislature to provide that not more than 50 per cent of the costs fixed by law can be collected *de oficio* in justice of the peace courts; provided that the plaintiff shall pay the total amount of costs in case he maliciously occasions the dismissal of the case or the acquittal of the accused, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That this matter be laid on the table.

Your committee believes there are no grounds for the first part of the request contained in the accompanying resolution.

With respect to the part of said request contained in the proviso, your committee would state that when it appears in a criminal case that the plaintiff has brought the action maliciously there is nothing to prevent the justice of the peace from adjudging the plaintiff to pay the costs in the case. It is so provided by Spanish legislation, which has never been repealed.

Respectfully submitted.

GREGORIO ARANETA,  
*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 164.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on January 25, 1911, Assembly Bill No. 400, entitled "An Act authorizing the Insular Treasurer to invest the accretions to the gold-standard fund in certain loans to provinces and municipalities to aid in the construction of public works," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill do pass with the following amendment:

Strike out all after the enacting clause, substituting therefor the following:

"SECTION 1. The Insular Treasurer is hereby authorized, with the approval of the Governor-General first had, to invest any portion or portions of the accretions to the gold-standard fund arising from interest and sales of exchange, as follows, any existing provision of law to the contrary notwithstanding, namely:

"(a) In loans for a period not exceeding five years to provinces and municipalities of the Philippine Islands to aid in the construction of public works, particularly those of a revenue-producing character; or,

"(b) In any way in which the funds of the Postal Savings Bank may be invested, under the provisions of Act Numbered Fourteen hundred and ninety-three, as amended; or,

"(c) In the purchase of interest-bearing bonds of any company or corporation organized for the purpose of constructing and operating sugar mills, with such security and on such terms and conditions as may be required by the Governor-General: *Provided, however,* That the amount of bonds shall not exceed sixty per centum of the value of the property offered as security: *And provided further,* That any such company shall have contracts with the owners of not less than four thousand hectares of land suitable for the cultivation of sugar, obligating such owners to cultivate a reasonable area of their holdings and to transport to the company's mill all the sugar produced on such land and to convey to the

company such rights of way as the company may deem necessary for roads and railroads connecting the mill and the fields; that all of the owners of said lands shall be stockholders in the corporation and that the corporation shall agree to pay not less than twenty per centum of the total cost of constructing the mill and outworks and shall provide for a sinking fund for the retirement of the bonds, the contributions to which shall have preference over any dividends or profits of the stockholders and shall be sufficient for the total extinction of the debt in not exceeding thirty years; but no dividend in excess of ten per centum per annum shall be paid upon the stock of such company or corporation until all bonds issued by such company shall be fully paid or money sufficient to pay the same safely deposited for that purpose, and that the net earnings over and above said dividend shall be used in additions, betterments, or improvements to the property offered as security or in the redemption of the bonds of such company or corporation.

"SEC. 2. All profits arising from any such investments shall accrue to the credit of the gold-standard fund and be subject to similar reinvestment.

"SEC. 3. The public good requiring the speedy enactment of this bill, the same shall take effect on its passage in accordance with section one of Act Numbered Nineteen hundred and forty-five of the Philippine Legislature.

Respectfully submitted.

GREGORIO ARANETA,

*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted and the bill ordered on file for second reading.

[Committee Report No. 165.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on January 25, 1911, Assembly Bill No. 222, entitled "An Act to amend section ninety-seven of Act Numbered Eleven hundred and eighty-nine, entitled 'The Internal Revenue Law of Nineteen hundred and four,'" has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill do pass with the following amendment:

Strike out all after the enacting clause and substitute therefor the following:

"SECTION 1. Section ninety-seven of Act Numbered Eleven hundred and eighty-nine, entitled 'The Internal Revenue Law of Nineteen hundred and four,' is hereby amended so as to read as follows:

"SEC. 97. All leaf tobacco, before being sold, or transferred, or transported, from one place to another by any manufacturer or dealer, shall be packed in such form and marked with such marks or brands as the Collector of Internal Revenue may by regulation prescribe. It shall be the

duty of every dealer in leaf tobacco or any material used in the manufacture of tobacco or snuff, and of every manufacturer of cigars, cigarettes, tobacco, or snuff, to keep a record of all purchases and sales of such materials in such form as the Collector of Internal Revenue may by regulation require, and to furnish, with each sale of any such material, to the person receiving same, an official guia in such form, and containing such information, as the Collector of Internal Revenue shall by regulation prescribe, and the same duties are hereby imposed on all persons receiving such materials with respect to such official guias as are imposed on such persons by the provisions of section twenty-eight of this Act with respect to internal-revenue invoices. The record hereinbefore required shall be kept constantly in the place of business of the person to whom it belongs and shall at all times be open to inspection by any internal-revenue officer or agent. All such manufacturers and dealers shall carefully preserve and deliver or transmit to any internal-revenue officer, whenever so required, all such official guias received by them from vendors of such materials; and no manufacturer, dealer, or carrier shall receive any such materials from any other manufacturer, dealer, or carrier, unless the packages thereof are properly packed and marked or branded as the Collector of Internal Revenue shall by regulation require, and unless accompanied by a properly accomplished official guia.

“No person, firm or corporation shall engage in business as a dealer in leaf tobacco without previously notifying the Collector of Internal Revenue of such intention and furnishing such information as the Collector of Internal Revenue may by regulation require.

“Any manufacturer, dealer, or carrier who violates any of the provisions of this section shall, upon conviction, be fined in a sum not exceeding five hundred pesos, and any leaf tobacco found in the possession of any manufacturer or dealer in tobacco or of any carrier unaccompanied by a proper official guia, as hereinbefore prescribed, shall be seized and forfeited to the Government of the Philippine Islands.’

“Sec. 2. This Act shall take effect on April first, nineteen hundred and eleven.”

The Collector of Internal Revenue, to whom the Assembly bill was referred for comment and recommendation, states:

“It is true, as stated in the attached Assembly committee report, that this Office has issued an amendment to the leaf tobacco regulations exempting producers of leaf tobacco from the requirements of keeping any records whatever of tobacco produced and sold by them in their capacities as producers of leaf tobacco. However, with the provisions of section 97, as amended by Assembly Bill No. 222, the authority of this Office as regards requiring dealers in leaf tobacco to keep records is so restricted that it will of course be found necessary from time to time to secure information from producers of leaf tobacco as to the quantity of leaf tobacco sold to certain dealers. The serious objection to the amendment is that only those dealers who are not farmers or planters are required by the provisions of section 97 as amended to furnish information regarding their sales to internal-revenue officers. With the words ‘not a farmer or planter’

after the word 'dealer' it would be a comparatively simple matter for dealers throughout the provinces to cause themselves to be exempt from the requirements of this provision of law by becoming at the same time farmers or planters producing leaf tobacco. As a matter of fact a large number of persons who are now farmers or planters producing leaf tobacco are also dealers in leaf tobacco, not restricting their sales to the tobacco produced by themselves, but purchasing from others for resale. Such persons would of course be exempt from any of the requirements of section 97 if the objectionable feature referred to above is to remain in the law."

The Collector of Internal Revenue suggests that the above proposed amendment to section 97 be substituted for Assembly Bill No. 222. He further states that with the authority contained in this proposed amendment it would not be necessary for his Office to require statements of amounts of tobacco sold to dealers by producers thereof, but that, as stated above, under existing law such authority is necessary for the reason that dealers can not be required to keep the records necessary for the proper control of leaf tobacco.

The undersigned concurs in the views and recommendations of the Collector of Internal Revenue, and respectfully submits the above proposed amendment for the consideration of the Commission.

Respectfully submitted.

GREGORIO ARANETA,  
*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted and the bill ordered on file for second reading.

[Committee Report No. 166.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on January 24, Assembly Bill No. 480, entitled "An Act to reorganize the justice of the peace courts and amend in this sense sections one, three, four, five, six, seven, eight, fourteen, twenty-six, twenty-seven, twenty-nine, and thirty-seven of Act Numbered Sixteen hundred and twenty-seven, and their amendments," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill do pass with the following amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"SECTION 1. Section sixty-seven of Act Numbered One hundred and thirty-six, as amended, is hereby amended so as to read as follows:

"SEC. 67. *Appointment and term.*—One justice of the peace and one auxiliary justice shall be appointed by the Governor-General, by and with the consent of the Philippine Commission, for the city of Manila, for each



municipality organized according to the Municipal Code, and for such other towns or places as may be determined by resolution of said Commission: *Provided, however*, That upon the recommendation of the Secretary of Finance and Justice the Governor-General, with the consent of the Philippine Commission, may appoint one justice of the peace and one auxiliary justice for two or more such municipalities, towns or places, at a salary not to exceed seventy-five per centum of the sum of the salaries of the combined positions. Whenever a vacancy occurs therein, except in the city of Manila, the judge of the Court of First Instance of the district shall forward to the Governor-General a list of names of persons qualified to fill said vacancy. In preparing said list preference shall be given to any justice of the province who may desire to transfer to another station and whose record entitles him to promotion. The Director of Education shall certify to the Governor-General the names of all persons, otherwise qualified, who shall have completed the course for magistrates at the Philippine Normal School or University and have expressed their willingness to serve as justices. Appointments shall be made from the lists furnished as above prescribed: *Provided, however*, That the Governor-General may appoint any person not included in said lists when the interests of the service so require.

“In case new municipalities are formed by the Commission the Governor-General shall, in the same manner, designate which of the justices and auxiliary justices within the territory so formed into the municipality shall continue in office and the powers of all others therein shall cease. All justices of the peace and auxiliary justices shall hold office during good behavior and those now in office who have not the qualifications required by this Act shall continue in office until their successors are appointed.”

“SEC. 2. Section 2 of Act Numbered Sixteen hundred and twenty-seven is hereby amended to read as follows:

“SEC. 2. *Supervision; reports.*—The judge of the Court of First Instance shall at all times exercise a supervision over the justices of the peace within his district, and shall keep himself informed of the manner in which they perform their duties, by personal inspection whenever possible, from reports which he may require from them, from cases appealed to his court, and from all other available sources. In proper cases he shall advise and instruct them whenever requested, or when occasion arises, and such justices of the peace shall apply to him and not to the Attorney-General for advice and instruction, and any such inquiries received by the Attorney-General shall be referred by him to the judge of the proper district. The justice of the peace shall, during the first five days of the fiscal year, forward to said judge of the district a report concerning the business done in his court for the previous year, upon forms to be prescribed by the Attorney-General with the approval of the Secretary of Finance and Justice, such report to show, among other particulars, the number of suits begun in the court of said justice during the current year, the nature thereof, whether civil or criminal, the mode of disposition, whether by

voluntary dismissal or judgment, the number still pending, the amount of costs and fees collected and for what service, and the number of marriages solemnized. Such report shall be filed in the office of the clerk of the Court of First Instance, and said judge of the district shall, with the assistance of said clerk, embody a summary of such reports for each province of his district, together with other matters of interest and importance relative to the administration of justice therein, particularly with reference to justice of the peace courts, in a brief report, which he shall forward as soon as possible after the close of the fiscal year to the Secretary of Finance and Justice.'

"SEC. 3. Section 68 of Act Numbered One hundred and thirty-six, as amended, is hereby further amended to read as follows:

"SEC. 68. *Civil jurisdiction and powers.*—In all civil actions, including those mentioned in sections two hundred and sixty-two to two hundred and seventy-two, as hereby amended, inclusive, and chapter eighteen of Act Numbered One hundred and ninety, arising in his municipality, and not exclusively cognizable by the Court of First Instance, the justice of the peace shall have exclusive original jurisdiction where the value of the subject matter or amount of the demand does not exceed two hundred pesos, exclusive of interest and costs; and where such value or demand exceeds two hundred pesos but is less than six hundred pesos, the justice of the peace shall have jurisdiction concurrent with the Court of First Instance. In forcible entry and detainer proceedings the justice shall have original jurisdiction, but he may receive evidence upon the question of title therein solely for the purpose of determining character and extent of possession and damages for detention.

"No justice of the peace except that of the city of Manila or of a provincial capital shall have jurisdiction to adjudicate questions of title to real estate or any interest therein, and whenever a case requiring such adjudication is brought before him it shall be his duty upon discovering the same to suspend further proceedings therein and certify the cause forthwith to the Court of First Instance. The jurisdiction of a justice of the peace shall not extend to civil actions in which the subject of litigation is not capable of pecuniary estimation, except in forcible entry and detainer cases; nor to those which involve the legality of any tax, impost, or assessment; nor to actions involving admiralty or maritime jurisdiction; nor to matters of probate, the appointment of guardians, trustees, or receivers; nor to actions for annulment of marriage: *Provided, however,* That justices of the peace in provincial capitals, except in the city of Manila, may by assignment of the respective judge of the Court of First Instance in each case have like jurisdiction within the province as the Court of First Instance to hear and determine cases originally cognizable by the Court of First Instance in which the subject of litigation is capable of pecuniary estimation and the value of the subject matter or amount of the demand does not exceed two thousand pesos exclusive of interest and costs, except cases involving the legality of any tax, impost, or assessment, or actions involving admiralty or maritime jurisdiction.

“Justices of the peace in the capitals of provinces organized under the Provincial Government Act, and the governors of provinces not organized under said Act acting as ex officio justices of the peace, in the absence of the judge of the district from the province, may exercise within the province like interlocutory jurisdiction as the Court of First Instance, which shall be held to include the hearing of all motions for the appointment of a receiver, for temporary injunctions, and for all other orders of the court which are not final in their character and do not involve a decision of the case on its merits, the hearing of petitions for a writ of habeas corpus, and all questions which may arise concerning the appointment of inspectors of election, or the inclusion in or exclusion from the register of voters of the names of electors.

“A justice of the peace shall have power anywhere within his territorial jurisdiction to solemnize marriages, authenticate merchants' books as provided by articles nineteen and thirty-six of the Code of Commerce, administer oaths, take depositions and acknowledgments, and to perform all other acts which under the law may be performed by a notary public.’

“SEC. 4. Section four of Act Numbered Sixteen hundred and twenty-seven is hereby amended to read as follows:

“SEC. 4. *Jurisdiction to try and sentence.*—Justices of the peace, except in the city of Manila, shall have original jurisdiction to try parties charged with misdemeanors, offenses, and infractions of municipal ordinances, arising within the municipality, in which the penalty provided by law does not exceed six months' imprisonment or a fine of two hundred pesos, or both such imprisonment and fine.

“Justices of the peace in the capitals of provinces organized under the Provincial Government Act, and the governors of provinces not organized under said Act acting as ex officio justices of the peace, may by assignment of the respective judge of the district in each case have like jurisdiction as the Court of First Instance to try parties charged with an offense committed within the province in which the penalty provided by law does not exceed two years' imprisonment or a fine of two thousand pesos or both such imprisonment and fine, and in the absence of the judge of the district shall have like jurisdiction within the province as the Court of First Instance to hear applications for bail.

“Subdivision (g) of section eighteen of Act Numbered Eighty-two is hereby repealed.’

“SEC. 5. Whenever a justice of the peace exercises jurisdiction as the Court of First Instance the same procedure shall be followed as that prescribed by law for Courts of First Instance, and from his orders or judgments the same appeal shall lie as from like orders or judgments rendered by a judge of the Court of First Instance.

“SEC. 6. Section seventy-one of Act Numbered One hundred and thirty-six, as amended, is hereby amended to read as follows:

“SEC. 71. *Salary, and disposition of fines and fees.*—Justices of the peace shall receive salary as follows: In first-class municipalities, nine

hundred and sixty pesos a year; in second-class municipalities, eight hundred and forty pesos a year; in third-class municipalities, seven hundred and twenty pesos a year; in fourth-class municipalities, or in towns or places as provided in the first section of this Act, six hundred pesos a year: *Provided, however,* That justices of the peace in the cities of Manila, Iloilo, and Cebu shall receive the salary at present provided by law, and that justices of the peace in the capitals of the Provinces of Albay, Ambos Camarines, Batangas, Bulacan, Ilocos Sur, Leyte, Occidental Negros, Pampanga, Pangasinan, and Tayabas shall receive a salary of one thousand eight hundred pesos a year; those of Cagayan, Capiz, Cavite, Ilocos Norte, Laguna, Rizal, Samar, and Sorsogon one thousand five hundred pesos, and those of the capitals of the remaining provinces organized under the Provincial Government Act one thousand two hundred pesos a year. The salaries herein provided shall not be paid to public officers appointed justices of the peace.

“Except when the justice of the peace acts as judge of the Court of First Instance, all fines imposed by a justice of the peace in criminal prosecutions and all fees charged in civil suits or for any other service and collected, shall be paid without delay to the municipal treasurer, or in the city of Manila to the Collector of Internal Revenue, to whom on the first day of each month the justice shall present a detailed statement of the amounts thus collected by him since his last previous report and of the amounts which the municipal treasurer should pay for fees in criminal proceedings during the preceding month. His account shall forthwith be audited by the municipal treasurer and president, or in Manila by the Insular Auditor, by examining the records of the justice of the peace and any other papers or persons deemed necessary, and all mutilated or spoiled receipts must be accounted for and turned in by said justice. But it shall not be necessary for the justice to prove the insolvency of parties who have failed to pay costs taxed against them.

“The collection of the above-mentioned fines and fees shall be under the jurisdiction of the Collector of Internal Revenue, who shall prescribe the administrative regulations therefor, and said fines and fees, except those collected in the city of Manila, shall be paid into the Insular Treasury to be credited to the appropriation for the Judiciary. The salary of the justice of the peace shall be paid out of the funds of the Insular Treasury appropriated for that purpose: *Provided, however,* That in order to facilitate the payment of the salaries of the justices of the peace in the provinces the respective municipal treasurers shall pay such salaries monthly out of any municipal funds in their possession and the municipality shall be reimbursed monthly by the Insular Government from the appropriation therefor for the amount so paid.’

“SEC. 7. Section seventy-six of Act Numbered One hundred and thirty-six, as amended, is hereby further amended to read as follows:

“SEC. 76. *Auxiliary justice; qualifications and duties.* The auxiliary justice of the peace shall have the same qualifications and be subject to

the same restrictions as the regular justice, and shall perform the duties of said office during any vacancy therein or in case of the absence of the regular justice from the municipality, or of his disability or disqualification, or in case of his death or resignation until the appointment and qualification of his successor, or in any cause whose immediate trial the regular justice shall certify to be specially urgent and which he is unable to try by reason of actual engagement in another trial. The auxiliary justice for such time as he shall perform the duties of justice shall receive the salary which would have accrued to the office of justice: *Provided*, That if the justice of the peace, without ceasing to act as justice, shall certify any cause to the auxiliary justice for trial such auxiliary justice shall receive the fees provided by law for each cause so certified, which amount shall be deducted from the salary of the regular justice.

“In case there is no auxiliary justice of the peace to perform the duties of the regular justice in the cases above-mentioned, the judge of the district shall designate the nearest justice of the peace of the province to act as justice of the peace in such municipality, town, or place, in which case the justice of the peace so designated shall receive seventy-five per centum of the sum of his salary and that of the justice of the peace for whom he may substitute.

“In case of the temporary absence of both the justice of the peace and the auxiliary justice from the municipality, town, or place wherein they exercise their jurisdiction, the municipal president is authorized to make the preliminary investigation in criminal cases when such investigation can not be delayed without prejudice to the interests of justice. He shall make report of any preliminary investigation so made to the justice of the peace or to the auxiliary justice immediately upon the return of one or the other. He shall also have authority in such case to grant bail to the accused in criminal proceedings brought in the justice court for such municipality, town, or place.’

“SEC. 8. Section seven hundred and ninety of Act Numbered One hundred and ninety, as amended, is hereby further amended to read as follows:

“SEC. 790. *Fee bill*.—The following are the legal fees, in Philippine currency, which a justice of the peace shall collect:

“For each criminal proceeding, including preliminary investigations, five pesos, to be paid by the respective municipality.

“*Provided*, That in prosecutions for infractions of municipal ordinances or for nonpayment of the cedula tax the fee shall be one peso and fifty centavos.

“For each civil action, three pesos.

“For performance of marriage ceremony, including issuance of certificate of marriage, one peso.

“For taking affidavit, fifty centavos.

“For taking acknowledgment, seventy-five centavos.

“For writing and certifying depositions, including oath, per one hundred words, or fractional part thereof, twenty centavos.

“For certified copies of any record, per one hundred words, or fractional part thereof, twenty centavos.

“For stamping and registering books, as required by articles nineteen and thirty-six of the Code of Commerce, each book, one peso.

“For performing notarial acts for which fees are not specifically fixed in this section, the same fees which notaries public are entitled to receive.

“The foregoing fee bill, in Spanish, English, and the native dialect commonly spoken in the municipality, shall be posted in a conspicuous place in the office of every justice.’

“SEC. 9. Section five of Act Numbered Fourteen hundred and fifty, as amended, is hereby further amended to read as follows:

“SEC. 5. *Qualifications and privileges.*—No person shall be eligible to appointment as justice of the peace or auxiliary justice unless he shall be (1) at least twenty-three years of age; (2) a citizen of the Philippine Islands or of the United States; (3) of good moral character; and (4) admitted by the Supreme Court to practice law, or shall have completed the course for magistrates in the Philippine Normal School or the Philippine University, or shall have passed the civil service examination for clerk of court, or an examination to be held in each province before a board composed of the judge of the Court of First Instance, the provincial fiscal, and a practicing lawyer appointed by the judge, under rules and regulations to be prescribed by the Attorney-General with the approval of the Secretary of Finance and Justice: *Provided, however,* That this last-mentioned requisite shall not be required in case the appointee is an officer of the United States Army or of the Philippine Government, or when there is no person having the necessary qualifications who is willing to accept the office.

“In this last-mentioned case the appointment shall continue only until such time as a qualified person can be found who is willing to accept the office: *And provided further,* That no person shall be appointed justice of the peace or auxiliary justice for the city of Manila or for any provincial capital who has not been admitted by the Supreme Court to practice law. He shall be present as often as the business of his court requires and at least once each business day at an appointed hour in his office or at the place where his court is held, but he may, during his incumbency, with the permission of the judge of First Instance of the district, pursue any other vocation or hold any other office or position, notwithstanding the provisions of Act Numbered One hundred and forty-eight. But no justice or auxiliary justice may act as the attorney for any party to a cause commenced in his court or elsewhere except by special permission of the said judge.’

“SEC. 10. For the purpose of paying the salaries of the justices of the peace provided in this Act for the fiscal year nineteen hundred and twelve there is hereby appropriated, out of the funds of the Insular Treasury not otherwise appropriated, the sum of two hundred and fifty thousand pesos, and all sums collected as fees and fines by the justices of the peace provided in section fifteen of this Act.

"SEC. 11. This Act shall take effect on the first of July, nineteen hundred and eleven: *Provided, however,* That the examination for justices of the peace referred to in section eight may be held before that date."

Respectfully submitted.

GREGORIO ARANETA,  
*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted and the bill ordered on file for second reading.

RECESS.

At 10 o'clock and 30 minutes antemeridian,

The President declared a recess to enable the members of the committee of conference on the subject of the election of Resident Commissioners to the United States to attend a meeting of the conference committee.

RECONVENED.

At 12 o'clock and 35 minutes postmeridian,

The Commission reconvened,

Commissioner Gilbert in the chair, the President and Commissioner Elliott absent.

REPORTS OF STANDING COMMITTEES.

[Committee Report No. 167.]

MR. PRESIDENT: Your Committee on Appropriations, to which was referred on January 30, 1911, Assembly Bill No. 517, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill do pass.

Respectfully submitted.

GREGORIO ARANETA,  
FRANK A. BRANAGAN,  
*Committee on Appropriations.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

Assembly Bill No. 517, entitled "An Act to appropriate the sum of twenty thousand pesos from Insular funds for the purposes of Act Numbered Nineteen hundred and seventy-five, entitled 'An Act to provide for the establishment of classes for the instruction

and training of male and female nurses under the supervision of the Director of Health,'” was read the second time.

On motion by Commissioner Araneta, unanimously carried,

Assembly Bill No. 517 was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 517 was unanimously passed and the title was read and approved.

*Ordered,* That the Secretary notify the Assembly thereof.

[Committee Report No. 168.]

MR. PRESIDENT: Your Committee on Appropriations, to which was referred on January 30, 1911, Assembly Bill No. 518, entitled “An Act to appropriate the sum of fifty thousand pesos for the relief of sufferers from public calamities,” has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be passed with the following amendments:

In section 2 strike out the words “In accordance with provisions of the aforesaid Act Numbered Eighteen hundred and nine, and its amendments,” and insert in lieu thereof the words “jointly by the Governor-General and the Speaker of the Assembly.”

Respectfully submitted.

GREGORIO ARANETA,  
FRANK A. BRANAGAN,  
*Committee on Appropriations.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted, and the bill ordered on file for second reading.

[Committee Report No. 169.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on January 27, 1911, Assembly Bill No. 263, entitled “An Act to abolish the death penalty,” has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be laid on the table.

The question of the abolition of the death penalty is not a new one. Much may be said both for and against it. However, the fact should be borne in mind that the countries which have provision in their penal codes for capital punishment are much more numerous than the countries which have abolished the death penalty. A change as important as the one proposed in this bill merits much more careful investigation and study



than is permitted by the limited time allowed for the consideration of this Assembly bill. Moreover, this bill proposes that the death penalty be substituted by imprisonment for twenty years, and this being the highest penalty, the other penalties would necessarily have to be reduced in proportion. Your committee believes that a more appropriate time for the consideration of these points will be when the Penal Code, which is now in course of preparation by the Code Committee, comes up for discussion and determination.

Respectfully submitted.

GREGORIO ARANETA,  
*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 170.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on January 30, 1911, Assembly Bill No. 349, entitled "An Act to amend section two of Act Numbered Seventeen hundred and eight, by providing that the Court of First Instance of Ambos Camarines shall hold a regular term of court in the municipality of Tigaon, of said province, and authorizing the Court of First Instance of the Province of Albay to sit in the municipality of Virac, subprovince of Catanduanes," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be laid on the table.

The purpose of this bill is to provide for the holding of regular terms of court at Tigaon, beginning on the first Tuesdays of February and September of each year for the purpose of hearing the cases arising in the municipalities of Sagnay, Tigaon, San Jose, Lagonoy, and Caramoan, and that court may be held at Virac, subprovince of Catanduanes, when the public interests so require.

To hold regular terms of court at Tigaon would necessarily mean the appointment of a clerk of court and subordinate personnel for that purpose, and for this there is no provision in the bill. It would no doubt be advantageous to hold regular terms of court at these places, but I do not believe that the number of cases arising in the municipalities mentioned would be sufficient to justify the creation of a court at that place. There is nothing to prevent the holding of a special term of court at Tigaon at any time when necessary for the economical and speedy administration of justice, upon recommendation of the judge and order by the Secretary of Finance and Justice. This would not entail the creation of a court with the necessary personnel.

There is also nothing to prevent the holding of special terms of court at Virac when recommended by the judge and authorized by the Secretary of Finance and Justice.

Respectfully submitted.

GREGORIO ABANETA,  
*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 171.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on January 30, 1911, Assembly Bill No. 534, entitled "An Act to authorize the Governor-General of the Philippine Islands or person legally acting in his stead to postpone, reduce, remit, and cancel, or in any other manner commute, wholly or partially, the forfeiture and execution of bonds in criminal cases and to order reimbursement of money or other personal property seized from private citizens by the United States military authorities during the revolution, under certain conditions," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be laid on the table.

The forfeiture and execution of bonds given by defendants in criminal cases brought in the courts of justice of the Philippine Islands is a purely judicial matter, and to authorize the Governor-General to annul or remit in whole or in part such bonds would be contrary to the theory of separation of powers and highly inadvisable.

The confiscated money referred to in section 2 of the bill forms a part of the funds of the Insular Treasury, and under the Act of Congress of July 1, 1902, no money shall be paid out of the Treasury except in pursuance of an appropriation by law.

Respectfully submitted.

GREGORIO ABANETA,  
*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

REPORT OF SELECT COMMITTEE.

[Committee Report No. 172.]

MR. PRESIDENT: Your select committee of two, to which was referred on November 22, 1910, resolution No. 829 of the provincial board of Tarlac,

suggesting that the Legislature amend section 12 of Act No. 1510 so that one-half of the collections made by the Insular Government be distributed to the provinces and municipalities traversed by the railroad lines in proportion to their respective populations, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That these papers be filed.

This matter is covered by a bill<sup>1</sup> heretofore prepared by your committee and submitted to the Commission, which provides for the apportionment between the Insular, provincial, and municipal governments of all taxes paid by the grantees of franchises on the gross receipts in lieu of other taxes.

Respectfully submitted.

GREGÓRIO ARANETA,  
C. B. ELLIOTT,  
*Select Committee of Two.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

#### MESSAGES FROM THE ASSEMBLY.

JANUARY 30, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has agreed to the report of the committee of conference on the disagreeing votes of the two Houses to the amendment of the Commission to Assembly Bill No. 331, entitled "An Act to provide for an exposition of Philippine products in the city of Manila in the year nineteen hundred and eleven, to appropriate funds therefor, and for other purposes."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

JANUARY 30, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 30, 1911 passed without amendment Commission Bill No. 21, entitled "An Act amending section four, paragraph (b) of section six, and section ten of Act Numbered Eighteen hundred and seventy, entitled 'An Act for the purpose of founding a University for the Philippine Islands, giving it corporate existence, providing for a Board

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<sup>1</sup> Commission Bill No. 80.

of Regents, defining the board's responsibilities and duties, providing higher and professional instruction, and for other purposes.'”

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

*Ordered*, That Commission Bill No. 21 be enrolled and printed as an Act.

RECESS.

At 1 o'clock postmeridian,  
The Chair declared a recess until 3 o'clock and 30 minutes postmeridian.

RECONVENED.

At 3 o'clock and 30 minutes postmeridian,  
The Commission reconvened, Commissioner Gilbert absent.  
The President in the chair.

THIRD READING AND PASSAGE OF BILL.

Commission Bill No. 83. An Act for the issue of bonds of the Government of the Philippine Islands to the amount of two million five hundred thousand dollars, gold coin of the United States of the present standard value, for the purpose of providing funds for certain public works and permanent improvements for the development of the Philippine Islands, repealing certain portions of Act Numbered Nineteen hundred and eighty-eight, and making appropriations out of the funds resulting from the sale of bonds, and for other purposes.

Commission Bill No. 83 was read the third time.

Commissioner Elliott moved the following amendments:

Section 4, page 3, lines 16 to 20 inclusive, strike out the words “three hundred thousand pesos for the drilling of artesian wells and to obtain water by other means, including the cost of new equipment and pumping plants when necessary, to be allotted in the discretion of the Secretary of Commerce and Police, are hereby repealed” and insert in lieu thereof the words “for the construction of new buildings and the purchase of equipment for the Philippine Normal School, one hundred and eleven thousand pesos; section seven of Act Numbered Nineteen hundred and fifty-four, entitled ‘An Act providing for the issue of bonds of the Government of the Philippine Islands to the amount of one million five hundred thousand dollars, gold coin of the United States of the present standard value, for the purpose of providing funds for certain public works and permanent improvements for the development of the Philippine Islands, pursuant to

the provisions of section two of Act of Congress entitled "An Act to amend an Act approved July first, nineteen hundred and two, entitled 'An Act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes,' and to amend an Act approved March eighth, nineteen hundred and two, entitled 'An Act temporarily to provide revenue for the Philippine Islands, and for other purposes,' and to amend an Act approved March second, nineteen hundred and three, entitled 'An Act to establish a standard of value and to provide for a coinage system in the Philippine Islands,' and to provide for the more efficient administration of civil government in the Philippine Islands, and for other purposes," approved February sixth, nineteen hundred and five; repealing a portion of section one of Act Numbered Sixteen hundred and eighty-eight and a portion of section one of Act Numbered Seventeen hundred and fifty and a portion of section one of Act Numbered Eighteen hundred and thirty-seven, appropriating for certain public works and permanent improvements out of bond issue, authorizing the Governor-General to suspend for a term not to exceed three years all accretions to said bond sinking fund and the appropriations made therefor, making appropriations for certain public works and permanent improvements, and for other purposes,' in so far only as to the appropriation of one hundred and eighty-nine thousand pesos for the construction of buildings for the Philippine Normal School in the City of Manila, are hereby repealed."

Section 6, page 4, insert in the blank space in line 18 the words "nineteen thousand four hundred."

Amend the first paragraph of section 7 to read as follows:

"Sec. 7. The following sums are hereby appropriated from the proceeds of the bond issue authorized by this Act for certain public works and permanent improvements."

Strike out the words "For the purpose of replacing the money by section four withdrawn from the appropriation previously made by section one of Act Numbered Nineteen hundred and eighty-eight, one million pesos," on page 5, same section.

Amend the third paragraph of section 7, contained in lines 7 and 8 of page 5, to read as follows:

"For the construction and improvement of ports and harbors and the improvement of navigable rivers, two million pesos, to be allotted in the discretion of the Secretary of Commerce and Police."

Amend the fifth paragraph of said section, contained in lines 11 and 12 of page 5, to read as follows:

"For the construction and improvement of roads and bridges, seven hundred and fifty thousand pesos, to be allotted in the discretion of the Secretary of Commerce and Police."

Amend the sixth paragraph of said section, contained in lines 13 to 15, page 5, to read as follows:

"For the construction of a dormitory for the use of students attending the University of the Philippines, and for other buildings in connection

with school work, to be allotted by the Secretary of Public Instruction, five hundred thousand pesos."

In line 16, section 7, page 5, after the words "In all" insert the words "under this section."

Line 17, after the word "appropriated" insert the words "by this Act."

Section 9, page 5, line 24, after the words "take effect upon" insert the words "a date stated in a proclamation of the Governor-General which shall be issued after."

The motion prevailed.

The question then being upon its passage, the roll was called and Commission Bill No. 83 was unanimously passed.

The President moved to amend the title to read as follows:

An Act providing, in the event of the granting of authority therefor by the Congress of the United States, for the issue of bonds of the Government of the Philippine Islands to the amount of two million five hundred thousand dollars, gold coin of the United States of the present standard value, for the purpose of providing funds for certain public works and permanent improvements for the development of the Philippine Islands, repealing certain portions of Acts Numbered Nineteen hundred and fifty-four and Nineteen hundred and eighty-eight, and making appropriations out of the funds resulting from the sale of bonds, and for other purposes.

The motion prevailed and the title as amended was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

#### REPORT OF STANDING COMMITTEE.

[Committee Report No. 173.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Commerce and Police, to which was referred on January 30, 1911, Assembly Bill No. 476, entitled "An Act to amend sections one hundred and fifty and one hundred and eighty-two of Act Numbered Fourteen hundred and fifty-nine," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill pass.

Respectfully submitted.

C. B. ELLIOTT,

*Committee on Matters Pertaining to the  
Department of Commerce and Police.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

Assembly Bill No. 476 was read the second time and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

“SECTION 1. Section one hundred and fifty of Act Numbered Fourteen hundred and fifty-nine, entitled ‘The Corporation Law,’ is hereby amended to read as follows:

“SEC. 150. No loan by any insurance corporation on the security of real estate shall be made unless the title to such real estate shall have been first registered in accordance with the Land Registration Act, or shall be a *titulo real* duly registered or have been previously registered under the provisions of the Mortgage Law, that is, under the system of registration established by the laws in force on the date of the passage of Act Numbered Four hundred and ninety-six, entitled ‘The Land Registration Act.’”

“SEC. 2. Section one hundred and eighty-two of said Act Numbered Fourteen hundred and fifty-nine is hereby amended to read as follows:

“SEC. 182. Every loan made by the corporation must be properly evidenced by a note or other instrument in writing and must be secured by a first mortgage or deed of trust on unencumbered real estate and also by the pledge to the corporation of shares of stock of the corporation the matured value of which shall at least equal the amount loaned: *Provided, however,* That loans may be made on the security of free shares pledged to the corporation for the payment of the loan in case, at the time that the loan is made, the withdrawal value of such free shares under the by-laws shall exceed the amount borrowed and interest thereon for six months: *And provided further,* That no loan on the security of real estate shall be made unless the title to such real estate shall have been first registered in accordance with the Land Registration Act or under the system of registration established by the laws in force on the date of the passage of said Land Registration Act, and unless such real estate shall be situate within the city or municipality in which the principal place of business of the corporation is established.’”

“SEC. 3. The public good requiring the speedy enactment of this bill, the same shall take effect on its passage, in accordance with section one of Act Numbered Nineteen hundred and forty-five of the Philippine Legislature.”

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Elliott, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 476 was unanimously passed.

Commissioner Araneta moved to amend the title to read as follows:

An Act to amend sections one hundred and fifty and one hundred and eighty-two of Act Numbered Fourteen hundred and fifty-nine, by authorizing insurance corporations to make loans on the security of real estate with *titulo real* duly registered or with title registered under the Spanish Mortgage Law, and for other purposes.

The motion prevailed, and the title as amended was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the amendments of the Commission.

#### INTRODUCTION AND PASSAGE OF BILL.

The President introduced the following bill:

Commission Bill No. 88. An Act prohibiting slavery, involuntary servitude, peonage, or the sale of human beings in the Philippine Islands.

Commission Bill No. 88 was read the first time.

By unanimous consent, it was read the second time by title only and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following amendments:

Section 5, page 2, lines 20 to 23 inclusive, strike out the words "In case of the nonpayment of any fine imposed under the provisions of this Act the same shall be extinguished by imprisonment at the rate of one day for each peso of such fine unpaid."

Strike out section 6 in its entirety.

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by the President, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being on its passage, the roll was called and Commission Bill No. 88 was unanimously passed.

The President moved to amend the title by adding the words "and providing punishment therefor."

The motion prevailed, and the title as amended was read and approved.



*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

## REPORTS OF STANDING COMMITTEES.

[Committee Report No. 174.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on January 30, 1911, Assembly Bill No. 421, entitled "An Act to create credit funds for agricultural banks," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be laid on the table.

The purpose of this bill is to create a fund to be known as the "Fund for agricultural banks," to be loaned out in sums of ₱500,000 at 4 per cent per annum to any person or corporation establishing an agricultural bank in Manila, Cebu, or Iloilo, and appropriating annually for not more than five years the sum of ₱500,000 for such purpose.

I can see no necessity for such legislation, in view of the fact that the Government has already established an agricultural bank for the purpose of assisting farmers in all parts of the Islands, and up to the present time not one-half of this bank's capital has been loaned out. Moreover, by the passage of this bill a large amount of Government funds would be tied up in case no person or corporation decided to establish an agricultural bank.

Respectfully submitted.

GREGORIO ARANETA,  
*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

At this point Commissioner Gilbert entered the Session Chamber.

[Committee Report No. 175.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on January 30, 1911, Assembly Bill No. 137, entitled "An Act amending section sixty-four of General Orders, Numbered Fifty-eight," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be laid on the table.

Section 64 of General Orders, No. 58, which this bill seeks to amend, provides that in case of appeal after judgment, the defendant may be admitted to bail as a matter of right if the appeal is from an acquittal or from a judgment imposing a fine only, and as a matter of judicial discretion in all other noncapital cases.

The bill under consideration provides that the defendant in case of

appeal after judgment may be admitted to bail as a matter of right in all except capital cases, and that in capital cases the defendant may be admitted to bail in the discretion of the court.

The proposed amendment is contrary to Act of Congress of July 1, 1902, which provides that all persons shall before conviction be bailable by sufficient sureties, except for capital offenses. There is no precedent for such legislation, and the same would facilitate the escape of convicted criminals.

Respectfully submitted.

GREGORIO ARANETA,  
*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 176.]

MR. PRESIDENT: Your Committee on Matters Pertaining to Bureaus under the Executive Control of the Governor-General, to which was referred on January 30, 1911, Assembly Bill No. 183, entitled "An Act to repeal Act Numbered Sixteen hundred and ninety-six, entitled 'An Act to prohibit the display of flags, banners, emblems, or devices used in the Philippine Islands for the purpose of rebellion or insurrection against the authority of the United States and the display of Katipunian flags, banners, emblems, or devices, and for other purposes,'" has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

This bill provides for the repeal of the so-called "Flag Law," and that the people who are serving sentences under it shall be immediately set at liberty.

The same reasons which actuated the passage of this Act exist now just as much as they did at the time of its passage. There has not been the growth of consideration and courtesy toward the sovereign power, as evidenced by the press and by the speeches of orators, particularly in heated political campaigns, that would assure the Government that acts similar to those which induced the passage of the Act would not reoccur were the Act to be repealed.

It is therefore recommended that this bill be laid on the table.

Respectfully submitted.

W. CAMERON FORBES,  
*Committee on Matters Pertaining to Bureaus under the  
Executive Control of the Governor-General.*

To the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 177.]

MR. PRESIDENT: The Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on October 28, 1910, resolution No. 20 of the convention of municipal presidents of the Province of Pampanga, praying the Legislature to enact a law providing that municipal presidents may accept cash bonds on certain conditions for the appearance of persons charged with violation of municipal ordinances, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That these papers be filed.

This matter has been covered by a justice of the peace bill prepared by the undersigned and submitted to the Commission as an amendment to Assembly Bill No. 480 on the same subject.

Respectfully submitted.

GREGORIO ARANETA,  
*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

#### RECONSIDERATION OF BILL.

The President moved reconsideration of Commission Bill No. 86, entitled "An Act making appropriation for sundry expenses of the Insular Government for the fiscal year ending June thirtieth, nineteen hundred and twelve, and other designated periods."

It appearing that the bill had not left the Secretary's office,

The motion was seconded, and, being put to a vote, was unanimously carried.

The President then moved the following amendment:

Add to the end of the bill the following section:

"SEC. 46. In the event of failure on the part of the Legislature to make provision for the current expenses of the Bureau of Public Works in the public works bill providing for permanent improvements for the ensuing year, then, and in that case, the same appropriation which was made for the Bureau of Public Works in Act Numbered Nineteen hundred and eighty-nine shall be held to be reenacted effective for the fiscal year nineteen hundred and twelve."

The motion prevailed.

The question then being upon its passage, the roll was called and

Commission Bill No. 86 was unanimously passed and the title was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

SECOND READING AND PASSAGE OF BILLS.

Assembly Bill No. 518. An Act to appropriate the sum of fifty thousand pesos for the relief of sufferers from public calamities.

Assembly Bill No. 518 was read the second time and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"SECTION 1. The sum of fifty thousand pesos is hereby appropriated, out of any funds in the Insular Treasury not otherwise appropriated, for the relief of sufferers from general conflagrations, typhoons, floods, earthquakes, famine, pestilence, epidemics, and other disasters amounting to public calamities, to be expended by order of the Governor-General in his discretion.

"SEC. 2. Act Numbered Eighteen hundred and nine, and all amendments thereof, are hereby repealed, and all unexpended moneys appropriated for the carrying out of the purposes of said Act are hereby made available for the purposes of this Act."

The report and recommendation of the Committee of the Whole were adopted.

On motion by Commissioner Araneta, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 518 was unanimously passed and the title was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the amendments of the Commission.

Assembly Bill No. 400. An Act authorizing the Insular Treasurer to invest the accretions to the gold-standard fund in certain loans to provinces and municipalities to aid in the construction of public works.

Assembly Bill No. 400 was read the second time and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following amendments:

Section 1, page 1, line 20, strike out the word "sixty" and insert in lieu thereof the word "seventy;" same page, line 23, strike out the words "four thousand" and insert in lieu thereof the words "three thousand;" page 2, lines 4, 5, and 6, strike out the words "shall agree to pay not less than twenty per centum of the total cost of constructing the mill and outworks and;" amend the clause beginning in line 11 with the words "but no dividend" to read as follows: "but until all bonds issued by such company shall be fully paid or money sufficient to pay the same safely deposited for that purpose, no dividend in excess of ten per centum per annum shall be paid upon the stock of such company or corporation, and the net earnings over and above said dividend shall be used in additions, betterments, or improvements to the property offered as security or in the redemption of the bonds of such company or corporation;" in lines 22 and 27 of page 1 and line 1 of page 2 insert the words "or corporation" after the word "company" in each case, and in line 4, page 2, insert the words "company or" before the word "corporation" in each case.

Strike out section 3 in its entirety.

The report and recommendation of the Committee of the Whole were adopted.

On motion by the President, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 400 was unanimously passed.

The President moved to amend the title to read as follows:

An Act providing for the investment of the accretions to the gold-standard fund in loans to the provinces and municipalities for certain purposes, in securities authorized for the investment of funds of the Postal Savings Bank, and in interest-bearing bonds to assist in the construction of sugar centrals, and for other purposes.

The motion prevailed, and the title as amended was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the amendments of the Commission.

#### EXPLANATIONS OF VOTES.

Commissioner GILBERT. I vote "Aye," but do it notwithstanding the fact that this is a step in paternalism and my own judgment is

that we should not go further in that direction, but I defer to the judgment of the Governor-General and my other confreres on the Commission.

Commissioner ELLIOTT. I vote "Aye," because I think that under the peculiar circumstances that exist here we are justified in making this experiment.

Assembly Bill No. 480. An Act to reorganize the justice of the peace courts and amend in this sense sections one, three, four, five, six, seven, eight, fourteen, twenty-six, twenty-seven, twenty-nine, and thirty-seven of Act Numbered Sixteen hundred and twenty-seven, and their amendments.

Assembly Bill No. 480 was read the second time as amended and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following further amendments:

Section 1, page 2, lines 7 to 11 inclusive, strike out the words "The Director of Education shall certify to the Governor-General the names of all persons, otherwise qualified, who shall have completed the course for magistrates at the Philippine Normal School or University and have expressed their willingness to serve as justices;" line 20, strike out the words "the Commission;" and in line 21 insert the word "he" after the word "Governor-General."

Section 6, page 7, lines 23 to 25 inclusive, strike out the words "That justices of the peace in the cities of Manila, Iloilo, and Cebu, shall receive the salary at present provided by law" and insert in lieu thereof the words "That the justice of the peace in the city of Manila shall receive a salary of three thousand pesos a year, and the justices of the peace in the municipalities of Iloilo and Cebu, two thousand four hundred pesos a year each;" the same section, page 8, line 5, add after the word "peace" the words "while acting in such public office;" the same section, page 9, line 21, strike out the words "for the judiciary" and insert the words "provided in this Act."

Section 7, page 11, line 9, strike out the word "for;" line 13, strike out the words "is authorized to" and insert the word "shall."

Section 8, page 11, line 27, strike out the words "in Philippine currency."

Section 9, page 13, lines 5, 6, and 7, strike out the words "or shall have completed the course for magistrates in the Philippine Normal School or the Philippine University."

Section 10, page 14, line 15, strike out the word "fifteen" and insert the word "eight."

Section 11, page 14, line 18, strike out the word "eight" and insert the word "nine."

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Araneta, unanimously carried,  
The bill was considered urgent under the provisions of Rule XIV,  
Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and  
Assembly Bill No. 480 was unanimously passed.

Commissioner Araneta moved to amend the title to read as  
follows:

An Act amending certain sections of Acts Numbered one hundred and  
thirty-six, one hundred and ninety, fourteen hundred and fifty, sixteen  
hundred and twenty-seven, introducing certain reforms in the justice of  
the peace courts, making an appropriation for the purpose thereof, and  
for other purposes.

The motion prevailed, and the title as amended was read and  
approved.

*Ordered*, That the Secretary request the concurrence of the As-  
sembly in the amendments of the Commission.

## ADJOURNMENT.

Thereupon, at 6 o'clock and 50 minutes postmeridian,  
On motion by Commissioner Branagan,  
The Commission adjourned to meet at the call of the President.  
Attest:

GEO. C. SCHWEICKERT, *Acting Secretary*.

# Second Philippine Legislature, First Session.

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## JOURNAL OF THE COMMISSION.

WEDNESDAY, FEBRUARY 1, 1911.

The Commission met at 10 o'clock and 50 minutes antemeridian at the call of the President.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, Elliott, and the President.

Absent: Commissioner Worcester (on official business) and Commissioner Luzuriaga (excused).

### READING OF JOURNAL.

The Journal of Tuesday, January 31, 1911, was read and approved.

### MESSAGES FROM THE ASSEMBLY.

JANUARY 27, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 27, 1911, passed the following bill No. 101, in which it requests the concurrence of the Commission: An Act to provide a system for the appropriation of public waters, and for the determining of existing rights thereto; for the public registration of all water rights; for the creation and use of water power; for investigations for and the construction, maintenance, and operation of irrigation systems by the Government of the Philippine Islands; for the repayment of money expended therefor; for the construction, maintenance, and operation of irrigation systems by private persons; for the inspection and regulation of all works pertaining to the use of water; and providing penalties for its violation; and for other purposes.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.



Assembly Bill No. 101 was read the first time.

By unanimous consent, it was read the second time by title only and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"SECTION 1. Subject to existing rights, the public waters of the Philippine Islands may be appropriated for beneficial use, in the manner provided in this Act.

"SEC. 2. The power to grant appropriations of public waters under this Act is hereby specifically vested in the Secretary of Commerce and Police.

"The Director of Public Works shall have direction and supervision of the investigations for and construction of irrigation systems by the Government of the Philippine Islands and shall perform such duties as are prescribed herein.

"The appointment of a chief irrigation engineer by the Governor-General heretofore made is hereby approved and authorized and the said chief irrigation engineer shall, in addition to the duties and responsibilities stated in his appointment, be charged with the duties and responsibilities of the general superintendent of irrigation, as provided in Act Numbered Eighteen hundred and fifty-four.

"SEC. 3. Priority of appropriation shall give the better right as between two or more persons using the public waters. In determining the priority, the nonuser of the water for a period of five years shall extinguish any claim of priority unless such nonuser shall have been caused by *force majeure*. When the waters of any source of supply are not sufficient for the service of all those desiring the use of the same, and when priority of appropriation can not be established, the order of preference shall be as follows:

"(a) Domestic purposes.

"(b) Agricultural purposes or power development for agricultural purposes.

"(c) Industrial purposes.

"(d) Mining purposes or milling connected with mining purposes.

"(e) Ponds for fisheries.

"SEC. 4. Any controversy between the persons claiming right to use of water of any stream shall be submitted to the Secretary of Commerce and Police through the Director of Public Works, and his decision thereon shall be final unless appeal therefrom be taken to the proper court within thirty days after the date of the notification of the parties of said decision. In case of such appeal the court having jurisdiction shall try the controversy *de novo*.

"SEC. 5. The Director of Public Works shall as soon as practicable prepare for such streams in the Philippine Islands as may be designated by the Secretary of Commerce and Police a list of the appropriations of water according to priority, and in order to make such list he shall cause a public notice to all claimants of water rights upon such streams to be posted at the usual places for posting public notices in each municipality affected and at such other places as he may deem advisable. Such notice shall contain a statement of the information that it is desired to obtain from the claimants, the date before which all claims must be received, which date shall be at least six months after such notice, the conditions under which such claims must be presented, and any further facts that may be deemed necessary. The said Director of Public Works shall send to each person known to have a claim to the waters of such streams a blank form, on which said claimant shall set forth in writing all the particulars, showing the amounts and dates of appropriations to the use of water of said stream to which he lays claim, the said statement to include the following data, if possible:

"(a) The name and address of the claimant.

"(b) The nature of the use or title on which the claim for an appropriation is based.

"(c) The date of the commencement of such use.

"Also, if used for irrigation, the following:

"(d) The date of beginning of survey.

"(e) The date of beginning of construction.

"(f) The date when completed.

"(g) The date of beginning and completion of enlargements.

"(h) The dimensions of the ditch as originally constructed and as enlarged.

"(i) The amount of land irrigated in the first year.

"(j) The amount in subsequent years, with the date of irrigation and the amount of land such ditch is capable of irrigating.

"(k) The character of the soil and the kind of crops cultivated.

"Also:

"(1) Such other facts as will show compliance with the law in acquiring the appropriation, and the rank of the priority claimed.

"Each of said claimants shall be required to certify to his statements under oath, and any officer authorized to administer oaths is hereby authorized to administer such oaths: *Provided, however,* That there shall be no charge for such oaths when administered by an officer of the Insular, provincial, or municipal government authorized to administer oaths.

"SEC. 6. The blank form required by section five to be forwarded to each known claimant shall be accompanied by a notice that the statement therein called for must be presented within thirty days from the receipt of said notice. The failure of any claimant to make such sworn statement within six months after notice shall, upon the complaint of the Director of Public Works, work a forfeiture of the claim: *Provided, however,* That the Secretary of Commerce and Police may, for sufficient cause in his

discretion, extend the time limit within which the statement may be filed for a period not exceeding six months.

"SEC. 7. It shall be the duty of the Director of Public Works, as soon as practicable, to make an examination of such stream and the works diverting therefrom, said examination to include the measurements of the discharge of said stream, and of the carrying capacity of the various ditches and canals diverting water therefrom, an examination of the irrigated lands, and an approximate measurement of the lands irrigated and susceptible of irrigation from the various ditches and canals, which said observations and measurements shall be reduced to writing and made a matter of official record in his office; and it shall be the duty of the Director of Public Works to make a map or plat showing, with substantial accuracy, the course of said stream, the location of each dam, ditch, or canal diverting water therefrom, and the divisions and subdivisions of lands which have been irrigated or which are susceptible of irrigation from the works already constructed.

"SEC. 8. The Director of Public Works or any official by him thereunto specifically authorized, in the investigations made to determine the priority of appropriation, may examine witnesses under oath, and for this purpose is hereby authorized to administer oaths to witnesses and take affidavits, and shall not be obliged to follow strictly the ordinary rules of evidence, but may, on the contrary, proceed to hear them fully and equitably.

"SEC. 9. Upon approval of the list of priorities the Secretary of Commerce and Police shall publish the said approved list in the manner provided in section five. This notice shall show for each appropriation:

"(a) The name and post-office address of the appropriator.

"(b) The priority number of such appropriation.

"(c) The amount of prior appropriations.

"(d) The amount of water to which the appropriator is entitled.

"(e) And if such appropriations be for irrigation, a description of the legal subdivisions of the lands to which said water is to be diverted.

"It shall thereupon be the duty of the Director of Public Works to issue to each appropriator represented in such list a certificate signed by the Secretary of Commerce and Police, setting forth the information shown in items (a), (b), (c), (d), and (e) of this section relating to his appropriation.

"Such certificate shall be transmitted by the Director of Public Works, by registered mail, to the register of deeds of the province in which such appropriation shall have been made, and on the same date a notice of such transmittal shall be forwarded by the Director of Public Works to the appropriator and it shall be the duty of the register of deeds, upon receipt of the recording fee, which fee shall be three pesos and be paid by the appropriator, to record the same in a book specially prepared and kept for that purpose and thereupon immediately transmit the same to the appropriator. If the water is to be wholly or partially used in another province than that in which the point of diversion is located, the Director of Public Works shall instruct the register of deeds of the latter to transmit

in the same manner, after the proper procedure, the certified copy to the register of deeds of the province where the water is to be used and this officer shall be entitled to the fees and charged with the duties above-mentioned:

*“Provided, however,* That if such recording fee shall not be paid within one year after receipt of such notice from the Director of Public Works, the claimant shall lose all right to the priority of appropriation as established in this section.

“SEC. 10. In case any person shall desire to appeal from the decision of the Director of Public Works as approved by the Secretary of Commerce and Police, such appeal shall lie to the Court of First Instance of the province in which his property is situated to have his right determined. Such action must be brought within ninety days after the termination of the publication of the approved list of priorities provided for in section nine hereof. Such action shall be tried as speedily as possible, and the court is hereby authorized to employ a hydraulic engineer or other expert to examine and make report under oath upon any subject matter in controversy, the cost of such employment to be equitably apportioned by the court and charged against the parties to the suit as costs.

*“Provided, however,* That the final decision of the courts in these cases shall be recorded in accordance with the provisions of section nine hereof.

“SEC. 11. The Director of Public Works shall apportion the waters of any stream to the appropriators thereof according to their respective rights, and shall give notice of such apportionment to all the persons interested, by registered mail, according to the list of priorities approved and finally recorded, or, as the case may be, as corrected by the judgment of some court having jurisdiction of the subject matter.

“SEC. 12. Upon the final approval of the list of appropriations, according to priority, provided for in the preceding sections, there may be formed, at the desire of the majority of all the appropriators in any system, an irrigators' association, for the purpose of maintaining and operating the said system. The *presidente* or *presidentes* of the municipality or municipalities in which the land under a given system is located shall, at the request of three or more of the appropriators in such system, call a meeting of all the acknowledged appropriators in said system for the purpose of perfecting the said association.

“Such association when duly organized shall have the following powers:

“(a) To appoint a caretaker, who shall be charged with the preservation and administration of the general system, the equitable apportionment of the waters of the stream according to the recorded list of appropriations, and the adjustment of controversies between the irrigators, in accordance with the said list, from whose decision appeal may lie to the Secretary of Commerce and Police, within the time and in the manner prescribed by the regulations, and who shall perform all other duties imposed, and have the powers conferred upon him by said regulations.

“(b) To issue the regulations necessary for the proper preservation and administration of the general system and for the adequate operation of the

association, which regulations shall be previously approved by the Secretary of Commerce and Police to whom they shall be submitted through the Director of Public Works for this purpose as soon as possible: *Provided, however,* That in the event of no objection having been made by the Secretary of Commerce and Police within sixty days after the receipt by him of the said regulations for their approval, the said regulations shall then enter into force and effect as if they had been approved by the said Secretary.

“(c) To compel the members of the association to contribute in proportion to the benefits derived, to the cost of preservation, improvement, and operation of the general system, the association being authorized to exercise this power in the manner established in the regulations.

“(d) To elect annually, on the date fixed by the regulations, a president, who shall represent the interests of the association and carry into execution the resolutions of the same.

“The said president shall be the ex officio treasurer of the association and shall collect from each member the assessment or assessments previously fixed for the preservation, improvement, and operation of the system, and prior to entering upon the discharge of his duties, he shall furnish bond in the sum fixed by the regulations; and

“(e) To incorporate in accordance with Act Numbered Fourteen hundred and fifty-nine, entitled ‘The Corporation Act.’

“The caretaker shall receive the emoluments fixed by the regulations, and the president shall not be entitled to any compensation, unless expressly provided for by the regulations.

“SEC. 13. In the event of the appropriators not organizing in accordance with the provisions of the next preceding section, the Secretary of Commerce and Police shall authorize the Director of Public Works to assume temporarily the power of administering the system and issuing the rules and regulations which he may deem necessary for the administration, use, and apportionment of the water. The cost of this service shall be a lien upon the land of the water users and ditch owners, in accordance with the distribution thereof, as shown by the accounts of the Director of Public Works, which distribution shall be based upon the quantity of water consumed by each water user, and by each ditch owner, in proportion to the total quantity delivered to all.

“The provincial treasurers shall, in the performance of their official duties, collect the charges when due, acting in this respect as delegates of the Director of Public Works. Such lien shall have the preference over all other liens except that for taxes on the land and any mortgage lien in favor of the Philippine Agricultural Bank, and such preferred lien shall not be removed until all charges are paid or the property is sold for payment thereof. Within one year after default of payment of an installment payable on any parcel of land, the Director of Public Works shall file with the clerk of the Court of First Instance of the district in which the land is situated a list of all lands upon which default has been made. The clerk of the court shall thereupon publish in the manner provided for

the publication of a summons in a civil action a list of the lands so filed by the Director of Public Works, accompanied by a notice requiring the owners to file an answer thereto within thirty days after the completion of the publication.

"Upon the filing of an answer by any person interested, the action in respect to such person shall proceed to judgment, as provided for other actions by the Code of Civil Procedure. Upon termination of such thirty days, judgment shall be entered against such persons as have not answered, and their lands shall be sold, after ten days' public notice, at public auction by the sheriff to satisfy such preferred lien.

"Any excess over the amount of said lien and the cost of such procedure shall be returned to the interested person, who shall have one year thereafter to redeem his land by payment of the amount of the judgment and costs with interest at ten per centum:

*Provided, however,* That in the event of the cost of maintenance being exceptionally high in any year, the Secretary of Commerce and Police may, in his discretion, distribute the said exceptional cost in an equitable manner over two or more years, but not more than five.

"In the preparation of the regulations mentioned in this and the next preceding section, the customs and usages of each locality shall be taken into consideration.

"SEC. 14. Any person desiring to appropriate any public water shall previously make an application to the Secretary of Commerce and Police through the Director of Public Works.

"This application shall set forth:

"(a) The name and post-office address of the applicant.

"(b) The source from which said appropriation shall be made.

"(c) The place or site of diversion.

"(d) The approximate amount of water to be diverted.

"(e) A description of the proposed works.

"(f) The purpose or object of the appropriation.

"(g) If for irrigation, a description of the land to be irrigated and the area thereof, and any additional facts required by the Secretary of Commerce and Police.

"On receipt of this application, which shall be on a form prescribed by the Secretary of Commerce and Police, and to be furnished by the Director of Public Works without cost to the applicant, it shall be the duty of the Director of Public Works to make a record thereof in his office, and to carefully examine the same to ascertain whether it sets forth all facts necessary to determine the nature and the amount of the proposed appropriation.

"If the application be defective it shall be the duty of the Director of Public Works to point out the defects noted and return it to the applicant for correction, and sixty days after receipt thereof by said applicant shall be allowed for the refile thereof. If refiled, corrected in proper form, within such time the application shall take priority as of the date of original filing, subject to compliance with the further provisions of the law and the

regulations thereunder: *Provided*, That prior to the approval of the application the applicant shall not be authorized to perform any work for the use of the waters.

"Sec. 15. When the original or corrected application is filed in accordance with the requirements of this Act, the Director of Public Works shall, within thirty days, cause to be published in English, and when advisable in Spanish and the local dialect, once a week for four consecutive weeks in some newspaper having a general circulation in the province or provinces in which said appropriation is to be made, a notice showing:

"(a) The name of the applicant.

"(b) Date of filing of application.

"(c) The information required in section fourteen hereof under (b), (c), (d), (e), (f), and (g).

"Such notice shall also be posted in English, Spanish, and the local dialect, for the space of four weeks provided in the next preceding paragraph, at the usual place for posting public notices in the municipalities affected by the appropriation.

"*Provided*, That any person interested may object to the appropriation within the time limit stated in the notice and fixed by the Director of Public Works, which shall not be less than thirty days nor more than sixty days, beginning with the last day of the publication in the newspaper of the said notice, filing with the said Director of Public Works a written protest stating reasons for the objection. Upon termination of the period set for the filing of protests, the Director of Public Works shall make the necessary investigations regarding the appropriation, and any objections that may have been filed, taking testimony if necessary, in accordance with the provisions of section eight hereof, and shall make report upon the case to the Secretary of Commerce and Police, who shall take action thereon, after reviewing the evidence in support of and against the appropriation. The decision of the Secretary of Commerce and Police shall be subject to appeal in accordance with the provisions of section four of this Act.

"*Provided, however*, That failure or omission to file such protest shall not work to the detriment of prior rights to the appropriation or use of water.

"Sec. 16. If there is no unappropriated water in the source of supply, the Secretary of Commerce and Police, through the Director of Public Works, shall deny the application in writing, a record thereof being filed in the office of the Director of Public Works, and shall return the application so denied to the applicant, who shall not prosecute any work under his application. If the applicant shall perform any work under his application he shall be guilty of and punished for a misdemeanor.

"If the source of supply be a navigable stream, the application must be referred by the Director of Public Works to the Director of Navigation, who shall return the application with his recommendation thereon.

"If there is unappropriated water in the source of supply named and the appropriation is not detrimental to the public welfare, the Secretary

of Commerce and Police, through the Director of Public Works, shall approve the application and set a date prior to which work of diversion and appropriation must be begun and a date prior to which such work must be completed, indorse such approval upon the application, a record of such approval and indorsement being filed in the office of the Director of Public Works, and shall return the application so indorsed to the applicant, who shall, on receipt thereof, be authorized to take such measures as may be necessary to perfect such appropriations: *Provided, however,* That the Secretary of Commerce and Police, through the Director of Public Works, may approve an application for a less amount of water than that named in the application: *Provided also,* That in granting appropriations of public waters, preference shall be given according to the list shown in section three hereof.

"Sec. 17. After the approval of an application the applicant shall submit in duplicate to the Director of Public Works, for approval, the plans and specifications for the works necessary for the use of the water granted by the said approval, which plans may be made by the Director of Public Works, on the request and at the cost of the applicant. No work shall be begun until the plans for the same have been approved, and no work shall be done at any time except in accordance with the said plans. The Director of Public Works shall have authority to examine and inspect such works during construction and order any changes or alterations which he may consider necessary for the security of the work, or the safeguarding of life, property, or the public interest. No water shall be turned into such works until the approval of the same by the Director of Public Works has been secured.

"Any failure to conform to the requirements laid down in this section shall be punishable as a misdemeanor under this Act.

"Sec. 18. Upon the approval of the completed work by the Director of Public Works, he shall issue to the applicant a certificate signed by the Secretary of Commerce and Police, setting forth the name of the applicant, the date, source, purpose, and amount of the appropriation, and if for irrigation, a description of the land to be irrigated, which certificate shall within one year after its issuance be recorded in the province in which the point of diversion of the appropriation is, as well as in the province where the water is used, in the same manner and subject to the same penalty as is provided in section nine for the registration of certificates of appropriation. The priority of such new appropriation shall date from the filing of the application in the office of the Director of Public Works.

"Sec. 19. The Director of Public Works shall have authority to inspect all works for the diversion, carriage, storage, apportioning, or measurement of waters, or any works pertaining to the use of waters in the Philippine Islands, and to make and enforce, subject to the approval of the Secretary of Commerce and Police, such regulations relating thereto as may be deemed necessary for the conservation and preservation of the public interest.

"Sec. 20. If any appropriation applied for in accordance with section



fourteen shall be for the purpose of developing power, the application shall state in addition to the information required by said section, the following:

“(a) The point of restoration.

“(b) The amount of power it is proposed to develop.

“(c) The probable amount of power available at mean low water in the stream from which the water is to be taken between the points of diversion and restoration.

“Appropriations for power purposes shall be divided into two classes, which shall be known as ‘small developments’ and ‘large developments,’ according to whether such developments be of less than one hundred horsepower, or of one hundred horsepower or over.

“SEC. 21. The applicant for an appropriation for a small development shall be allowed one year from the date of approval of such application by the Secretary of Commerce and Police in which to complete surveys and designs and to begin actual construction, and the construction of such projects must be completed within three years from the date of said approval. The applicant for an appropriation for a large development shall be allowed two years from the date of the approval of such application by the Secretary of Commerce and Police in which to complete surveys and designs and to begin actual construction, and the construction of such projects must be completed within five years from the date of such approval: *Provided, however,* That the Secretary of Commerce and Police may, for good cause shown, extend the time for the completion of any project or portions thereof for such period as he may deem just and equitable.

“The failure to comply with the provisions of this section shall render the appropriation null and void, unless such failure shall be due to fortuitous cause or *force majeure*, in which case the Secretary of Commerce and Police may, in his discretion, extend the time for completion as he may deem necessary.

“SEC. 22. The appropriator of water for power purposes for a small development shall pay to the Government of the Philippine Islands an annual rental of twenty-five centavos Philippine currency per horsepower for the first ten years, beginning on the first day of January after the plant is ready for operation. After this first period, the rental shall become one peso Philippine currency per horsepower per year.

“The appropriator of water for power purposes for a large development shall pay to the Government of the Philippine Islands an annual rental of fifty centavos per horsepower for the first ten years, beginning on the first day of January after the plant is ready for operation. At the end of the first ten years and of each ten-year period thereafter the Secretary of Commerce and Police shall determine the rate of rental which shall be charged for the succeeding ten years: *Provided,* That in no case shall the rental rate be less than seventy-five centavos nor more than two pesos per horsepower per year.

“The amount of water upon which rental shall be charged shall be determined as follows: The normal rated water capacity of the water

wheels installed expressed in second-liters shall be multiplied by the difference in level of water surface in forebay and tailrace expressed in meters, and the product divided by one hundred, the quotient representing the developed horsepower on the basis of an efficiency of seventy-six per centum for the plant.

"SEC. 23. The rental shall be paid at the time and in the manner directed by the Secretary of Commerce and Police and shall be collected by the Bureau of Internal Revenue as a general tax. If at any time payment shall not be made when the same shall have become due, said payment shall become a lien upon the right of use of water and all the works, lands, buildings, and machinery which constitute the property appurtenant thereto, which lien shall be enforced in the manner prescribed in section thirteen of this Act.

"SEC. 24. If it be found possible to generate power in connection with any irrigation canal or system, the Secretary of Commerce and Police may authorize the construction and operation of power plants thereon by the Government, or by any person, upon such terms and conditions as he may prescribe.

"SEC. 25. Upon determination by the Secretary of Commerce and Police that the Government construction of any irrigation project is advisable, he shall, in the manner prescribed in section fifteen hereof, give public notice of—

"(a) The land irrigable under such project.

"(b) The approximate annual charge per hectare on said land to cover the cost of construction.

"(c) The number of annual installments, which in no case shall be less than twenty nor more than forty, in which said construction charge shall be paid.

"(d) The estimated approximate annual cost of maintenance and operation.

"(e) A statement that protests against the construction of the project may be filed with the Governor-General within sixty days after completion of publication.

"At the beginning of the publication of the notice a map shall be filed in the office of the municipal secretary of each municipality interested, showing the land to be affected by the irrigation project, which map shall be open to inspection by the public.

"The Secretary of Commerce and Police shall publish or cause to be published in English and, when advisable, in Spanish and the local dialect, in the newspapers designated for the publication of official notices, the notice provided for in this section, which notice shall be published once a week for four consecutive weeks. Such notice in English, Spanish, and the local dialect shall also be posted at the usual places for posting public notices in each municipality and place affected by said project.

"SEC. 26. The owner of any land included as 'irrigable' in the public notice referred to in section twenty-five hereof shall be allowed sixty days after the date indicated in the notice of the said secretary in which to

file with the Governor-General, through the Director of Public Works and Secretary of Commerce and Police, objections to the construction of such project, to the inclusion of his land, to the estimated approximate charge or charges, or to the number of annual installments. The Governor-General shall refer such objections to the provincial board of the province in which such land is situated for its report and recommendation. The Governor-General shall, with the said report and recommendation in view, decide whether or not the project shall be constructed, and what changes, if any, shall be made in the conditions as stated in the public notice. The decision of the Governor-General shall be final: *Provided, however,* That no project shall be constructed if the owners of one-half of the irrigable land under such project object to its construction within the sixty-day period specified above.

"SEC. 27. After favorable decision by the Governor-General, the Secretary of Commerce and Police shall authorize the construction of the project in accordance with the procedure provided by section six of Act Numbered Five hundred and eighty-four for the construction of public works.

"SEC. 28. If the persons interested in the construction of an irrigation system in any district shall determine to effect such construction themselves, they may apply for aid from Government funds, subject to the regulations and conditions imposed upon them by the Secretary of Commerce and Police in order to safeguard the interests of the Government and in accordance with the provisions of this Act: *Provided, however,* That the amount of Government funds granted for such purpose shall in no case exceed forty per centum of the estimated cost of the project, nor shall the total amount granted for any one project exceed fifty thousand pesos.

"SEC. 29. Upon the completion of the construction of any project, or sufficient part thereof, by the Government, the Secretary of Commerce and Police shall issue a second public notice, which shall be posted and published in the same manner as provided in section fifteen hereof. This notice shall announce:

"(a) The land irrigable under such project, or part thereof.

"(b) The annual charge which shall be made per hectare to cover costs of construction with interest: *Provided, however,* That such charge shall be uniform for each year and calculated on the basis that it will repay all costs of construction with interest at four per centum per annum on the sum invested in a period which shall not be less than twenty nor more than forty years.

"(c) The conditions of payment thereof.

"(d) The time at which such payments shall be made.

"The construction charge which shall be included shall be such as will repay the actual cost of construction of the project with interest at four per centum.

"If an installment payable on a parcel of land shall remain unpaid at the date specified in item (d) above, the same shall become a lien against such land. Such lien shall have preference and be collectible as prescribed in section thirteen hereof.

"SEC. 30. Whenever, by reason of shortage of water or other fortuitous event, a failure of crops shall occur on lands included in any irrigation system or any portion of such system, the Secretary of Commerce and Police may extend the time for the payment of the annual installment.

"SEC. 31. If at any time any irrigation works or portion thereof constructed by the Insular Government under the provisions of this Act shall be damaged or destroyed by earthquake, fire, lightning, flood, tornado, typhoon, hurricane, war, or by other fortuitous event or *force majeure*, the same shall be, upon approval of the Governor-General, repaired or reconstructed from the insurance fund hereafter provided for in this section, and the cost of such reconstruction shall not be charged against the appropriators.

"There is hereby authorized and created an irrigation insurance fund which shall be established and maintained as follows: The Secretary of Commerce and Police shall each year instruct the Director of Public Works to add to the amount collectible from each owner of land irrigated by any such irrigation system operated under the provisions of this Act in the Philippine Islands an additional amount not to exceed two per centum of the annual payment for construction, maintenance, and operation due from the said landowner, which amount shall be added to and collected as a portion of the regular annual payment, and shall be covered into the Insular Treasury and set aside as a special fund, to be known as the "Irrigation insurance fund;" which fund may be invested and reinvested by authority of the Secretary of Commerce and Police, first, in financial transactions with relation to irrigation proceedings, and second, in the same manner and under the same conditions as other trust funds handled by the Insular Government may be invested; and the said fund, together with the accumulated interest thereon, shall be expended for the purposes and in the manner provided in this section and for no other purpose: *Provided, however,* That whenever said irrigation fund shall exceed two hundred thousand pesos there shall be no further collections until said fund shall have been reduced by expenditures as authorized herein to less than one hundred and fifty thousand pesos.

"SEC. 32. The irrigation works constructed in accordance with the provisions of the preceding section shall be administered by the Government in accordance with the provisions of this law for the benefit of the landowners.

"SEC. 33. In the case provided in section thirty-two, in which the administration of an irrigation system constructed by the Government shall be under the control of the Government, the Director of Public Works shall administer the system for the benefit of the landowners in accordance with the regulations drawn by the Director of Public Works and approved by the Secretary of Commerce and Police. The expense of operation and administration shall be a lien upon the land of the water users and shall be determined and collected in the manner prescribed in section thirteen hereof. Any complaints, arising among the consumers of water derived from said system, shall be determined by the Director of Public Works,

from whose decision appeal shall lie to the Secretary of Commerce and Police within sixty days after the date of publication of the decision of the Director of Public Works: *Provided finally*, That the decision of the Secretary of Commerce and Police shall be appealable to the Court of First Instance of the district within the time and in the manner provided in section four of this Act.

"SEC. 34. In order to favor the construction, development, or maintenance of irrigation systems, the Government of the Philippine Islands may exercise the right of eminent domain and acquire any property in this manner and for such purposes, instituting condemnation proceedings in accordance with existing laws. Upon filing condemnation proceedings the Government shall have the right of immediate entry and occupation pending the determination by the court of the amount of compensation and damages.

"SEC. 35. If any person shall construct at his own expense works for the diversion and distribution of water to the public for irrigation purposes, the rates to be charged by such person for such service shall be determined from time to time by the Secretary of Commerce and Police: *Provided, however*, That such rates shall not be changed oftener than once in ten years.

"SEC. 36. When the person entitled to the use of water fails to beneficially use all or any part of the water claimed by him for a period of five years, such unused water shall revert to the public and shall be regarded as unappropriated water.

"SEC. 37. The Governor-General, for reasons of public policy, may from time to time by proclamation designate as exempt from appropriation any water or waters in the Philippine Islands not previously appropriated, and thereupon the same shall be withdrawn from appropriation for any use whatsoever under this Act until again made subject to appropriation by a similar proclamation: *Provided, however*, That said proclamation shall not apply to the use of water for domestic purposes. In the case of artesian wells sunk for public purposes the use of any excess of water over the amount necessary for domestic use may be granted for other purposes, by the province or by the municipality, as the case may be, or by the Director of Public Works in the case of Insular wells, subject to rules and regulations to be prescribed and promulgated by the Secretary of Commerce and Police.

"SEC. 38. The standard of measurement of flow of water shall be the liter per second of time; the standard of measurement of the volume of water shall be the hectare-meter, being the amount of water required to cover one hectare one meter in depth.

"SEC. 39. Water turned into any natural or artificial watercourse or reservoir by any party entitled to the use of such water may be reclaimed below and diverted therefrom by such party, subject to existing rights, due allowances for losses being made as determined by the Director of Public Works.

"SEC. 40. The right to use of water for irrigation purposes shall remain appurtenant to the land for which the said right of use is established. If,

however, it should at any time become impracticable to use all or any part of said water beneficially or economically for the irrigation of any land to which the right of use of the same is appurtenant, all or any part of said right may be severed from the said land and simultaneously transferred and become appurtenant to other land, without losing priority of right heretofore established: *Provided*, That no such transfer shall be made at any time to the detriment of existing rights.

"The appropriator desiring such transfer shall make application for the same through the Director of Public Works to the Secretary of Commerce and Police and notice of such application shall be published as provided in section fifteen hereof. If no detriment to existing rights shall appear, the Secretary of Commerce and Police shall approve said transfer, and certificates of same shall be issued and recorded in the manner provided in section nine hereof.

"SEC. 41. The Director of Public Works, or any official by him thereunto specifically authorized, in making investigations under this Act shall be authorized to issue, of his own accord, or on request of any interested party, subpoenas and subpoenas *duces tecum* for witnesses in any case or inquiry pending before him and shall make the investigation in the province where the waters covered by the investigation are situated: *Provided, however*, That in the event of the witness residing outside of the province in which the investigation is held, or of his being unable to appear before the said Director or authorized official, his testimony may be received by deposition, in accordance with the provisions of Act Numbered One hundred and ninety, before the officers authorized by said Act for taking depositions.

"In case of disobedience to any of the subpoenas mentioned in this section, the Director of Public Works or authorized official may invoke the aid of the Court of First Instance of the province in which the person subpoenaed resides to require such person to appear and give evidence or to make deposition. Such witnesses shall be entitled to the same fees and traveling expenses as witnesses appearing before the Courts of First Instance in civil cases: *Provided, however*, That witnesses so subpoenaed and cost of depositions so requested shall be paid by the Insular Government, in accordance with rules prescribed by the Insular Auditor.

"SEC. 42. Whenever ordered to do so by the Director of Public Works, any ditch owner shall construct and maintain a substantial head gate at the point where the water is diverted and shall construct a measuring device, all in accordance with designs approved by the Director of Public Works, at the most practicable point or points for measuring and apportioning the water, as determined by the Director of Public Works. If the said works are not completed within sixty days after the receipt by the ditch owner of the order of the Director of Public Works, said Director may, in his discretion, refuse to deliver water to such owner, or extend the time of completion. The taking of water by such ditch owner after such refusal by the Director of Public Works until the completion of such head gate or measuring device and the approval thereof by the said Director shall constitute a misdemeanor under this Act.

"Such devices shall be so arranged that they can be locked, and when locked it shall be a misdemeanor under this Act for any unauthorized person to disturb or change the same, and the use of water through such devices after having been disturbed or changed shall be *prima facie* evidence of the guilt of the person benefited by such interference, disturbance, or change in and of the said device.

"SEC. 43. No appropriator of water shall at any time make use of the same for any other purpose than that for which it was appropriated, nor make any change in the place of diversion, storage, use, or restoration, nor in the works necessary for the use of the same, except upon the approval of the Secretary of Commerce and Police in the manner prescribed in section forty hereof: *Provided, however,* That no such change shall at any time be approved when the same shall act to the detriment of existing rights. In the event of the approval of changes in the works necessary for the use of the water, such changes will be made upon approved plans, and subject to the inspection of the Director of Public Works, as provided in section seventeen hereof.

"Any failure to conform to the requirements laid down in this section shall be punishable as a misdemeanor under this Act.

"SEC. 44. Any person who, after having been notified by the Director of Public Works that any works are unsafe for the purpose for which they are used, makes use thereof for the storage, diversion, or carriage of waters, until the receipt of a notice from said Director that in his opinion the works are safe, shall be guilty of a misdemeanor under this Act, and it shall be the duty of the Director of Public Works to give prompt notice to the fiscal of the province in which such works are located in the event of such violation. The provincial fiscal shall at once proceed against the owner and all parties responsible therefor.

"If such works are deemed a menace to life or property, any person interested may call on the proper police authorities to take the necessary steps to remove the danger.

"SEC. 45. Any person interfering with or injuring or destroying any dam, head gate, weir, bench mark, monument, or other appliance for the diversion, carriage, storage, apportioning, or measurement of water, or for any hydrographic or topographic survey, or obstructing or diverting the course of the waters pertaining to any system, or interfering with any person engaged in the discharge of duties connected therewith, shall be guilty of a misdemeanor under this Act, and shall also be liable for the injury or damage resulting from such unlawful act: *Provided, however,* That if the damages occasioned by such violation shall exceed in amount six hundred pesos, the said violation shall constitute a crime and shall be punishable under the provisions of the Penal Code.

"The Director of Public Works, or his representative duly authorized thereto, shall have power to arrest any person offending against the provisions of this section, and deliver him to the nearest peace officer of the province. It shall be the duty of the person making the arrest to make complaint at once before a court having jurisdiction thereof.

"The Director of Public Works may enter upon private property, in the performance of his duties under this Act, doing no unnecessary injury thereto: *Provided, however,* That the owner of such private property shall be indemnified for any actual damage so caused by the Government.

"SEC. 46. The use of water by any person not legally entitled to same or the willful waste of water, including that from Insular, provincial, or municipal artesian wells, to the detriment of another or the public, shall constitute a misdemeanor under this Act.

"SEC. 47. Any violation of the provisions of this Act, declared herein to be a misdemeanor, shall be punished by a fine not exceeding two hundred pesos, or by imprisonment not exceeding six months, or by both such fine and imprisonment; and any justice of the peace of the municipality in which such misdemeanor has been committed shall have jurisdiction thereof.

"Any violation of the provisions of this Act declared to be a crime shall be punished as such under the provisions of the Penal Code and action shall be brought in the Court of First Instance of the province in which such crime shall have been committed.

"SEC. 48. The Director of Public Works shall receive the following fees, to be collected in advance, and to be paid by him into the general irrigation appropriation within a reasonable time:

"(a) For examining an application for permit to appropriate water, five pesos.

"(b) For filing and recording certificates and other water rights instruments, twenty centavos each for each one hundred words or fraction thereof.

"(c) For making copy of any document recorded or filed in his office, twenty centavos for each one hundred words or fraction thereof.

"(d) For certifying to copies of documents, records, or maps, fifty centavos for each certificate.

"(e) For blueprint copy of any map or drawing, two centavos per square decimeter or fraction thereof: *Provided,* That the minimum charge for any such copy shall be twenty centavos.

"(f) For the examination and inspection of plans of work, at the request of the person interested, the actual cost of examination and inspection, which shall comprise the actual and necessary expenses and the part of the salary apportionate to the time spent in such examination and inspection.

"SEC. 49. The Secretary of Commerce and Police is hereby authorized to issue such regulations as may be necessary and proper in order to give full force and effect to the provisions of this Act.

"SEC. 50. If at any future time the division of irrigation shall be transferred from the Bureau of Public Works to any other Bureau, the Governor-General is hereby empowered and authorized to transfer from the Director of Public Works the duties and powers herein upon him imposed and conferred to the Director of the Bureau to which the transfer is made.

"SEC. 51. Wherever required by the sense of the context, the word 'person' in this Act shall be construed to mean person, persons, association,



or public or private corporation, and the words 'Director of Public Works' shall be construed to mean the Director of Public Works or any authorized agent of the Director of Public Works.

"SEC. 52. This Act shall not work to the detriment of rights acquired prior to its passage.

"SEC. 53. The existing *Ley de Aguas* and the provisions of the Civil Code in the matter of waters and all other existing laws dealing with waters and irrigation systems shall continue in force in so far as they are not incompatible with the provisions of this Act, and all laws, Acts, or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

"SEC. 54. The short title of this Act shall be 'The Irrigation Act.'

"SEC. 55. The public interest requiring the speedy enactment of this Act, the same shall take effect upon its passage, in accordance with section one of Act Numbered Nineteen hundred and forty-five of the Philippine Legislature."

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Elliott, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 101 was unanimously passed and the title was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the amendment of the Commission.

JANUARY 26, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has disagreed to the amendment of the Commission to Assembly Bill No. 401, entitled "An Act to provide for the granting of a franchise to construct, maintain, and operate gas systems for the furnishing of gas for heat, lighting, and power in the city of Manila and the Province of Rizal, Philippine Islands."

It asks a conference with the Commission on the disagreeing votes of the two Houses thereon, and has appointed as managers at the same on its part Delegates Kalaw, Barretto, Ocampo, Lukban, and Ledesma.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

*Resolved*, That the Commission insist upon its amendments to Assembly Bill No. 401, entitled "An Act to provide for the granting of a franchise to construct, maintain, and operate gas

systems for the furnishing of gas for heat, lighting, and power in the city of Manila and the Province of Rizal, Philippine Islands," disagreed to by the Assembly, and agree to the conference requested by the Assembly on the disagreeing votes of the two Houses thereon.

*Ordered*, That Commissioners Elliott, Sumulong, and Palma be the managers on the part of the Commission, and that the Secretary notify the Assembly accordingly.

JANUARY 28, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has disagreed to the amendment of the Commission to Assembly Bill No. 239, entitled "An Act to amend section one of Act Numbered Five hundred and eighteen, entitled 'An Act defining highway robbery or brigandage, and providing for the punishment therefor' so as to reduce the penalty therein designated."

It asks a conference with the Commission on the disagreeing votes of the two Houses thereon, and has appointed as managers at the same on its part Delegates Sotto, Ilagan, and Singson.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

*Resolved*, That the Commission insist upon its amendment to Assembly Bill No. 239, entitled "An Act to amend section one of Act Numbered Five hundred and eighteen, entitled 'An Act defining highway robbery or brigandage, and providing for the punishment therefor,' so as to reduce the penalty therein designated," disagreed to by the Assembly, and agree to the conference requested by the Assembly on the disagreeing votes of the two Houses thereon.

*Ordered*, That Commissioner Araneta be the manager on the part of the Commission, and that the Secretary notify the Assembly accordingly.

JANUARY 31, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has disagreed to the amendment of the Commission to Assembly Bill No. 223, entitled "An Act prescribing regulations for notaries public."

It asks a conference with the Commission on the disagreeing votes of the two Houses thereon, and has appointed as managers at the same on its part Delegates Singson, Reyes, and Clarin.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

*Resolved*, That the Commission insist upon its amendment to Assembly Bill No. 223, entitled "An Act prescribing regulations for notaries public," disagreed to by the Assembly, and agree to the conference requested by the Assembly on the disagreeing votes of the two Houses thereon.

*Ordered*. That Commissioner Sumulong be the manager on the part of the Commission, and that the Secretary notify the Assembly accordingly.

JANUARY 31, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has disagreed to the amendment of the Commission to Assembly Bill No. 482, entitled "An Act granting a franchise to Simplicio Rodis to construct, maintain, and operate a street railway in the city of Cebu."

It asks a conference with the Commission on the disagreeing votes of the two Houses thereon, and has appointed as managers at the same on its part Delegates Kalaw, Lozada, and Guingona.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

*Resolved*. That the Commission insist upon its amendment to Assembly Bill No. 482, entitled "An Act granting a franchise to Simplicio Rodis to construct, maintain, and operate a street railway in the city of Cebu," disagreed to by the Assembly, and agree to the conference requested by the Assembly on the disagreeing votes of the two Houses thereon.

*Ordered*, That Commissioner Elliott be the manager on the part of the Commission, and that the Secretary notify the Assembly accordingly.

JANUARY 31, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Philippine Assembly on January 30, 1911, laid on the table Commission Bill No. 33, entitled "An Act to amend section one of Act Numbered Seventeen hundred and twenty-eight by providing that any Government property in any rented building be included as within the terms of said Act."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

JANUARY 31, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 30, 1911, laid on the table Commission Bill No. 47, entitled "An Act authorizing the Secretary of Commerce and Police with the approval of the Governor-General to contract with any railroad company in the Philippine Islands for the construction and maintenance of joint railroad and highway bridges on its lines of railroad, appropriating the sum of five hundred thousand pesos to pay the Government's proportion of the cost of construction and maintenance of the bridges so contracted for, and providing for the apportionment by the Governor-General of the expense of maintenance of such bridges between the provinces and municipalities concerned."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

FEBRUARY 1, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 31, 1911, passed the following bill (A. B. No. 543), in which it requests the concurrence of the Commission: An Act authorizing municipal councils of the municipalities organized under Act Numbered Eighty-two, known as "The Municipal Code," to establish compulsory attendance of children in the public schools, with certain conditions and exceptions, and for other purposes.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 543 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of Public Instruction, for report and recommendation.

JANUARY 31, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 31, 1911, passed the following bill (A. B. No. 170), in which it requests the concurrence of the Commission: An Act to amend sections fifty-five, sixty-six, and one hundred and twenty-three of Act Numbered Eleven hundred and eighty-nine, entitled "The Internal Revenue Law," by reducing the penalties therein prescribed.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 170 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, for report and recommendation.

JANUARY 31, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 30, 1911, passed the following bill (A. B. No. 230), in which it requests the concurrence of the Commission: An Act appropriating the sum of two thousand pesos for the celebration of the third centenary of the introduction of printing into the Philippines, and for other purposes.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 230 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of Public Instruction, for report and recommendation.

JANUARY 31, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 30, 1911, passed the following bill (A. B. No. 502), in which it requests the concurrence of the Commission: An Act providing for scholarships in the School of Forestry, appropriating fifteen thousand six hundred and fifty pesos therefor, and for other purposes.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 502 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of the Interior, for report and recommendation.

REPORTS OF STANDING COMMITTEES.

[Committee Report No. 178.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of the Interior, to which was referred on January 24, 1911, Assembly Bill No. 486, entitled "An Act to amend Act Numbered Thirteen hundred and ninety-six, entitled 'The Special Provincial Government Act,' providing for the free issue of cedula to the persons who have paid, or worked out,

the tax imposed in section nineteen of said Act, and for the appointment of the Third Member of the Provincial Board by the Governor-General under certain circumstances," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

Strike out all after the enacting clause and insert in lieu thereof the following:

"SECTION 1. In the Provinces of Mindoro, Palawan, and Batanes when the duties of provincial supervisor are required to be discharged by the provincial governor or the provincial treasurer there shall be a third member of the provincial board who shall be appointed by the Governor-General with the approval of the Commission.

"SEC. 2. In the Provinces of Mindoro, Palawan, and Batanes the duties with respect to the purchase and custody of provincial property shall be performed by the provincial treasurer who shall purchase all stationery and office supplies and shall be accountable for the custody, care, preservation, and proper use of all public property pertaining to the province.

"SEC. 3. Section one hundred and twenty of Act Numbered Eleven hundred and eighty-nine is hereby amended by adding at the end thereof the following words: '*Provided further*, That persons who are required to pay the tax imposed by section nineteen of Act Numbered thirteen hundred and ninety-six shall be exempt from the payment of the tax imposed by this article.'

"SEC. 4. A certificate showing the payment in the Province of Mindoro, Palawan, or Batanes of the public improvement tax imposed by section nineteen of the 'Special Provincial Government Act,' Numbered Thirteen hundred and ninety-six, may be used for all purposes for which a cedula certificate may be used, as provided by section one hundred and twenty-five of Act Numbered Eleven hundred and eighty-nine.

"SEC. 5. This Act shall take effect on its passage."

The object of this amendment is:

1. To provide that in the Provinces of Mindoro, Palawan, and Batanes when the duties of provincial supervisor are discharged by the provincial governor or the provincial treasurer there shall be a third member of the provincial board who shall be appointed by the Governor-General with the approval of the Commission.

This provision is the same as that contained in section one of Assembly Bill No. 486 with the exception that it applies only to the Provinces of Mindoro, Palawan, and Batanes and it is not stated to be an amendment to Act No. 1396.

2. To provide that the provincial treasurers in the Provinces of Palawan, Mindoro, and Batanes shall be accountable for all public property pertaining to the province.

Since the system of accounting now in operation in all provinces requires provincial treasurers to account for the *money value* of the property of the province it has been deemed advisable to make them accountable also

for the property, and under existing law the accountability for all property attaches to the office of provincial treasurer in all of the regularly organized provinces. The Auditor urgently recommends that legislation be enacted making the treasurers of the Provinces of Mindoro, Palawan, and Batanes accountable for the property pertaining thereto.

3. To amend Act No. 1189 so as to provide that persons who are required to pay the public improvement tax imposed by section 19 of Act No. 1396 shall be exempt from the payment of the cedula tax.

Immigration into the special government provinces is now interfered with by the fact that the ordinary citizen there is required to pay an annual tax of ₱3 (the public improvement tax of ₱2 imposed by section 19 of Act No. 1396 and a cedula tax of ₱1) whereas in the regularly organized provinces he pays but ₱2 (the double cedula tax). Furthermore, the inhabitants of the special government provinces are doubtless on the average considerably poorer than are those of the regularly organized provinces and it seems unjust that the former should have to pay more taxes than do the latter. Incidentally, it should be remembered that residents of the townships of the special government provinces pay a tax of one-half of 1 per cent on all property, both real and personal, in excess of two hundred pesos in value. Your committee is of the opinion that the inhabitants of the special government provinces should not be compelled to pay an annual tax of more than ₱2 in addition to this property tax.

In the form in which the bill is drawn by the Assembly a provincial treasurer is required to issue a cedula without charge to persons who pay the public improvement tax or who perform the necessary work in lieu of such payment. This exchange of a certificate showing the payment of the public improvement tax for a cedula certificate is objected to by the Auditor on the ground that it will only complicate accounting and will serve no useful purpose.

4. To provide that public improvement tax certificates issued to residents of Mindoro, Palawan, and Batanes may be used for all purposes for which cedula certificates may be used. This provision is self-explanatory.

Respectfully submitted.

W. CAMERON FORBES,  
*Committee on Matters Pertaining to  
the Department of the Interior.*

To the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

Assembly Bill No. 486 was read the second time.

On motion by the President, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 486 was unanimously passed.

The President moved to amend the title to read as follows:

An Act providing for the appointment of a third member of the provincial board in the Provinces of Mindoro, Palawan, and Batanes under certain circumstances, providing that in said provinces the provincial treasurer shall be accountable for all public property, and to amend Act Numbered Eleven hundred and eighty-nine by providing that residents of provinces organized under "The Special Provincial Government Act," Numbered Thirteen hundred and ninety-six, shall be exempt from the payment of the cedula tax.

The motion prevailed, and the title as amended was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the amendments of the Commission.

[Committee Report No. 179.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Public Instruction, to which was referred on January 31, 1911, Assembly Bill No. 514, entitled "An Act providing for an appropriation of one million pesos for the construction of schools in the municipalities and barrios of the Philippine Islands under certain conditions," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That with some slight verbal amendments which are indicated on the copy attached hereto the bill be passed.

This continues the provisions of Act No. 1801, as amended, practically as they now exist, except that it raises the amount which may be allotted to any one project to ₱5,000. This is believed to be a good amendment.

Respectfully submitted.

NEWTON W. GILBERT,  
*Committee on Matters Pertaining to the  
Department of Public Instruction.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The amendments noted on the bill are as follows:

Section 1 (a), page 1, in line 15, strike out the word "or" and insert in lieu thereof the word "of;" (c), page 2, in line 11, strike out the word "may" and insert in lieu thereof the word "shall;" in line 13, strike out the words "or that of private individuals" and insert in lieu thereof the words "or which shall be."

The report was adopted.

Assembly Bill No. 514 was read the second time as amended.

On motion by Commissioner Gilbert, unanimously carried,



The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 514 was unanimously passed and the title was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the amendments of the Commission.

#### SECOND READING AND PASSAGE OF BILL.

Assembly Bill No. 222. An Act to amend section ninety-seven of Act Numbered Eleven hundred and eighty-nine, entitled "The Internal Revenue Law of Nineteen hundred and four."

Assembly Bill No. 222 was read the second time as amended.

On motion by Commissioner Araneta, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 222 was unanimously passed.

Commissioner Araneta moved to amend the title to read as follows:

An Act to amend section ninety-seven of Act Numbered Eleven hundred and eighty-nine, entitled "The Internal Revenue Law of Nineteen hundred and four," by providing certain regulations for manufacturers of, dealers in, and carriers of tobacco, providing penalties for the violation thereof, and for other purposes.

The motion prevailed and the title as amended was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the amendments of the Commission.

#### COMMUNICATION.

By direction of the President, the Secretary submitted a communication from the Director of the Bureau of Science addressed to the Secretary of Commerce and Police, dated January 31, 1911, regarding an appropriation for a two-story concrete building to contain (A) laboratories for the testing of materials, such as concrete, cement, road metal, sand, gravel, cloth, rope, fibers, etc.; and (B) laboratories for assay work and a cyanide plant for testing large quantities of ore.

Ordered filed.

## RECESS.

At 1 o'clock postmeridian,

The President declared a recess until 4 o'clock and 45 minutes postmeridian.

## RECONVENED.

At 4 o'clock and 45 minutes postmeridian,

The Commission reconvened.

## MESSAGE FROM THE ASSEMBLY.

FEBRUARY 1, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 31, 1911, passed with amendments, in which the concurrence of the Commission is requested, Commission bill (C. B. No. 63) entitled "An Act to provide for lodging, subsistence, and fees for certain witnesses in criminal cases."

The bill, with amendments certified thereon, is transmitted herewith.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The amendments are as follows:

Section 1, page 1, line 3, after the word "Instance," and before the words "a distance," insert the words "of the provincial fiscal or a justice of the peace."

Same section, same page, line 6, between the word "Court" and the word "when," insert the following words: "and kilometerage at the rate of four centavos for each kilometer in excess thereof traveled by the witness from his residence to the Court of First Instance, office of the provincial fiscal, or justice of the peace court and vice versa."

Same section, same page, line 14, after the word "Board" change the period into a comma and insert the following words: "which shall pay the kilometerage hereinbefore mentioned upon presentation of a proper warrant duly certified to, free of charge, by the clerk of the Court of First Instance, the provincial fiscal, or justice of the peace, which warrant shall be prescribed by the Insular Auditor."

Section 2, page 2, line 15, strike out the words "or both" and insert in lieu thereof the following words: "and kilometerage fees, or any of them."

Same section, page 2, line 19, change the period after the word "furnished" into a comma and add the following words: "and for the kilometerage paid."

Ordered referred to the Committee on Matters Pertaining to

the Department of Finance and Justice, for report and recommendation.

## INTRODUCTION OF BILLS.

The President introduced the following bill:

Commission Bill No. 89. An Act to provide for the supervision and control of insane hospitals and for the commitment and care of all persons insane, epileptic, dipsomaniacal, psychoneurotic, feeble-minded, or mentally defective or deranged by reason of disease or addiction to the intemperate use of drugs, narcotics, or alcoholic stimulants, or mentally incompetent from any other cause.

Commission Bill No. 89 was read the first time and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, with instructions to study it and report a new bill covering the subject at the next session of the Legislature.

Commissioner Gilbert introduced the following bill:

Commission Bill No. 90. An Act appropriating twenty-five thousand pesos for the Philippine Board of the American National Red Cross.

Commission Bill No. 90 was read the first time.

By unanimous consent, it was read the second time by title only and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass.

The report and recommendation of the Committee of the Whole were adopted by unanimous vote and the bill ordered on file for third reading.

## CONFERENCE REPORT NO. 11.

The committee of conference on the matter of candidates for election of Resident Commissioners to the United States beg to report that they have been unable to reach an agreement.

W. CAMERON FOBES,  
 NEWTON W. GILBERT,  
 FRANK A. BRANAGAN,  
 GREGORIO ARANETA,  
 JUAN SUMULONG,

*Managers on the part of the Commission.*

SERGIO OSMEÑA,  
 MACARIO ADRIÁTICO,  
 FRANCISCO VILLANUEVA,  
 ALBERTO BARRETTO,

*Managers on the part of the Assembly.*

The report of the conference committee on the subject of election of Resident Commissioners of the Philippine Islands to the United States was accepted and ordered filed.

## REPORTS OF STANDING COMMITTEES.

[Committee Report No. 180.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on January 19, 1911, Assembly Bill No. 313, entitled "An Act amending sections five and seven of Act Numbered Eight hundred and sixty-seven, as amended, by separating the Provinces of Oriental Negros and Bohol from the Eleventh Judicial District and making of them a new and separate judicial district, in addition to those now in existence, adding a new paragraph at the end of each of said sections, changing the dates and places for holding the sessions of the Court of First Instance of Cebu and fixing the dates and places for the sessions of the Courts of First Instance in the provinces of the new district, and providing a judge for the same," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill do pass with the following amendment:

Strike out all after the enacting clause, and insert in lieu thereof the following:

"SECTION 1. That portion of section five of Act Numbered Eight hundred and sixty-seven, known as the 'Act amending the organization of courts' which relates to the Eleventh and Twelfth Judicial Districts is hereby amended to read as follows:

"The Eleventh Judicial District shall consist of the Province of Cebu.

"The Twelfth Judicial District shall consist of the Province of Samar and the northern part of the Province of Leyte, including the municipalities of Abuyog, Alangalang, Barugo, Babatngon, Burauen, Biliran, Carigara, Caibiran, Dagami, Dulag, Jaro, Kawayan, Leyte, Naval, Palo, San Isidro, San Miguel, Tolosa, Tanauan, Tacloban, and Villaba.'

"Said section five is further amended by adding at the end thereof the following:

"The Sixteenth Judicial District shall consist of the Provinces of Oriental Negros and Bohol, and the southern part of the Province of Leyte, including all the municipalities of the Province of Leyte not included in the Twelfth Judicial District.'

"SEC. 2. The annual salaries of the judges of the Court of First Instance for the Twelfth and Sixteenth Judicial Districts shall be nine thousand pesos, payable monthly: *Provided, however,* That the present incumbent of the Twelfth Judicial District shall continue to receive a salary of ten thousand pesos during the time he remains in said office.

"SEC. 3. That part of section seven of said Act Numbered Eight hundred and sixty-seven which relates to the times and places of holding

Courts of First Instance in the Eleventh and Twelfth Judicial Districts is hereby amended to read as follows:

“ELEVENTH JUDICIAL DISTRICT.

“At Cebu in and for the Province of Cebu, commencing on the first Tuesdays of January, March, July, and October of each year.

“TWELFTH JUDICIAL DISTRICT.

“At Catbalogan in and for the Province of Samar, commencing on the first Tuesdays of January and July of each year.

“At Tacloban in and for the northern part of the Province of Leyte, commencing on the first Tuesdays of March and October of each year.’

“Said section seven of Act Numbered Eight hundred and sixty-seven is further amended by adding at the end thereof the following:

“SIXTEENTH JUDICIAL DISTRICT.

“At Maasin in and for that part of the Province of Leyte not included in the Twelfth Judicial District, commencing on the first Tuesdays of January and July of each year.

“At Tagbilaran in and for the Province of Bohol, commencing on the second Tuesday of February and the first Tuesday of September of each year.

“At Dumaguete in and for the Province of Oriental Negros, commencing on the third Tuesday of March and the first Tuesday of November of each year.’

“SEC. 4. The following personnel is hereby provided:

“For the Sixteenth Judicial District, one stenographer at a salary of two thousand four hundred pesos a year.

“For the Court of First Instance for the southern part of Leyte; one clerk of court, at a salary of one thousand two hundred pesos a year; one employee, at four hundred and eighty pesos a year; and one messenger, at a salary of two hundred and forty pesos a year; all to be appointed as are other clerks, employees, and messengers of the Courts of First Instance.

“SEC. 5. All cases, criminal or civil, and all judicial proceedings of every kind and character, pending before the Court of First Instance of Leyte Province at the time this Act takes effect and over which such court would have jurisdiction if this Act had not been passed, shall continue until final disposition under the jurisdiction of said court, anything in this Act to the contrary notwithstanding.

“SEC. 6. There is hereby appropriated out of the funds of the Insular Treasury not otherwise appropriated, the sum of eighteen thousand pesos for the payment of the salaries of the judge, clerk, and other personnel of the court, and for incidental expenses.

“SEC. 7. This Act shall take effect on the first day of July, nineteen hundred and eleven.”

The principal object of these amendments is to provide that the new district shall include not only the Provinces of Oriental Negros and Bohol,

but the southern half of Leyte Province as well, taking this part from the Twelfth District which is found to be too large for one judge to handle; providing that this Act shall take effect on the 1st day of July, and providing that all cases and proceedings pending in the Court of First Instance of Leyte Province at the time this Act takes effect shall continue to be until final disposition under the jurisdiction of the court of that province the same as if this Act had not been passed.

Respectfully submitted.

GREGORIO ARANETA,  
*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

Assembly Bill No. 313 was read the second time as amended and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following amendments:

Section 1, page 1, line 16, strike out the words "including the municipalities" and insert in lieu thereof the words "including the territory now embraced by the municipalities."

Section 2, page 2, line 4, before the word "shall" insert the word "respectively."

Section 4, page 3, line 13, after the word "District" insert the words "one judge at the salary hereinbefore provided."

Section 6, page 4, line 1, after the word "expenses" insert the words "for the fiscal year ending June thirtieth, nineteen hundred and twelve, the same to be credited to the appropriation for the Judiciary for that year."

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Araneta, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 313 was unanimously passed.

Commissioner Araneta moved to amend the title to read as follows:

An Act amending sections five and seven of Act Numbered Eight hundred and sixty-seven, as amended, by reorganizing the Eleventh and Twelfth Judicial Districts, creating the Sixteenth Judicial District, and fixing

the times and places for holding court in such districts, providing for additional personnel, and for other purposes.

The motion prevailed and the title as amended was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the amendments of the Commission.

[Committee Report No. 181.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Commerce and Police, to which was referred on December 21, 1910, Assembly Bill No. 396, entitled "An Act to amend section forty-three, subsection (j) of the Municipal Code, as amended by Act Numbered Seven hundred and seventy-four, authorizing the unrestricted use of certain classes of sledges on improved roads and allowing other kinds of sledges only to cross such improved roads," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill pass with the following amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"SECTION 1. Section forty-three, subsection (j) of the Municipal Code, as amended by Act Numbered Seven hundred and seventy-four, is hereby further amended by authorizing the use of certain sledges exclusively for agricultural purposes on improved roads, under such regulations and restrictions as may be prescribed by the Secretary of Commerce and Police. The sledges the use of which is authorized shall be of the following description: Rectangular frame, of wood or bamboo, resting on flat wooden runners, two and one-half inches or more in width, the ends of which do not touch the ground.

"SEC. 2. The authorization contained in the two preceding sections shall not be construed as permitting provincial boards and municipal councils to establish a tax on sledges for their unrestricted use as authorized.

"SEC. 3. The public good requiring the speedy enactment of this bill, the same shall take effect on its passage, in accordance with section one of Act Numbered Nineteen hundred and forty-five of the Philippine Legislature."

Respectfully submitted.

C. B. ELLIOTT,  
*Committee on Matters Pertaining to the  
Department of Commerce and Police.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was received and Assembly Bill No. 396 was read the second time and, together with the report of the Committee on Matters Pertaining to the Department of Commerce and Police, referred to the Committee of the Whole.

The bill and the report were considered in committee and reported to the Commission with the recommendation that they be laid on the table.

The report and recommendation of the Committee of the Whole were adopted.

MESSAGE FROM THE ASSEMBLY.

JANUARY 28, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 26, 1911, passed the following bill (A. B. No. 505), in which it requests the concurrence of the Commission: An Act to reestablish the office of provincial engineer by amending the Provincial Government Act and the amendments thereto.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous vote, Assembly Bill No. 505 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of Commerce and Police, for report and recommendation.

FEBRUARY 1, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 31, 1911, passed without amendment Commission bill (C. B. No. 56) entitled "An Act to amend section thirty-eight of Act Numbered One hundred and eighty-three, entitled 'An Act to incorporate the city of Manila,' by providing that the city attorney and the prosecuting attorney for the city of Manila shall perform their duties under the general supervision of the Attorney-General."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

*Ordered,* That Commission Bill No. 56 be enrolled and printed as an Act.

FEBRUARY 1, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on January 31, 1911, passed without amendment Commission bill (C. B. No. 68) entitled "An Act to amend paragraph six of section sixty-eight of Act Numbered Eleven hundred and eighty-nine, entitled 'The Internal Revenue Law of Nineteen hundred and four,' as amended, by



reducing the license tax for wholesale liquor dealers outside the city of Manila.”

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

*Ordered*, That Commission Bill No. 68 be enrolled and printed as an Act.

EXECUTIVE SESSION.

On motion by the President,  
The Commission proceeded to the consideration of executive business.

After the consideration of executive business,  
The Commission returned to regular session.

(For appointments confirmed in executive session see pp. 837-840.)

ADJOURNMENT.

Thereupon, at 6 o'clock and 25 minutes postmeridian,  
On motion by Commissioner Gilbert,  
The Commission adjourned to meet at the call of the President.  
Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

# Second Philippine Legislature, First Session.

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## JOURNAL OF THE COMMISSION.

THURSDAY, FEBRUARY 2, 1911.

The Commission met at the call of the President at 10 o'clock and 50 minutes antemeridian.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, Elliott, and the President.

Absent: Commissioner Worcester (on official business) and Commissioner Luzuriaga (excused).

### READING OF JOURNAL.

The Journal of February 1, 1911, was read and approved.

### COMMISSION BILL NO. 79 TAKEN FROM THE TABLE.

After hearing a statement made by Doctor Victor G. Heiser, Director of Health, on the relation of polished rice to the disease of beriberi, Commission Bill No. 79, entitled "An Act imposing an internal-revenue tax on polished rice manufactured in or imported into the Philippine Islands," laid on the table on January 27, 1911, was taken up and considered.

After some consideration, it appearing that there was a difference of opinion amongst medical authorities in the matter, it was decided to get the views of Doctor Richard P. Strong, of the Bureau of Science, and further action on the bill was suspended for the time being.

REPORT OF SELECT COMMITTEE.

[Committee Report No. 182.]

MR. PRESIDENT: Your select committee of two, to which was referred on January 30, 1911, Assembly Bill No. 391, entitled "An Act providing certain special proceedings for the settlement and adjudication of land titles," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill do pass with the following amendments:

In lieu of sections 1 and 2, insert sections 1, 2, 3, 4, 5, 6, and 7, as follows:

"SECTION 1. Whenever in the opinion of the Governor-General the public interests require that the title or titles to any lands in the Philippine Islands be settled and adjudicated the Director of Lands, represented by the Attorney-General, shall file in the Court of Land Registration a petition against the holders, claimants, possessors, or occupants of such land or any part of same, stating in substance that the public interests require that the titles to such lands be settled and adjudicated and praying that such titles be so settled and adjudicated.

"The petition shall contain a description of the land, stating the province or provinces in which it is situated, the municipalities it comprises, and when it comprises only a part of one municipality, the barrios and places of such municipality, as far as known to the petitioner, included in the land, and any other data which may serve to better describe the part of such municipality comprised within the land in question.

"SEC. 2. Upon the filing of the petition the Court of Land Registration shall direct the land to be surveyed and a plan thereof to be made by the Bureau of Lands, and shall order the publication of a notice to persons claiming an interest in the land and to the general public in the form hereinafter set out. Such notice shall be published in two successive issues of the Official Gazette, in both Spanish and English. This notice shall be attested by the clerk of the court and shall be in substantially the following form:

"REGISTRATION OF TITLES.

"PROVINCE (OR CITY) OF .....

"COURT OF LAND REGISTRATION.

"To all whom it may concern:

"Whereas a petition has been presented to said court by the Attorney-General, representing the Director of Lands, praying that the title or titles to the following-described lands be settled and adjudicated: [Insert description], notice is hereby given to all persons claiming an interest in said land and to the general public that the Court of Land Registration has ordered the survey and platting of said land by the Bureau of Lands, to begin on or about the ..... day of ....., 19.....;

and any person interfering in any way with the survey of said land shall be held to be in contempt of court.

“Witness: ....., judge of said court, this ..... day of ....., 19.....

“Attest:

“ “

“ ‘Clerk of the Court.’

“SEC. 3. The court shall also, within seven days after the publication of said notice in the Official Gazette as hereinbefore provided, cause a copy of the notice in Spanish to be posted by the sheriff of the province or city, or by his deputy, or by such other person as may be designated by the court, in a conspicuous place on the land included in the petition, and also in a conspicuous place upon the chief municipal building of the municipality in which the land, or a portion thereof, is situated. A copy of the notice shall also be sent to the president or to the municipal board, as the case may be, of the municipality or city, and to the provincial board of the province in which the land is situated.

“SEC. 4. The person making the survey of the land shall give notice of the day on which the survey of any certain portion of said land is to begin. Such notice shall be posted in the usual place on the chief municipal building of the municipality or municipalities in which such portion of the land is situated, and the persons claiming an interest in such portion, upon the making of the survey, shall furnish all necessary data to the person in charge of the survey. Errors or omissions in the proceedings prescribed in sections two, three, and four shall not in any manner affect the validity of the proceedings.

“SEC. 5. The person in charge of the survey shall mark the boundaries of each parcel of land by monuments set up at proper places on the land.

“SEC. 6. Sections two, three, and four shall not be applicable in cases where before this law takes effect the Bureau of Lands has surveyed or begun the survey of any lands title to which the public interests require to be settled and adjudicated under the provisions of this Act, in which case the petition mentioned in section one shall describe the land in the manner prescribed in the following section:

“SEC. 7. When the land has been surveyed and platted the Attorney-General, representing the Director of Lands, shall file a petition in the Court of Land Registration which shall contain a description of the land in question, and shall be accompanied by a plan thereof, and may contain such other data as may serve to furnish full notice to the occupants of the land and to all persons who may claim any right or interest therein. If the land contains two or more parcels held or occupied by different persons the plan shall indicate the boundaries or limits of the various parcels as correctly as may be. The parcels shall be known as ‘lots’ and shall on the plans filed in the case be given separate numbers by the Director of Lands, which numbers shall be known as ‘cadastral numbers.’ The lots

situated within each municipality shall, as far as practicable, be numbered consecutively, beginning with the number 'one,' and only one series of numbers shall be used for that purpose in each municipality. After final decree has been entered for the registration of a lot its cadastral number shall not be changed except by order of the Court of Land Registration. Future subdivisions of any lot shall, with the approval of said court, be designated by a letter or letters of the alphabet added to the cadastral number of the lot to which the respective subdivision pertains. The letter with which a subdivision is designated shall be known as its 'cadastral letter.'"

Sections 3, 4, 5, etc., to be renumbered as sections 8, 9, 10, etc.

Page 4, line 27, after the words "Attorney-General" insert the words "representing the Director of Lands,".

Page 6, line 17, after the words "by the" insert the words "Attorney-General representing the."

Page 7, lines 11 and 12, strike out the words "governor" and "president of the" and insert in lieu of the word "governor" the word "board."

Page 7, strike out lines 22 to 27, inclusive.

Page 12, lines 13, 14, and 15, strike out the words "In all cases where such order accepts in full the report of the commissioners the order shall be final and conclusive; in all other cases an appeal shall lie to the Supreme Court."

Page 12, line 21, after the word "Such" insert the words "guardian or."

Page 13, line 31, after the words "paid by him" insert the words: "Provided, however, That the provisions of this section shall not be construed to modify the provisions of existing law as to the order in which the heirs or devisees are liable to pay the debts of the deceased."

Page 14, insert a new section, No. 28, as follows:

"SEC. 28. It shall be lawful for the person or persons making authorized surveys in proceedings under this Act to enter upon the land whenever necessary for the execution of such surveys or for the placing of monuments."

Page 14, insert a new section, No. 32, as follows:

"SEC. 32. The short title of this Act shall be 'The Cadastral Act.'"

Respectfully submitted.

GREGORIO ARANETA,

C. B. ELLIOTT,

*Select Committee.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

Assembly Bill No. 391 was read the second time, as amended, and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission

with the recommendation that it pass with the following additional amendment:

Section 11, page 7, line 12, after the word "Manila" insert the words "with the approval of the Governor-General."

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Araneta, unanimously carried, the bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 391 was unanimously passed and the title was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the amendments of the Commission.

#### FURTHER CONSIDERATION OF C. B. NO. 79.

Doctor Strong, of the Bureau of Science, was then admitted to the Session Chamber, and after hearing his views on the question of the relation of the use of polished rice to the disease of beriberi, the Commission resumed consideration of Commission Bill No. 79, entitled "An Act imposing an internal-revenue tax on polished rice manufactured in or imported into the Philippine Islands."

After some consideration, on motion by Commissioner Elliott, Further consideration of the bill was indefinitely postponed.

#### THIRD READING AND PASSAGE OF BILL.

Commission Bill No. 90. An Act appropriating twenty-five thousand pesos for the Philippine Board of the American National Red Cross.

Commission Bill No. 90 was read the third time.

Commissioner Gilbert moved the following amendments:

Add at the end of section 1 the following:

"Any part of said appropriation unexpended for the purposes herein named shall be covered back into the Insular Treasury."

Add the following as section 2:

"SEC. 2. This Act shall take effect on its passage."

The motion prevailed.

The question then being upon its passage, the roll was called and the bill was unanimously passed.

Commissioner Gilbert moved to amend the title to read as follows:

An Act appropriating twenty-five thousand pesos for the alleviation of suffering incident to calamities caused by earthquakes and the eruption of Taal Volcano, to be expended by the Philippine Board of the American National Red Cross.

The motion prevailed and the title as amended was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

#### CONFERENCE REPORTS.

##### CONFERENCE REPORT NO. 12.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Commission to A. B. No. 147, entitled "The Negotiable Instrument Law," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Assembly recede from its disagreement to the amendment of the Commission and agree to the same.

However, it is recommended that in the Spanish text there be inserted after the word "consocios" in section 77, the word "partners" in parentheses, and after the word "sociedad," in the same section, there be inserted the word "firm" in parentheses.

GREGORIO ARANETA,

RAFAEL PALMA,

JUAN SUMULONG,

*Managers on the part of the Commission.*

J. A. CLARIN,

HERMOGENES REYES (dissenting),

FULGENCIO CONTRERAS,

*Managers on the part of the Assembly.*

The report of the committee of conference on the disagreeing votes of the two Houses on Assembly Bill No. 147 was adopted.

##### CONFERENCE REPORT NO. 13.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Commission to Assembly Bill No. 131, entitled "An Act imposing a severer penalty on persons guilty of the theft of work animals, and amending article five hundred and twenty of the existing Penal Code to that effect," having met, after full and free conference have

agreed to recommend and do recommend to their respective Houses as follows:

That the Commission agree to strike out in section 1 of its amendment the words "*presidio mayor* in its minimum degree" and insert in lieu thereof the words "*presidio correccional* in its maximum degree" and that the Assembly agree to said section as so modified and recede from its disagreement to the amendment of the Commission in all other respects.

GREGORIO ARANETA,

C. B. ELLIOTT,

RAFAEL PALMA,

*Managers on the part of the Commission.*

FILEMÓN SOTTO,

MAURICIO ILAGAN,

CARLOS LEDESMA,

*Managers on the part of the Assembly.*

The report of the committee of conference on the disagreeing votes of the two Houses on Assembly Bill No. 131 was adopted.

#### REPORTS OF STANDING COMMITTEES.

[Committee Report No. 183.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on February 1, 1911, Assembly amendments to Commission Bill No. 63, entitled "An Act to provide for lodging, subsistence, and fees for certain witnesses in criminal cases," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the Commission disagree to the amendments of the Assembly and that a conference be requested on the disagreeing votes of the two Houses thereon.

Respectfully submitted.

GREGORIO ARANETA,

*Committee on Matters Pertaining to the*

*Department of Finance and Justice.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

*Ordered,* That Commissioner Araneta be the manager on the part of the Commission, and that the Secretary notify the Assembly accordingly.

[Committee Report No. 184.]

MR. PRESIDENT: Your Committee on Matters Pertaining to Bureaus under the Executive Control of the Governor-General, to which was referred on January 30, 1911, Assembly Bill No. 297, entitled "An Act to establish equality of salaries or wages between the public officers or civil employees



under the Civil Government of the Philippine Islands who hold public offices or positions of equal rank," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

The object of this bill seems to be to provide that the same salary should be paid to Filipinos as to Americans for the same grade of work. On the face of it this would seem to be a very reasonable proposition and scarcely open to argument, and yet when analyzed it will be found that in practice the proposed measure will not work out advantageously.

One must bear in mind that the cost of living to a Filipino is less than it is for an American and the cost to the Government of obtaining a Filipino is very much less than to obtain an American employee. Filipinos are here without the cost of transportation to and from America, and the cost of getting new Filipino employees, in case the climate or the person does not suit, is very much less than it is in case it is necessary to send to America for further employees.

The effect of this bill, therefore, would be one of two things: Either that all salaries would have to be raised to the amount that it is necessary to pay to induce Americans to come out here, leaving the opportunities of the homeland, traveling all the distance here, and paying their passage back, or salaries would have to be reduced to a figure which would be below the cost of living to which Americans have been accustomed and that which many Filipinos can be found to live on perfectly well. In the first case the cost of the Government would be unnecessarily raised and the Government would be unduly raising the price of certain classes of service beyond what the law of supply and demand would ordinarily fix, and in the other case the Americans in the service would have to resign.

In view of the established and settled policy of the Government to steadily continue the Filipinization of the service and the substitution of Filipinos for Americans, it is a fair assumption that most of the Bureau chiefs have Americans only in those places where Americans are needed for the good of the service either because of their training or their peculiar fitness for certain classes of work, and therefore it would be not only unjust to them but prejudicial to the best interests of the service. On the other hand, were the Bureau chiefs to be deprived of making an economy by substituting Filipinos for Americans, one of the strongest inducements in favor of the rapid Filipinization of the service would disappear and the inertia in making the change from Americans to Filipinos throughout the Government service would be very greatly increased.

The laws governing supply and demand should prevail in the matter of Government service. The Government should pay what it has to pay to get the class of service that it must have, and no more than it has to pay. In certain positions, such as judges and other positions, equality of salaries for the same class of service prevails and should prevail; but unless the Philippine Islands are to have an inflated basis of salaries, raising the 91 per cent of Filipino employees so as to make them on the same general scale as the 9 per cent of Americans in the service, or to unnecessarily

upset the service by crowding out good Americans, the law had better stand as it is.

It is therefore recommended that the bill be laid on the table.

Respectfully submitted.

W. CAMERON FORBES,

*Committee on Matters Pertaining to Bureaus under the  
Executive Control of the Governor-General.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted in so far as it recommended that the bill be laid on the table.

RECESS.

At 1 o'clock postmeridian,

The President declared a recess until 4 o'clock and 45 minutes postmeridian.

RECONVENED.

At 4 o'clock and 45 minutes postmeridian, the Commission reconvened.

MESSAGE FROM THE ASSEMBLY.

FEBRUARY 2, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 2, 1911, passed the following bill (A. B. No. 549), in which it requests the concurrence of the Commission: An Act making a special appropriation of one hundred thousand pesos for the relief of the sufferers from the eruption of Taal Volcano, and for other purposes.

Very respectfully,

RAMÓN DIOKNO,

*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

Assembly Bill No. 549 was read the first and second times.

On motion by Commissioner Gilbert, the bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

Whereupon Commissioner Gilbert made the following motion:

Whereas the Philippine Commission at this session has passed a bill appropriating the sum of twenty-five thousand pesos for the relief of the sufferers mentioned in Assembly Bill Numbered Five hundred and forty-nine; and

Whereas, under the terms of said Commission bill, this fund is to be expended by the Philippine Board of the American National

Red Cross and the expense of administration will be nothing; and

Whereas, under the terms of Assembly Bill Numbered Five hundred and forty-nine, the expense of administering this fund will be two hundred and ten pesos a day, which will be paid to the seven members of the committee named therein; and

Whereas the Red Cross Society is the recognized agent throughout the civilized world for the work of succoring those in distress after great disasters; and

Whereas such Red Cross Society has already received a considerable donation from the national organization in the United States with the statement that more money will be forthcoming if needed; and

Whereas an agent has been appointed and the work commenced;

I move you that Assembly Bill Numbered Five hundred and forty-nine be amended as follows:

Strike out all after the enacting clause and substitute in lieu thereof the following:

SECTION 1. The sum of twenty-five thousand pesos is hereby appropriated, out of any funds in the Insular Treasury not otherwise appropriated, for the use of the Philippine Board of the American National Red Cross in alleviating suffering incident to the calamities caused by earthquakes and the eruption of Taal Volcano. This amount shall be turned over to the treasurer of such board and shall be paid out by him upon authority of such board. Any part of said appropriation unexpended for the purposes herein named shall be covered back into the Insular Treasury.

SEC. 2. This Act shall take effect on its passage.

The motion prevailed.

The question then being upon its passage, the roll was called and Assembly Bill No. 549 was passed.

The President moved to strike out the preamble in its entirety.

The motion prevailed.

Commissioner Gilbert moved to amend the title to read as follows:

An Act appropriating twenty-five thousand pesos for the alleviation of suffering incident to calamities caused by earthquakes and the eruption of Taal Volcano, to be expended by the Philippine Board of the American National Red Cross.

The motion prevailed, and the title as amended was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the amendments of the Commission.

## REPORTS OF STANDING COMMITTEES.

[Committee Report No. 185.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on January 30, 1911, Assembly Bill No. 501, entitled "An Act to amend sections six hundred and eighteen and six hundred and twenty of the Code of Procedure in Civil Actions and Special Proceedings in the Philippine Islands, by safeguarding more efficiently the authenticity of wills," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill do pass with the following amendments:

Strike out all of section 1.

Section 2 to be changed to section 1.

Page 2, lines 13 and 14, strike out the words "Code of Civil Procedure."

Page 2, line 14, after the words "Act Numbered One hundred and ninety" insert the words "entitled 'An Act providing for a Code of Procedure in Civil Actions and Special Proceedings in the Philippine Islands.'"

Strike out section 3.

The object of the first section of this proposed Act is to amend section 618 of said Act No. 190, by requiring further requisites for a will in case the testator can not read or write, or if the will is written in a language or dialect other than the habitual one of the testator, or if the name of the testator is written by another person; but your committee fears very much that the remedy proposed in this bill would give rise to other evils as great as those sought to be avoided by this amendment to existing law.

Respectfully submitted.

GREGORIO ARANETA,

*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

Assembly Bill No. 501 as amended was read the second time and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass.

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Araneta, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 501 was unanimously passed.

Commissioner Araneta moved to amend the title to read as follows:

An Act to amend section six hundred and twenty of Act Numbered One hundred and ninety, entitled "An Act providing for a Code of Procedure in Civil Actions and Special Proceedings in the Philippine Islands," by safeguarding more efficiently the authenticity of wills.

The motion prevailed and the title as amended was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the amendments of the Commission.

[Committee Report No. 186.]

MR. PRESIDENT: Your Committee on Municipal and Provincial Governments, to which was referred on January 17, 1911, Assembly Bill No. 444, entitled "An Act amending Act Numbered Nineteen hundred and nine so as to permit municipalities again to change the dates of their local fiestas," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

Strike out all after the enacting clause and insert in lieu thereof the following:

"SECTION 1. All the municipalities of the Philippine Islands organized under Act Numbered Eighty-two, known as 'The Municipal Code,' are hereby authorized, if deemed advisable, to change the dates of their local fiestas, as fixed under the provisions of section one of Act Numbered Nineteen hundred and nine.

"SEC. 2. The change of date authorized in the next preceding section must be made on or before the thirty-first of December, nineteen hundred and eleven, and not later, in the manner and under the terms prescribed in section one of said Act Numbered Nineteen hundred and nine for selecting such dates. If the local fiesta shall have been held in any part of the year nineteen hundred and eleven before the change of date authorized under this Act then the new date shall be effective beginning with the year nineteen hundred and twelve: *Provided*, That once the new date for the celebration of the local fiesta shall have been adopted, it shall not be changed, except by an Act of the Legislature.

"SEC. 3. In the event that for weighty reasons, such as typhoons, earthquakes, epidemics, or other public calamities, the fiesta can not be held on the date fixed in accordance with section two, then it may be changed to another date in the same year, which date the municipal council shall fix for that year only, with the approval of the provincial board.

"SEC. 4. This Act shall take effect on its passage."

Although the desirability of passing this bill is not very evident to your committee in view of the fact that sufficient time was given to the municipalities in Act No. 1909 for selecting the dates of their fiestas, however your committee is disposed to recommend its approval in view of the fact that the many requests received from the municipalities as set

forth in the report of the Assembly committee accompanying the bill have seemingly shown that the dates selected under the provisions of that Act are not satisfactory. Your committee believes that with the amendment hereby proposed the purpose sought in Act No. 1909 will be preserved.

Respectfully submitted.

RAFAEL PALMA,

*Chairman pro tempore,*

*Committee on Municipal and Provincial Governments.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

Assembly Bill No. 444 was read the second time and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following amendments:

Section 1, line 1, strike out the words "All the;" same section, lines 3 and 4, strike out the words "if deemed advisable."

Strike out section 4 in its entirety.

The report and recommendation of the Committee of the Whole were adopted.

On motion by Commissioner Palma,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 444 was passed, Commissioner Araneta voting in the negative.

Commissioner Gilbert moved to amend the title to read as follows:

An Act permitting municipalities to change the dates of their local fiestas under certain conditions.

The motion prevailed and the title as amended was read and approved.

*Ordered,* That the Secretary request the concurrence of the Assembly in the amendments of the Commission.

[Committee Report No. 187.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Public Instruction, to which was referred on February 1, 1911, Assembly Bill No. 230, entitled "An Act appropriating the sum of two

thousand pesos for the celebration of the third centenary of the introduction of printing into the Philippines, and for other purposes," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That it be passed.

Respectfully submitted.

NEWTON W. GILBERT,  
*Committee on Matters Pertaining to the  
Department of Public Instruction.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

Assembly Bill No. 230 was read the second time and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass.

On motion by Commissioner Gilbert, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 230 was unanimously passed and the title was read and approved.

*Ordered*, That the Secretary notify the Assembly thereof.

#### INTRODUCTION OF BILL.

Commissioner Elliott introduced the following bill:

Commission Bill No. 91. An Act establishing and defining a legal rate of interest, and declaring the effect of usury upon contracts.

Commission Bill No. 91 was read the first time and ordered on file for second reading.

#### RECESS.

The President then declared a brief recess to enable the members of the Commission to attend a meeting of the Philippine Board of the American National Red Cross.

#### RECONVENED.

After the meeting of the Red Cross Board the Commission reconvened.

## SECOND READING AND PASSAGE OF BILL.

Commission Bill No. 91. An Act establishing and defining a legal rate of interest, and declaring the effect of usury upon contracts.

By unanimous consent, Commission Bill No. 91 was read the second time by title only and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following amendment:

Section 1, page 1, line 2, strike out the words "six pesos upon one hundred pesos for a year" and insert in lieu thereof the words "six per centum per annum;" insert the words "one thousand one hundred and eight" in the blank space in line 3; lines 8 and 9, strike out the words "fifteen pesos on one hundred pesos for one year" and insert in lieu thereof the words "fifteen per centum per annum."

Section 2, page 1, line 13, strike out the word "Every" and insert in lieu thereof the word "Any."

Strike out section 5 in its entirety and change the following section numbers accordingly.

Insert a new section 7 to read as follows:

"SEC. 7. Pawnbrokers duly licensed and conducting their business as such may not charge more than two per centum per month, under penalty of the return of the article pledged, and forfeiture of their license and of the debt."

Section 8, page 3, line 26, insert before the words "building and loan associations" the words "the business of;" in lines 26 and 27 strike out the words "or to pawnbrokers duly licensed as such."

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Elliott, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Commission Bill No. 91 was unanimously passed.

Commissioner Araneta moved to amend the title to read as follows:

An Act establishing and defining the legal rate of interest, and declaring the effect of usury upon contracts, and for other purposes.

The motion prevailed and the title as amended was read and approved.



*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

## REPORTS OF STANDING COMMITTEES.

[Committee Report No. 188.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Public Instruction, to which was referred on January 27, 1911, Assembly Bill No. 519, entitled "An Act to amend section two of Act Numbered Nineteen hundred and thirty-five, entitled 'An Act providing for the consolidation of all libraries belonging to any branch of the Philippine Insular Government, for the creation of "The Philippines Library," and for the maintenance and regulation of the same, and for other purposes,' by defining the status of the libraries of both Houses of the Legislature," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

The theory of the proposed law is, in the judgment of your committee, incorrect. The libraries of the Philippine Government should be consolidated under the general management of the Library Board and it has, of course, been the intention of that body to leave the library of the Assembly in its present location. However, the Philippine Assembly seems anxious to have its library taken out of the jurisdiction of the Library Board. No such idea prevails in the Commission. It is, therefore, recommended that in order to comply with the idea of the Assembly the proposed bill be amended by omitting on page 1, line 16, the words beginning with "libraries of" and lines 1 and 2 and the words "of each of said libraries shall" in line 3 of page 2, and inserting in lieu thereof the following words: "library of the Philippine Assembly which shall continue under the direction, control, and disposition of said House, and the officers in charge of that library shall," and by inserting on page 2, line 5, after the words "Library Board" the following: *Provided*, That the officers in charge of said library shall have power to purchase only such books as may be needed for the actual conduct of the business of the Assembly. All Filipiniana, documents, manuscripts, and books of general interest shall, as heretofore, be purchased by and under the control of the Philippines Library Board," and that as amended the bill be passed.

Respectfully submitted.

NEWTON W. GILBERT,  
*Committee on Matters Pertaining to the  
Department of Public Instruction.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was received.

Assembly Bill No. 519 was read the second time and, together with the report of the Committee on Matters Pertaining to the

Department of Public Instruction, was referred to the Committee of the Whole.

The bill and report were considered in Committee of the Whole and reported to the Commission with the recommendation that they be laid on the table.

The report and recommendation of the Committee of the Whole were adopted.

[Committee Report No. 189.]

MR. PRESIDENT: Your Committee on Matters Pertaining to Bureaus Under the Executive Control of the Governor-General, to which was referred on January 30, 1911, Assembly Bill No. 272, entitled "An Act to extend the eligibility period of a person who has passed the civil-service examination from one year to two," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

The proposed law extends the eligibility period of persons who have passed the civil-service examination and have not had an opportunity to enter the civil service from one to two years.

It is the opinion of the undersigned that this bill is unnecessary. Section 3 of Civil Service Rule IV provides that "the period of eligibility shall be one year from the date on which the name of the eligible is entered on the register, but this period may be extended for a particular kind of examination if, in the discretion of the Director of Civil Service, the needs of the service warrant it." Under the authority thus conferred the period of eligibility of examinations for professional, technical, and scientific positions has been extended to two years.

The requirement of a new application and a new examination at the end of a year safeguards the service against the entrance of persons whose records have become bad or whose physical condition or efficiency has deteriorated since passing the examination.

In most places the period of eligibility is fixed at one year. In a few places, as in the Philippines, power is given to the civil-service board to extend the period of eligibility when advisable.

It is recommended that this bill be laid on the table.

Respectfully submitted.

W. CAMERON FORBES,

*Committee on Matters Pertaining to Bureaus under the  
Executive Control of the Governor-General.*

To the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 190.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Public Instruction, to which was referred on February 1, 1911, Assembly Bill No. 543, entitled "An Act authorizing municipal councils

of the municipalities organized under Act Numbered Eighty-two, known as 'The Municipal Code,' to establish compulsory attendance of children in the public schools, with certain conditions and exceptions, and for other purposes," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That it be laid on the table.

Aside from the fact that this law would tend to abolish private schools in that attendance is required in the public schools, no provision is made whereby the Bureau of Education can provide for such an increased enrollment as would be necessitated by the passage of this law. The resources of that Bureau are taxed to their utmost now to provide for the children who voluntarily enroll in its schools, and it does not seem possible to increase the appropriation for the maintenance of schools at the present time.

Respectfully submitted.

NEWTON W. GILBERT,  
*Committee on Matters Pertaining to the  
Department of Public Instruction.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 191.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Public Instruction, to which was referred on January 30, 1911, Assembly Bill No. 79, entitled "An Act to provide Government scholarships for young Filipinos who shall have completed any professional course of study or who are otherwise licensed or authorized to practice scientific, artistic, or industrial professions, in order that they may continue their studies in the higher educational institutions in America or in Europe, and for other purposes," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

This is a matter in which the University of the Philippines is very much interested and with which it would be intimately concerned. Your committee, therefore, recommends that it be postponed until the next session of the Legislature, when the report and recommendation of the Board of Regents may be obtained.

Respectfully submitted.

NEWTON W. GILBERT,  
*Committee on Matters Pertaining to the  
Department of Public Instruction.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 192.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of the Interior, to which was referred on January 26, 1911, Assembly Bill No. 469, entitled "An Act to amend Act Numbered Fourteen hundred and seven, as amended, by extending to ten years the period during which timber, firewood, resin, stone, earth, and other forest products may be cut or taken from the public forest without the payment of forestry charges and extending such benefits to the agricultural estates, subject to certain conditions," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill do not pass.

Act No. 1976 authorizes certain classes of persons in the Philippines to "cut or take or hire cut or taken for himself from the public forests, without license and free of charge, such timber, other than timber of the first group, and such firewood, resins, other forest products, and stone or earth, as he may require for *house building, fencing, boat building, or other personal use of himself or his family.*" The only change which the attached draft, Assembly Bill No. 469, seeks to secure in Act 1976 is to add the words "*or for the use of his agricultural estates*" to the above-mentioned uses.

The purpose of all previous Acts granting the free use of public timber under certain conditions has been to assist the poor man or small farmer to establish a home for himself and family by allowing him to use all the second and lower group timber that he may need. The only person who would benefit by the proposed law would be the rich hacendero who desires timber for use on his agricultural estate.

Inasmuch as the sole purpose of Assembly Bill No. 469 is to extend the free use of timber to those who can afford to pay for it, it is recommended that this bill be laid on the table.

Respectfully submitted.

W. CAMERON FORBES,  
*Committee on Matters Pertaining to  
the Department of the Interior.*

To the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 193.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on January 27, 1911, Assembly Bill No. 499, entitled "An Act to amend articles forty-nine and fifty of the Penal Code, so as to provide that preference shall be given to the collection of fines, and for other purposes," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be laid on the table.

This bill introduces certain radical changes in articles 49 and 50 of the

Penal Code with respect to the order in which the property of a convicted person shall be applied to cover his pecuniary liabilities, and with respect to his subsidiary imprisonment in case his property is insufficient to satisfy such pecuniary liabilities.

Your committee believes there is no urgent necessity for the proposed amendments. Important changes, such as these, merit a fuller consideration and more careful study than is permitted by the limited time at the disposal of your committee for the accumulation of work pressing for attention during these closing days of the Legislature. A more opportune time for the consideration of these amendments will be when the Penal Code, now being prepared by the Code Committee, comes up for discussion.

Respectfully submitted.

GREGORIO ARANETA,  
*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 194.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on February 1, 1911, Assembly Bill No. 170, entitled "An Act to amend sections fifty-five, sixty-six, and one hundred and twenty-three of Act Numbered Eleven hundred and eighty-nine, entitled 'The Internal Revenue Law,' by reducing the penalties therein prescribed," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be laid on the table.

As will be seen by a reading of the title of this bill, its purpose is to amend certain sections of the Internal Revenue Law by reducing the penalties therein prescribed. Your committee is of the opinion that considering the nature of the offenses penalized by these sections, no good grounds exist for reducing the penalties in question.

Respectfully submitted.

GREGORIO ARANETA,  
*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 195.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on January 24, 1911, Assembly Bill No. 279, entitled "An Act further to amend section one of

Act Numbered Seven hundred and eighty, entitled 'An Act providing for the examination and licensing of applicants for the positions of master, mate, patron, and engineer of seagoing vessels in the Philippine coastwise trade, and prescribing the number of engineers to be employed by such vessels,' as amended by Act Sixteen hundred and two, prescribing the number and class of the persons who shall constitute the Board on Philippine Marine Examinations; to amend likewise sections three, six, thirteen, fourteen, fifteen, seventeen, and eighteen of said Act, and section one of Act Numbered One thousand and twenty-five, amendatory of section four thereof; to repeal Act Numbered Seventy-three and the Acts amending the same, and Act Numbered One thousand and sixty-six, and to provide for other purposes," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be laid on the table.

Existing legislation provides for a Board on Philippine Marine Examinations, consisting of the Insular Collector of Customs, the supervising inspector of hulls and boilers, one person holding an unexpired license as master in the Philippine coastwise trade, and one other competent person, the duty of which Board is to pass upon the qualifications of persons applying for marine licenses. All persons now composing the Board, with the exception of one, Mr. C. V. Webb, who holds a chief engineer's license, are Government officials and have no interest in the applicants for marine licenses. The principal object of the proposed Act is to amend the law in this respect by providing a board to be composed of the Insular Collector of Customs, as president, and of six officers on coastwise vessels. In all of the great maritime nations of the world, to wit, the United States, Great Britain, Germany, France, and Spain, the boards of examiners for the issuance of marine licenses are composed of Government officials. In the United States these boards are made up from the personnel of the local inspectors of steamboats specially detailed for that purpose.

Without going into detail as to the various points in which the present law is considered more beneficial to marine officers, your committee is convinced that better results will be obtained by the Board on Philippine Marine Examinations as now constituted than would be obtained if constituted as provided by the proposed Act.

The other provisions of the proposed Act are either unnecessary or undesirable, or are covered by the present law or regulations.

Respectfully submitted.

GREGORIO ARANETA,  
*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

ADJOURNMENT.

Thereupon, at 7 o'clock postmeridian,  
On motion by Commissioner Elliott,  
The Commission adjourned to meet at 10 o'clock and 30 minutes  
antemeridian, Friday, February 3, 1911.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

# Second Philippine Legislature, First Session.

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## JOURNAL OF THE COMMISSION.

FRIDAY, FEBRUARY 3, 1911.

The Commission met pursuant to adjournment.

Present: Commissioners Gilbert, Araneta, Palma, Branagan, Sumulong, Elliott, and the President.

Absent: Commissioner Worcester (on official business) and Commissioner Luzuriaga (excused).

### READING OF JOURNAL.

The Journal of Thursday, February 2, 1911, was read and approved.

### MESSAGE FROM THE ASSEMBLY.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has disagreed to the amendment of the Commission to Assembly Bill No. 101, entitled "An Act to provide a system for the appropriation of public waters, and for the determining of existing rights thereto; for the public registration of all water rights; for the creation and use of water power; for investigations for and the construction, maintenance, and operation of irrigation systems by the Government of the Philippine Islands; for the repayment of money expended therefor; for the construction, maintenance, and operation of irrigation systems by private persons; for the inspection and regulation of all works pertaining to the use of water; and providing penalties for its violation; and for other purposes."

It asks a conference with the Commission on the disagreeing votes of the two Houses thereon, and has appointed as managers at the same on its part Delegates Mercado, Grajo, Fuentebella, Guevara, and Villanueva (H.).

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.



*Resolved*, That the Commission insist on its amendment to Assembly Bill No. 101, entitled "An Act to provide a system for the appropriation of public waters, and for the determining of existing rights thereto; for the public registration of all water rights; for the creation and use of water power; for investigations for and the construction, maintenance, and operation of irrigation systems by the Government of the Philippine Islands; for the repayment of money expended therefor; for the construction, maintenance, and operation of irrigation systems by private persons; for the inspection and regulation of all works pertaining to the use of water; and providing penalties for its violation; and for other purposes," disagreed to by the Assembly, and agree to the conference requested by the Assembly on the disagreeing votes of the two Houses thereon.

*Ordered*, That Commissioners Sumulong, Elliott, and the President be the managers on the part of the Commission and that the Secretary notify the Assembly accordingly.

## RECESS.

At 10 o'clock and 45 minutes antemeridian,

The President declared a recess until 3 o'clock and 30 minutes postmeridian.

## RECONVENED.

At 3 o'clock and 30 minutes postmeridian,

The Commission reconvened.

## MESSAGES FROM THE ASSEMBLY.

FEBRUARY 2, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 2, 1911, passed the following bill (A. B. No. 523), in which it requests the concurrence of the Commission: An Act making appropriation for sundry expenses of the Insular Government for the fiscal year ending June thirtieth, nineteen hundred and twelve, and other designated periods.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Assembly Bill No. 523 was read the first time.

By unanimous consent, it was read the second time by title only and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"SECTION 1. The following sums, or so much thereof as may be respectively necessary, are hereby appropriated, out of any funds in the Insular Treasury not otherwise appropriated, in compensation for the services of the Insular Government for the fiscal year ending June thirtieth, nineteen hundred and twelve, unless otherwise stated.

"EXECUTIVE.

"SEC. 2. For salaries as follows: Governor-General, at thirty thousand pesos per annum; five secretaries of executive departments, at twenty-one thousand pesos per annum each; one private secretary to the Governor-General, at five thousand pesos per annum, and five private secretaries at four thousand eight hundred pesos per annum each; in all, one hundred and sixty-four thousand pesos.

"LEGISLATIVE.

"PHILIPPINE COMMISSION.

"SEC. 3. For salaries as follows: President and four Commissioners, at ten thousand pesos per annum each; four Commissioners, not Secretaries of Departments, at fifteen thousand pesos per annum each: *Provided*, That should a new executive department be created, the Commissioner who is appointed Secretary thereof shall receive, as Commissioner, a salary not to exceed ten thousand pesos per annum; Secretary of the Commission, at six thousand pesos per annum; four private secretaries, at two thousand eight hundred pesos per annum each; in all, one hundred and twenty-seven thousand and two hundred pesos.

"PHILIPPINE ASSEMBLY.

"SEC. 4. For salary of the Speaker of the Assembly, at sixteen thousand pesos per annum; per diems of thirty pesos each during ninety days for Delegates; Secretary of the Assembly, six thousand pesos per annum: *Provided*, That when a Delegate is selected for this office he shall receive two thousand pesos per annum while holding said office in addition to his per diems as Delegate; private secretary to the Speaker, four thousand eight hundred pesos per annum; per diems of thirty pesos each to Delegates who are members of the Joint Committee of the Legislature, whose number shall be fixed by the President of the Commission and the Speaker of the Assembly, and which shall sit during the recess of the Legislature for the same purpose as the committee authorized by section ten of Act Numbered Eighteen hundred and seventy-three, and for any other

purpose of public interest as directed by either the President of the Commission or the Speaker of the Assembly, who may permit any of the members of the said committee to be absent; per diem at thirty pesos each for the chairman of the Committee on Accounts and the chairman of the Library Committee, and the chairman and members of the committee of three authorized by Act Numbered Eighteen hundred and seventy-three, and for members of other committees authorized by law or by resolution or by order of the President of the Commission and the Speaker of the Assembly while the Legislature is not in session, in case during said time their services may be required by the Speaker of the Assembly, who shall fix the minimum hours of session or of work for all the Assembly committees, or of any of their members and shall have authority to regulate the manner in which they shall perform their duties: *Provided*, That no per diem shall be allowed to any member of any committee for days on which he is not present at the sessions of the committee; for salaries and compensations of subordinate personnel, which, with the exception of the Secretary, shall be appointed by the Speaker of the Assembly, the provisions of existing law to the contrary notwithstanding: *Provided, however*, That the Secretary of the Assembly may be appointed by the Speaker of the Assembly during the recess of the Legislature, but only to act during said recess, unless the Assembly provides otherwise; salaries and wages of officers and employees of other departments of the Government who, at the request of the Assembly or of the Speaker, and with the consent of their respective chiefs, shall have rendered or shall render services to the Assembly in addition to their regular duties; for such accrued leaves as may be granted to officers and employees in the office of the Secretary of the Assembly, whether their compensation be on an annual rate or on a per diem rate, in accordance with Act Numbered Nineteen hundred and twenty-two, which is hereby declared to be of retroactive effect and as of October sixteenth, nineteen hundred and seven; for traveling expenses of Delegates, and per diems for traveling expenses of subordinate employees; rent of buildings; furniture; equipment, including uniforms for officers, pages, and messengers of the Assembly; stationery; printing and binding; postage, cablegrams, and telegrams, including those that the Assembly or the Speaker thereof shall address to or receive from either of the two Resident Commissioners in the United States; purchase of books for the library and installation of the library; electric current and telephones; repairs to buildings and furniture; transportation of officers and employees, and transportation and carriage of property; incidental expenses; in all, four hundred and fifty thousand pesos.

"PRIVATE SECRETARIES TO RESIDENT COMMISSIONERS  
TO THE UNITED STATES.

"SEC. 5. For the balance necessary, over and above the amount provided by the Congress of the United States, to make the salaries of the private secretaries to the Resident Commissioners to the United States four thousand pesos per annum each, and for the traveling expenses of such private secretaries; in all, three thousand pesos.

## "EXECUTIVE BUREAU.

"SEC. 6. For salaries and wages of Executive Secretary, at eighteen thousand pesos per annum; Assistant Executive Secretary, at twelve thousand pesos per annum; Second Assistant Executive Secretary, at seven thousand pesos per annum; two Special Agents, at eight thousand five hundred pesos per annum each, to be appointed by the Governor-General, with the advice and consent of the Philippine Commission:

## "Administrative division:

"Chief of division, class one; one clerk, class three; one clerk, class five; six clerks, class six; seven clerks, class seven; three clerks, class eight; two clerks, class nine; three clerks, class ten; one clerk, Class A; one clerk, Class B; five clerks, Class C; eight clerks, Class D; four clerks, Class F; four clerks, Class H; nine messengers, at four hundred and eighty pesos per annum each; twelve messengers, at three hundred and sixty pesos per annum each.

## "Division of legislative records:

"Chief of division, whose duties shall be performed by the Secretary of the Commission without additional compensation; three clerks, class six; one clerk, Class A; two clerks, at one thousand five hundred pesos per annum each; one messenger, at three hundred and sixty pesos per annum.

## "Translating division:

"Chief of division, at seven thousand pesos per annum; assistant chief, class three; one clerk, class five; one clerk, class six; one clerk, class seven; two clerks, at three thousand pesos per annum each; two clerks, Class A; one clerk, Class F; one clerk, Class I; one clerk, Class J; one messenger, at three hundred and sixty pesos per annum.

## "Division of archives, patents, copyrights, and trade-marks:

"Chief of division, whose duties shall be performed by the Second Assistant Executive Secretary; two clerks, class eight; two clerks, Class A; three clerks, Class D; three clerks, Class E; one clerk, Class F; one clerk, Class H; two clerks, Class I; one clerk, Class J; two messengers, at three hundred pesos per annum each.

## "Records division:

"Chief of division, class three; one clerk, class four; one clerk, class five; one clerk, class six; two clerks, class seven; one clerk, class eight; one clerk, class nine; one clerk, class ten; one clerk, Class B; one clerk, Class C; two clerks, Class D; one clerk, Class E; three clerks, Class F; three clerks, Class G; three clerks, Class H; six clerks, Class I; six messengers, at four hundred and eighty pesos per annum each; five messengers, at three hundred and sixty pesos per annum each.

## "Custodian force:

"One janitor, Class A; one watchman, Class G; two laborers, at four hundred and eighty pesos per annum each; ten laborers, at three hundred pesos per annum each; four laborers, at two hundred and forty pesos per annum each.

## "Miscellaneous:

"For per diems of ten pesos for the officer detailed as aid-de-camp to the Governor-General; for hire of temporary employees, including translators; for accrued leaves of absence; for salary allowances to employees appointed outside of the Philippine Islands.

## "Contingent expenses:

"For contingent expenses, including purchase and repair of office equipment and furniture; purchase of office supplies, transportation of officers, employees, and supplies; hire of transportation from the city of Manila; street-car tickets and emergency transportation; per diems or allowances in lieu thereof; cablegrams, postage, and telegrams; printing and binding; Ayuntamiento equipment and repairs; telephone rent; advertising; subscriptions to newspapers; for a fund to be expended in the discretion of the Governor-General; for reimbursement to judiciary appropriation account services of Reporter of the Supreme Court and office force in compiling the Acts of the Legislature, the Official Gazette, and so forth; electric lighting; janitor supplies, including ice and water; for official and contingent expenses in connection with the residences of the Governor-General, and other incidental expenses; in all, five hundred and sixty-two thousand eight hundred and fifty pesos.

## "BUREAU OF AUDITS.

"SEC. 7. For salaries, wages, and other expenses, as follows: Insular Auditor at twelve thousand pesos per annum; Deputy Insular Auditor, at seven thousand five hundred pesos per annum; two assistant auditors, at six thousand pesos per annum each; one chief district auditor, at six thousand pesos per annum; two clerks, class two; four clerks, class three; nine clerks, class four; nine clerks, class five; thirteen clerks, class six; ten clerks, class seven; eight clerks, class eight; two clerks, class nine; four clerks, class ten; four clerks, Class A; four clerks, Class B; four clerks, Class C; six clerks, Class D; ten clerks, Class E; sixteen clerks, Class F; sixteen clerks, Class G; sixteen clerks, Class H; sixteen clerks, Class I; twenty clerks, Class J; ten clerks, and messengers, Class K; eight clerks, at three hundred pesos per annum each; four messengers, at two hundred and forty pesos per annum each; salaries and expenses of such personnel as may be authorized by the Governor-General for the audit of railway accounts in compliance with existing regulations; for temporary employees; expenses of personnel; per diems or allowances in lieu thereof; for contingent expenses, including the purchase and repair of land transportation and office furniture, fixtures, and supplies; transportation of officers, employees, and supplies; hire of transportation from the city of Manila; purchase of street-car tickets; cablegrams, postage, and telegrams; printing and binding; proportion of expenses of the Intendencia Building; special service, and other incidental expenses; in all, three hundred and sixty-five thousand pesos.

## "BUREAU OF CIVIL SERVICE.

"SEC. 8. For salaries, wages, and other expenses, as follows: Director of Civil Service, at eight thousand pesos per annum; Assistant Director, at seven thousand pesos per annum; one examiner, class three; one examiner, class four; one examiner, class five; two examiners, class six; two examiners, class seven; three examiners, class eight; one clerk, class A; two clerks, Class B; two clerks, Class C; two clerks, Class D; two clerks, Class F; six clerks, Class G; two clerks, Class H; one clerk, Class I; one clerk, Class J; one messenger, Class J; one messenger, at three hundred and sixty pesos per annum; two messengers, at two hundred and forty pesos per annum each; salary allowances to employees appointed outside the Philippine Islands, temporary employees, and accrued leaves of absence; for contingent expenses, including the purchase of office supplies, transportation of officers, employees, and supplies; hire of transportation from the city of Manila; purchase of street-car tickets, per diems or allowances in lieu thereof; cablegrams, postage, and telegrams; printing and binding; care and maintenance of office building; rent of telephones; purchase of office equipment and furniture and books: *Provided*, That the cost of cablegrams sent at the request of other branches of the Government shall be borne by the office making such request; in all seventy-nine thousand two hundred pesos.

## "DEPARTMENT OF THE INTERIOR.

## "BUREAU OF HEALTH.

"SEC. 9. For salaries, wages, and other expenses, as follows:

## "General office:

"Director of Health, at twelve thousand pesos per annum; one messenger, at three hundred and sixty pesos per annum.

## "Inspection division:

"One Assistant Director, at seven thousand five hundred pesos per annum; one district health officer, at five thousand pesos per annum; three district health officers, at four thousand pesos per annum each; two district health officers, at three thousand two hundred pesos per annum each; three district health officers, at three thousand pesos per annum each; three district health officers, at two thousand eight hundred pesos per annum each; three district health officers at two thousand seven hundred pesos per annum each; twelve district health officers, at two thousand four hundred pesos per annum each; one district health officer, at two thousand pesos per annum; one district health officer, at one thousand eight hundred pesos per annum; one district health officer, at one thousand two hundred pesos per annum; one medical inspector, at five thousand four hundred pesos per annum; one medical inspector, at five thousand pesos per annum; one medical inspector, at four thousand eight hundred pesos per annum; three medical inspectors, at four thousand five hundred pesos

per annum each; thirteen medical inspectors, at four thousand pesos per annum each; one clerk, class seven; one sanitary inspector, class nine; five employees, at thirty pesos per month each; eleven employees, at twenty pesos per month each; internes, nine thousand four hundred pesos: *Provided*, That internes may be allowed subsistence, quarters, and laundry in kind, with or without other compensation, and at the expense of the hospitals or other institutions at which said internes shall be assigned to duty: *And provided further*, That said internes shall be selected by the Director of Health after competitive examination to be prescribed by him, and the provisions of Act Numbered Sixteen hundred and ninety-eight shall not apply to these positions; and that in the event of the selection of a person for appointment residing outside the Philippine Islands, such person shall be entitled to actual and necessary traveling expenses from his place of residence to Manila, and after two years' satisfactory service, he shall be entitled to actual and necessary traveling expenses from Manila to his place of residence, if such expenses be not greater than to place of appointment: *And provided further*, That any medical officer of the United States or Philippine Governments, when detailed by the Director of Health for duty in hospitals of the Bureau of Health, may be allowed subsistence, quarters, and laundry: *And provided further*, That all persons rendering service in any hospital of the Bureau of Health may be allowed subsistence, quarters, and laundry: *And provided further*, That all persons rendering service in any hospital of the Bureau are under the direction of the Director of Health. The provisions of this paragraph shall be considered permanent legislation until specifically amended or repealed.

"Sanitary engineering division:

"One sanitary engineer, at seven thousand pesos per annum; one assistant sanitary engineer, Class D; one clerk, class nine; seven sanitary inspectors, at two thousand two hundred and eighty pesos per annum each; one clerk, Class G; one junior draftsman, Class F.

"Statistical division:

"One chief of division, at five thousand pesos per annum; one interpreter and translator, class eight; two clerks, Class C; one clerk, Class D; one clerk, Class I; two clerks, Class J.

"Clerical division:

"One chief of division, class four; one clerk, class six; four clerks, class seven; two clerks, class nine; one clerk, Class A; one clerk, Class D; one clerk, Class F; one clerk, Class G; two clerks, Class H; one clerk, Class I; three clerks, Class K; four employees, at thirty pesos per month each; one employee, at twenty pesos per month.

"Property division:

"One clerk, class six; one clerk, class nine; one clerk, Class F; three clerks, Class I; four employees, at thirty pesos per month each.

"Vaccination division:

"For the employment of sanitary inspectors in the city of Manila and in the provinces, under such restrictions as the Secretary of the Interior

may direct, the provisions of the existing law to the contrary notwithstanding.

“Sanitary stations:

“One sanitary inspector, class nine; six sanitary inspectors, at two thousand two hundred and eighty pesos per annum each; three municipal physicians, at one hundred and forty-one pesos and sixty-seven centavos per month each; five municipal physicians, at one hundred and twenty-five pesos per month each; eleven assistant sanitary inspectors, at sixty pesos per month each; fifty-four assistant sanitary inspectors, at fifty pesos per month each.

“Disinfecting division:

“One disinfector, class nine; two assistant disinfectors, Class A; six assistant disinfectors, at thirty pesos per month each.

“Central free dispensary:

“One pharmacist, class ten; one assistant pharmacist, at ninety pesos per month; one employee, at forty pesos per month.

“Emergency funds:

“Fifty thousand pesos for the purchase of equipment, medicines, and disinfectants and for the payment of sanitary employees to be used in those municipalities which are invaded by epidemic diseases and which lack sufficient funds to combat them, and for the suppression of epidemic diseases and pests.

“Free tuberculosis dispensary:

“Two employees, at thirty pesos per month each.

“Nursing service:

“One supervising nurse, class seven; one chief nurse, superintendent of training school, class eight; one assistant chief nurse, assistant superintendent of training school, at two thousand and forty pesos per annum; three nurses, class nine; three chief nurses, at two thousand and forty pesos per annum each; one night superintendent, at two thousand and forty pesos per annum; one dietist, class ten; one matron, at two thousand and forty pesos per annum; one assistant matron, at one thousand six hundred and eighty pesos per annum; six nurses, Class A; ten nurses, Class B; twenty-six nurses, Class C; thirteen attendants, Class C; six attendants, Class D; three practicantes, at seventy pesos per month each; twenty-five practicantes, at thirty pesos per month each, all with subsistence, quarters, and laundry; thirty-three fourth-year pupil nurses, at twenty pesos per month each, with subsistence, and quarters, and an allowance of four pesos per month for laundry; thirty-three pupil nurses, at twenty pesos per month each, to cover expenses of laundry, uniforms, books, and all other equipment, with subsistence and quarters; sixty-seven pupil nurses, at eighteen pesos per month each, to cover expenses of laundry, uniforms, books, and all other equipment, with subsistence and quarters; sixty-seven pupil nurses at sixteen pesos per month each, to cover expenses of laundry, uniforms, books, and all other equipment, with subsistence



and quarters; thirty post-graduates, at thirty pesos per month each, with subsistence, quarters, and laundry.

“San Lazaro Hospitals division:

“One superintendent, class eight; one steward, class ten; two watchmen, at ninety pesos per month each, or one hundred and thirty pesos per month each, if subsistence and quarters be not furnished; one laborer, at thirty pesos per month; two laborers, at twenty-five pesos per month each; one driver, at twenty pesos per month; one cook, at eighty pesos per month, all with subsistence and quarters; one engineer, at forty-eight pesos per month; two carpenters, at forty-eight pesos per month each; four laborers, at twenty pesos per month each; for such employees and laborers as may be necessary for the operation of the new steam laundry, with subsistence and quarters, subject to the approval of the Secretary of the Interior.

“*Insane department*: One matron, at forty-eight pesos per month, two assistant cooks, at thirty pesos per month each, five servants, at twenty pesos per month each, one seamstress, at twenty pesos per month, five laundresses, at fifteen pesos per month each, twelve servants, at fifteen pesos per month each, all with subsistence and quarters.

“*Leper department*: One house physician, class ten, one capataz, at forty pesos per month, one cook, at forty pesos per month, four nurses, at twenty pesos per month each; one assistant cook, at twenty pesos per month; three laundrymen, at fifteen pesos per month each, four servants, at fifteen pesos per month each, one servant, at twelve pesos per month, twelve leper police, at twenty centavos per day each, all with subsistence and quarters in kind.

“*Dangerous communicable diseases department*: One cook, at forty pesos per month, two nurses, at thirty pesos per month each, one servant, at twenty-five pesos per month, three servants, at twenty pesos per month each, three servants, at fifteen pesos per month each, one laundress, at fifteen pesos per month, all with subsistence and quarters.

“*Morgue and crematory*: One morgue attendant, Class C, one cemetery inspector, at thirty pesos per month, two laborers, at twenty-five pesos per month each, with subsistence and quarters.

“Culion leper colony division:

“One chief of division, at seven thousand pesos per annum, with quarters only; one steward, class eight, one assistant steward and engineer, class ten, one physician, class seven, two chaplains, at one thousand eight hundred pesos per annum each, one chaplain, with subsistence and quarters only, one sanitary inspector, at one hundred and fifty pesos per month, one engineer, at one hundred pesos per month, two clerks, Class F, Sisters of Charity, seven thousand two hundred pesos, one cook, at seventy-five pesos per month, one capataz, at seventy-five pesos per month, seven employees, at thirty pesos per month each, five employees, at twelve pesos per month each, leper employees: One cook, at fifty pesos per month, one storekeeper, at fifty pesos per month, one assistant storekeeper, at twenty-five pesos per month, two servants, at twenty-five pesos per month each, one encargado,

at ten pesos per month, fourteen employees, at six pesos per month each, eight kitchen attendants, at six pesos per month each, four laundresses, at six pesos per month each, twenty leper police, at twenty centavos per day each or six pesos per month each, for hire of leper attendants, nurses, and so forth, as needed, not to exceed fifty centavos per day each, for guards, steward, and attendants to care for increased number of lepers, all with subsistence and quarters.

“Prison sanitation division:

“One dispensing clerk, class nine, with subsistence and quarters.

“Baguio Hospital division:

“One superintendent and cashier, class nine, one employee, at seventy-five pesos per month, one employee, at thirty pesos per month, two employees, at sixteen pesos per month each, one employee, at ten pesos per month, hire of temporary and emergency employees as necessary, with subsistence and quarters.

“*Provided*, That subsistence and quarters may be furnished as additional compensation to any employee of another branch of the Government whose partial services may be required and secured, the provisions of existing law to the contrary notwithstanding: *And provided further*, That the charges at the Baguio Hospital, as fixed by law prior to November first, nineteen hundred and five, may thereafter be changed by the Director of Health, with the approval of the Secretary of the Interior. The provisions of this paragraph shall be considered permanent legislation until specifically amended or repealed.

“Philippine General Hospital:     ▪

“One physician, at six thousand pesos per annum; one surgeon, at six thousand pesos per annum; one superintendent, class three, with subsistence, quarters and laundry; one anæsthetist, at four thousand pesos per annum; one medical electrician, at four thousand pesos per annum; one chief clerk and cashier, class seven; one record clerk, class eight; one pharmacist, with subsistence and quarters, class eight; one electrician, with quarters, class nine; eleven night watchmen, with subsistence and quarters, Class D; one head gardener, at nine hundred pesos per annum; one cook, with subsistence and quarters, Class G; four clerks, Class H; one assistant pharmacist, with subsistence and quarters, Class H; two cooks, with subsistence and quarters, Class H; four ambulance drivers, with subsistence and quarters, Class H; three clerks, Class H; one assistant gardener, at five hundred and forty pesos per annum; one carpenter, with subsistence and quarters, Class J; one assistant pharmacist, with subsistence and quarters, Class J; one storeroom boy, with subsistence and quarters, Class J; two elevator boys, with subsistence and quarters, Class J; two telephone operators, Class J; three clerks, Class J; one cook, with subsistence and quarters, at four hundred and twenty pesos per annum; ten messengers, with subsistence and quarters, at two hundred and forty pesos per annum each; one laundry boy, with subsistence and quarters, at four hundred and eighty pesos per annum; one assistant cook, with subsistence and quarters,

at three hundred pesos per annum; ten male helpers, with subsistence and quarters, at two hundred and forty pesos per annum each; three sewing women, with subsistence and quarters, at two hundred and forty pesos per annum each; ten male helpers, with subsistence and quarters, at two hundred and sixteen pesos per annum each; twenty-two male helpers, with subsistence and quarters, at one hundred and ninety-two pesos per annum each; seven female helpers, with subsistence and quarters, at one hundred and ninety-two pesos per annum each; twenty male helpers, with subsistence and quarters, at one hundred and sixty-eight pesos per annum each; ten female helpers, with subsistence and quarters, at one hundred and sixty-eight pesos per annum each; ten male helpers, with subsistence and quarters, at one hundred and forty-four pesos per annum each; for emergency and other temporary employees, and for employees necessitated by epidemics, calamities, and so forth; for accrued leaves; for salary allowances to employees appointed outside of the Philippine Islands; for reimbursement not to exceed fifteen thousand pesos to the Philippine Medical School on inter-bureau voucher for part payment of the salary of each individual officer of the Philippine Medical School performing duty in the Philippine General Hospital as may be agreed upon subject to the approval of the Secretary of the Interior.

“Miscellaneous:

“For secretary-treasurers’ and examiners’ fees, as provided by law for the Board of Medical Examiners, the Board of Pharmaceutical Examiners, and the Board of Dental Examiners.

“Miscellaneous employees:

“For the hire of temporary employees: *Provided*, That quarters and subsistence may be furnished to such temporary employees if regular employees engaged in similar work are entitled to quarters and subsistence; for commutation of leaves of officers and employees.

“Contingent expenses:

“For contingent expenses for all divisions and branches of the Bureau of Health, including hire and maintenance of transportation for officers, employees, and supplies; maintenance and operation of automobiles, including salary of chauffeurs; purchase of sera; cholera vaccine, vaccine virus; photographs and prints; for enforcing the Food and Drugs Act; for payment of traveling expenses and per diems of officers, employees and patients as provided by law; for purchase of street-car tickets, stationery, office supplies, furniture and repairs to same, postage, telegrams, cablegrams, printing, binding, library periodicals, lumber, shipping boxes, nails, bottles, corks, and so forth; rent of telephones; for purchase of stock for various divisions; antiseptic supplies and dressings; ice; light, rent, repair and maintenance of office, hospitals, and other buildings and their grounds; for disinfectants, disinfecting apparatus and repairs to same; medicines, medical and surgical supplies; medicines and medical supplies for indigent natives; surgical instruments and supplies; for purchase of flannel for covering infants; for payment of physicians’ charges and hospital charges,

Government employees at Iloilo; for employment of physicians, nurses, employees, equipment and cost of maintenance and subsistence in southern islands hospital, Cebu; for employment of physicians, nurses, employees, equipment and cost of maintenance and subsistence in Sibul Springs Sanitarium; for the hospitalization of chronic tuberculosis cases, including employment of doctors, nurses, and attendants, and antituberculosis campaigns in provinces; for outdoor treatment of tuberculosis patients at Benguet, including tents, equipment, subsistence, clothing, bedding, salary of employees, and so forth; for night camps for tuberculosis patients, including salaries and wages of employees, equipment, shelter and incidentals; for publicity campaign and antituberculosis society; for tuberculosis dispensaries, and so forth; for campaigns against intestinal parasites; for free dispensing of medical supplies and medicines to Government employees upon prescriptions of qualified physicians, in accordance with existing law; for fuel, electric current, tents, subsistence supplies, hospital supplies and equipment, bedding, kitchen supplies and equipment, dining and mess room supplies and equipment, dormitory and nurses' school supplies and equipment, coal, oil, gas, steam, rubber goods, X-ray machine, repairs to equipment, forage and other animal food, horseshoeing, clothing and uniforms for employees and patients; for cleaning vaults and pails, freight charges, gratuities in the discretion of the Director of Health; for subsistence of inmates of hospitals, plants, camps for communicable diseases and of other persons entitled thereto; for laundry allowances and for other incidental expenses:

*“Provided, That commutation of subsistence, at rates to be approved by the Secretary of the Interior, may be paid in lieu of subsistence in kind: And provided further, That the city of Manila shall pay, at rates to be approved by the Secretary of the Interior, for maintenance of all insane persons committed after the date of this Act, who shall have resided in Manila for a period of one or more years prior to the date of application for commitment, so long as the number of insane maintained at the expense of the Insular Government on account of the city of Manila shall exceed the latter's pro rata share of such persons on the basis of population; for transportation of Sisters of Charity and chaplains to and from Cullion when sick; for subsistence of Sisters of Charity while en route from Manila to Cullion and return; for payment to the Hospicio de San Jose, to the Colegio de Santa Isabel, to the Saint Vincent de Paul Asylum and other charitable institutions for maintenance of orphans, indigent persons, and insane: And provided further, That in the event of the marriage of any female inmate of a charitable institution who is maintained at the expense of the Government, a dowry equal to the expense of maintenance for two years may be paid to her from this appropriation in the discretion of the Secretary of the Interior; for aid in the maintenance of institutions for the protection of infants; for laundry allowances for nurses at rates to be approved by the Secretary of the Interior: And provided further, That subsistence and quarters of medical officers and employees of the Bureau of Health may be furnished when assigned to duty in institutions*

maintained by the Bureau of Health; for collection of lepers: *Provided*, That the Director of Health, subject to the approval of the proper head of Department or the board of control of the Philippine Medical School, as the case may be, may require the services without additional compensation of any medical officer or employee in the Government service: *And provided further*, That sanitary inspectors of the Bureau of Health shall be on the same basis as to pay and promotion as the police and fire departments of the city of Manila: *And provided further*, That the Bureau of Health is hereby authorized to continue the construction work at Culion without the intervention of the Bureau of Public Works or the Consulting Architect, existing law to the contrary notwithstanding, from funds made available for permanent improvements; the provisions of this paragraph shall be considered permanent legislation until specifically amended or repealed; in all, one million five hundred and seventeen thousand pesos.

"So much of the funds accruing from the license and internal-revenue taxes under the provisions of Act Numbered Seventeen hundred and sixty-one as amended as may be necessary are hereby made available for the payment of the reasonable expenses in some reputable hospital of persons desiring to cure themselves of the opium habit and, in the discretion of the Director of Health, of the traveling expenses from and to their place of residence in the provinces of such patients as reside outside of Manila and are in needy circumstances, and for other expenses incident thereto: *Provided*, That no patient shall be treated at the expense of the Government under the foregoing provisions for a longer period than sixty days: *Provided further*, That the expenditure of funds hereinbefore made available shall be under the direction and control of the Director of Health. The provisions of this paragraph shall be considered permanent legislation until specifically amended or repealed.

"BUREAU OF LANDS.

"SEC. 10. For salaries, wages, and other expenses, as follows: Director of Lands, at twelve thousand pesos per annum; Assistant Director of Lands, at seven thousand five hundred pesos per annum; three clerks, class three; one chief surveyor, class three; one assistant chief surveyor, class four; one chief clerk, class four; two surveyors, class four; two clerks, class five; one chief draftsman, class five; one chief computer, class five; five surveyors, class five; eight clerks, class six; one cartographer, class six; two topographers, class six; two triangulators, class six; twelve surveyors, class six; two draftsmen, class six; one computer, class six; five clerks, class seven; two draftsmen, class seven; four computers, class seven; twenty surveyors, class seven; thirty surveyors, class eight; thirty surveyors, at three thousand pesos per annum each; three draftsmen, class eight; five computers, class eight; six clerks, class eight; four clerks, class nine; four computers, class nine; five junior computers, class ten; one clerk, class A; two junior computers, Class B; one clerk, Class B; two computers, Class C; two clerks, Class

D; two draftsmen, Class D; five clerks, Class E; two junior draftsmen, Class E; four clerks, Class F; six junior computers, Class F; two junior draftsmen, Class F; six clerks, Class G; six junior computers, Class G; four junior draftsmen, Class G; ten clerks, Class H; twelve junior computers, Class H; six junior draftsmen, Class H; eighteen junior surveyors, Class H; eight clerks, Class I; twenty junior surveyors, Class I; fifteen junior computers, Class I; eight junior draftsmen, Class I; thirty junior computers, Class J; ten junior draftsmen, Class J; one clerk, Class J; twenty-five junior computers, Class K; eighteen apprentice surveyors, at thirty pesos per month each; six junior draftsmen, Class K; one clerk, at three hundred and sixty pesos per annum; eighteen apprentice surveyors, at twenty pesos per month each; two clerks, Class K; two messengers, at three hundred and sixty pesos per annum each; one office boy, at thirty pesos per month; one office boy, at twenty pesos per month; hire of overseers, foremen, irrigation-ditch tenders and laborers, chainmen, semiskilled and unskilled laborers for survey parties; hire of temporary employees; accrued leaves of absence; salary allowances to employees appointed outside of the Philippine Islands; contingent expenses, including purchase and repair of office furniture, drafting supplies, instruments, and equipment for field parties; office supplies; subsistence for survey parties; transportation of officers and employees, survey parties and supplies; rent of offices and quarters for surveyors and friar lands agents, irrigation agents; repairs, forage, and so forth; purchase and maintenance of transportation for managers of friar lands estates; and allowance of twenty pesos per month each to officers and employees in the provinces for each authorized horse furnished and maintained by said officers and employees for official transportation: *Provided*, That the Director of Lands is hereby authorized, with the prior approval of the Secretary of the Interior, to advance to officers and employees not to exceed one hundred and twenty-five pesos for the purchase of each native horse and four hundred pesos for the purchase of each Australian horse required for transportation, such advances to be reimbursed to the Government by monthly deductions of ten per centum in the case of the purchase of a native horse and twenty per centum in the case of the purchase of an Australian horse from the officers and employees' salaries, and for such advance this appropriation is hereby made available; repairs to irrigation dams and ditches and to buildings on friar lands estates; the erection of survey monuments and other incidentals; per diems of officers and employees not members of survey parties, including appraisers for public lands and friar lands, when traveling on official business; printing and binding; cablegrams, postage, and telegrams; sheriffs' fees and court costs, registers' and court fees in cases heretofore or hereafter instituted by or against the Government of the Philippine Islands affecting the public or other lands owned by the Government; advertising lands under Act Numbered Nine hundred and twenty-six; janitor service, and miscellaneous expenses; in all, six hundred thousand pesos: *Provided*, That

the Director of Lands is hereby authorized in the making of surveys of privately claimed properties to permit such claimants to pay the cost of such surveys in five annual installments, and the Director of Lands shall transmit to the respective provincial treasurers statements of the amounts of deferred payments and such amounts shall be considered as a land tax and shall constitute a first lien upon the land and be collected by the provincial treasurers with the land tax and deposited in the Insular Treasury to the credit of the proper fund. This proviso shall be considered as continuing legislation until specifically revoked by the Philippine Legislature.

“BUREAU OF SCIENCE.

“SEC. 11. For salaries, wages, and other expenses, as follows: Director of Science, at twelve thousand pesos per annum; chief of the biological laboratory, at ten thousand pesos per annum; chief of the division of mines, at six thousand pesos per annum; chief of the division of ethnology, at six thousand pesos per annum; chief of the division of inorganic chemistry, at six thousand pesos per annum; chief of the division of organic chemistry, at six thousand pesos per annum; four employees, class one; two employees, at five thousand four hundred pesos per annum each; four employees, class three; five employees, class four; twelve employees, class five; six employees, class six; eight employees, class seven; two employees, at three thousand pesos per annum each; two employees, class eight; two employees, class nine; one employee, class ten; one employee, Class A; eight employees, Class C; one employee, at one thousand three hundred and twenty pesos per annum; three employees, Class D; three employees, Class E; one employee, Class F; two employees, at nine hundred pesos per annum each; six employees, Class H; three employees, Class I; two employees, Class J; two employees, at thirty pesos per month each; one employee, at twenty-five pesos per month; four employees, at two hundred and eighty pesos per annum each; two employees at twenty pesos per month each; salaries and expenses to permit the Bureau, by and with the consent of the Secretary of the Interior, to call to the Philippines from other countries, specialists, where necessary or advisable, to carry on particular scientific investigations, or to permit the Bureau, by and with the consent of the Secretary of the Interior, to advance salaries of specially qualified men who would otherwise leave the service; accrued leaves of absence; salary allowances to employees appointed outside the Philippine Islands, and temporary employees; for contingent expenses, including transportation, per diems, traveling expenses, rental of city transportation, launch hire; purchase of chemicals, apparatus, supplies, small animals and feed for same; ice, distilled water, eggs, meat, milk, alcohol, coal, oil; maintenance of power plant; horses, cattle and feed for same; office supplies; photographic supplies; books and subscriptions; maintenance of Iloilo sugar laboratory; telephones; cablegrams, postage, and telegrams; repairs to furniture, apparatus, laundry; printing and binding; advertising; purchase and installation of museum specimens; hire of special assistance

in preparing, classifying, and extending museum work; maintenance of building, and other incidental expenses; three hundred and forty-four thousand and three hundred pesos.

“Pasteur Institute:

“For salaries and wages, as follows: one employee, class five; one employee, Class K; contingent expenses, including purchase of apparatus and animals; five thousand and seven hundred pesos:

“Aquarium:

“Superintendence, five hundred pesos per annum; one attendant, Class D; one helper, Class I; two laborers, at two hundred and forty pesos per annum each; for contingent expenses, including hire of boats and launches, purchase of salt-water tank and transportation tanks, purchase of specimens, hire of street sprinkling carts, repairs, and other incidental expenses, five thousand pesos; in all, for the Bureau of Science, three hundred and fifty-five thousand pesos.

“BUREAU OF FORESTRY.

“SEC. 12. For salaries, wages, and other expenses, as follows: Director of Forestry, at eight thousand pesos per annum; two foresters, class one; two foresters, class three; two foresters, class four; two foresters, class five; two foresters, class six; one instructor in forestry, class six; four foresters, class seven; one chief clerk, class five; one forest nurseryman, class six; one wood expert, at three thousand four hundred pesos per annum; two clerks, at three thousand pesos per annum each; one clerk, class eight; one assistant forester, class ten; two head rangers, Class C; one assistant instructor in forestry, Class D; four assistant foresters, Class D; three head rangers, Class D; three head rangers, at one thousand one hundred and forty pesos per annum each; three head rangers, at one thousand and twenty pesos per annum each; one ranger, at six hundred and sixty pesos per annum; one ranger, at seven hundred and twenty pesos per annum; one draftsman, Class H; two clerks, Class G; two clerks, at six hundred and sixty pesos per annum each; two clerks, at five hundred and twenty pesos per annum each; two clerks, Class K; six assistant rangers, Class I; one draftsman, Class K; five assistant rangers, at five hundred and forty pesos each; ten assistant rangers, Class J; one messenger, at three hundred pesos per annum; one laborer, at two hundred and forty pesos per annum; forty forest guards, at three hundred pesos per annum each; twenty graduate rangers, Class D; temporary employees and laborers hired by field parties; accrued leaves of absence; salary allowances to employees appointed outside the Philippine Islands; allowance for twenty forestry students, at twenty pesos per month each, for nine months; allowance for twenty forestry students, at twenty pesos per month each, for thirteen months; allowance for twenty forestry students, at twenty pesos per month each, for one month; contingent expenses, including the purchase and repair of office and field equipment and furniture; purchase of office and other administrative supplies; per diems of officers and employees traveling



on official business; traveling expenses and transportation of officers and employees traveling on official business; transportation of supplies; cablegrams, postage, and telegrams; purchase of horses for use of forest officers while traveling on official business in the provinces; per diems of fifty centavos each for employees stationed in the provinces in lieu of cost of forage for horses owned by them and for horses owned by the Bureau and used as means of official transportation; purchase of specimen forest products and preparation and installation of forestry exhibit at Anloague Museum; printing and binding; rent and maintenance of office quarters; transportation and refund of traveling expenses of employees from the United States to Manila and after expiration of contract service; temporary buildings for Forest School at the University of the Philippines in Los Baños; equipment and supplies for Forest School, and other incidental expenses; in all, one hundred and eighty thousand pesos.

“BUREAU OF QUARANTINE SERVICE.

“SEC. 13. For the salaries, allowances, and commutation of quarters of officers of the United States Public Health and Marine-Hospital Service, as provided for by the regulations of said service; one chief clerk, cashier and pharmacist, at four thousand four hundred pesos per annum; one female medical inspector, at two thousand four hundred pesos per annum; one engineer, class nine; two clerks, at two thousand and forty pesos per annum each; one clerk and disinfector, at one thousand nine hundred and twenty pesos per annum; one chief disinfector, Class A; one watchman, at one thousand four hundred and forty pesos per annum; two disinfectors, Class D; two engineers, Class F; one assistant engineer, Class F; one vaccinator and disinfector, Class F; two disinfectors, Class H; one cook, Class H; two clerks and disinfectors, Class H; two clerks and disinfectors, Class J; one mechanic, at four hundred and eighty pesos per annum; two disinfectors' assistants, at four hundred pesos per annum each; one messenger, at three hundred and sixty pesos per annum; fifteen attendants, at three hundred and sixty pesos per annum each; seven employees, at two hundred and forty pesos per annum each; one patron, at one thousand and eighty pesos per annum; two patrons, at eight hundred and forty pesos per annum each; one engineer, at one thousand and eighty pesos per annum; two engineers, at eight hundred and forty pesos per annum each; one assistant engineer, at seven hundred and eighty pesos per annum; one quartermaster, at five hundred and forty pesos per annum; two quartermasters, at three hundred pesos per annum each; two firemen, at five hundred and forty pesos per annum each; four firemen, at three hundred pesos per annum each; four sailors, at three hundred and sixty pesos per annum each; six sailors, at two hundred and forty pesos per annum each; for temporary employees, disinfectors' assistants, and laborers assisting regular force in the disinfection work, or handling supplies, or necessitated by the presence of quarantinable diseases; and for the payment of necessary fees, not to exceed twenty pesos per vessel to qualified physicians for quarantine inspection of vessels at ports of entry where no regular officer

of the United States Public Health and Marine-Hospital Service is available; for labor for the maintenance of grounds and quarantine stations; for accrued leaves; for salary allowances to employees appointed outside the Philippine Islands; for contingent expenses, including purchase of office furniture, official stationery; for per diems, or traveling expenses of officers and employees traveling on official orders in the Philippines, from the United States, or in foreign countries; for transportation of supplies and employees to and from storehouse to vessels, from storehouse to launch and return of apparatus, and securing and forwarding supplies for the quarantine stations; vehicle and car fare for officers and employees on official business; for cablegrams, postage, and telegrams; for printing and binding; purchase of apparatus, equipment, subsistence, and other supplies for the maintenance and operation of quarantine stations and of barges and launches: *Provided*, That commutation of subsistence, fuel, and ice, at rates to be approved by the Secretary of the Interior, may be paid in lieu of subsistence, fuel, and ice, in kind; for repairs to buildings and wharves, including material for same, and supplies, lumber, and so forth, for minor repairs necessary for the care and preservation of the public buildings and structures at the several quarantine stations; for repairs to equipment and furniture; for repairs to launches and other vessels; for repairs to lighting, sewer, and water systems of quarantine stations; rent; telephones and post-office boxes; for hire and maintenance of official transportation, Manila and stations; for launch hire and towing; for uniforms for launch crews; for allowance of sixty pesos per month in lieu of subsistence to the pharmacist stationed on the Island of Cautit; for professional publications; for incidental and emergency expenses, ice, vaccines, laundry, and other necessary supplies or services, and other incidental expenses: *Provided further*, That the Bureau of Quarantine Service is hereby authorized, subject to the approval of the Secretary of the Interior, to charge for the services and supplies, including water, furnished to ships at any of the Bureau's stations at rates to be fixed by the chief quarantine officer for the Philippine Islands, and the proceeds of such charges shall be deposited to the credit of this appropriation, and shall be available for expenditure in addition to the amounts hereinbefore appropriated: *And provided further*, That the Bureau of Quarantine Service is hereby authorized to continue the construction work at quarantine stations, without the intervention of the Bureau of Public Works or the Consulting Architect, existing law to the contrary notwithstanding, from funds made available for permanent improvements; in all, one hundred and twenty-five thousand pesos.

“WEATHER BUREAU.

“SEC. 14. For salaries, wages, and other expenses, as follows: Director, at five thousand pesos per annum; three Assistant Directors, at three thousand six hundred pesos per annum each; one Secretary, at three thousand two hundred pesos per annum; four observers, not to exceed one thousand nine hundred and eighty pesos per annum each; four calculators, at not to exceed one thousand five hundred and sixty pesos per annum

each; one draftsman, Class C; one employee, Class C; four assistant observers, at not to exceed one thousand three hundred and twenty pesos per annum each; one draftsman, Class D; one employee, Class D; two employees, Class G; three assistant calculators, Class H; one employee, Class I; two employees, at three hundred and sixty pesos per annum each; two messengers, at three hundred pesos per annum each; eight chief observers, at one thousand two hundred pesos per annum each; one assistant, at three hundred pesos per annum; seven assistant observers, at two hundred pesos per annum each; one second-class observer, at eight hundred and forty pesos per annum; ten second-class observers, at seven hundred and twenty pesos per annum each; one third-class observer, at four hundred and eighty pesos per annum; twenty-four third-class observers, at three hundred and sixty pesos per annum each; twelve observers for rain stations, at one hundred and eighty pesos per annum each; one observer-telegrapher, at one thousand eight hundred pesos per annum; for accrued leaves, temporary employees, purchase of office and station equipment and furniture; purchase of supplies; per diems or allowances in lieu thereof; transportation of officers, employees, and supplies; cablegrams, postage, and telegrams; printing and binding; installation and repair of instruments; an allowance of thirty pesos per month to the Director in lieu of official transportation in the city of Manila, rents, and other incidental expenses: *Provided*, That the Director, with the approval of the Secretary of the Interior, may reduce, suppress, or transfer any station maintained by the Bureau: *And provided further*, That any balance remaining after payment of all the obligations actually incurred in the fiscal year nineteen hundred and twelve, shall remain to the credit of the Weather Bureau, until the printing of the Annual Report of the Director thereof shall have been brought up to time; in all, one hundred and forty thousand one hundred and sixty pesos.

“DEPARTMENT OF COMMERCE AND POLICE.

“BUREAU OF CONSTABULARY.

“SEC. 15. For salaries, wages, and other expenses, as follows:

“Army officers detailed:

“For difference between pay and allowances of brigadier-general and colonels, respectively, and that of their respective ranks in the United States Army, of the officers detailed as Director and Assistant Directors of the Bureau of Constabulary pursuant to the provisions of the Act of Congress of the United States entitled ‘An Act to promote the efficiency of the Philippines Constabulary, to establish the rank and pay of its commanding officers, and for other purposes,’ approved January thirtieth, nineteen hundred and three, the provisions of Act Numbered Fourteen hundred and seven to the contrary notwithstanding: *Provided*, That in the event of the vacation of the position of Director of Constabulary by

an Army officer, the Governor-General may fill the position by the appointment of a civilian, at a salary of twelve thousand pesos per annum: *And provided further*, That upon the vacation of the positions of Assistant Directors now occupied by Army officers, the Governor-General may fill the positions by the appointment of civilians at seven thousand pesos per annum each.

“Field officers:

“For two colonels and Assistant Directors, at seven thousand pesos per annum each; three lieutenant-colonels and Assistant Directors, at six thousand pesos per annum each; eighteen majors, at four thousand pesos per annum each.

“Line officers:

“For forty-six captains, at an average of three thousand four hundred pesos per annum each; sixty first lieutenants, at two thousand eight hundred pesos per annum each; eighty second lieutenants, at two thousand six hundred pesos per annum each; ninety third lieutenants, at two thousand four hundred pesos per annum each; additional compensation of three hundred and sixty pesos per annum for each of the officers detailed as district adjutant; additional compensation of one hundred pesos per annum for each officer of the Constabulary, not a native of the Philippine Islands, who proves his ability to speak and read one of the native dialects, and to each officer, a native of the Philippine Islands, who proves his ability to speak and read the English language, as provided in Act Numbered Thirteen hundred and ninety-four; additional compensation to officers who have completed five years' service, under the provisions of section four of Act Numbered Eighteen hundred and sixty-seven: *Provided*, That such additional compensation shall be paid at the completion of five years' service regardless of the date an officer may have been promoted; additional compensation to senior inspectors and to officers performing special duties or the duties of higher positions: *Provided*, That this fund shall be assigned with the approval of the Secretary of Commerce and Police first had; extra compensation to supply officers, not to exceed six thousand pesos: *Provided*, That the Director, with the authority of the Secretary of Commerce and Police, may appoint as chief supply officer any officer of the Constabulary, the provisions of section five of Act Numbered One hundred and seventy-five and of section twelve of Act Numbered Fourteen hundred and seven to the contrary notwithstanding.

“Enlisted strength:

“For pay of enlisted men of the line including the necessary complement of noncommissioned officers: *Provided*, That the maximum strength shall not exceed five thousand and thirty men: *And provided further*, That the enlisted men to serve in any province may be selected from other provinces when the necessary quota of desirable men can not be obtained in that province at the rates of pay authorized therein: *And provided further*, That each enlisted man who shall reenlist within two months after his discharge by reason of expiration of term of enlistment shall receive two

pesos per month additional pay for his second enlistment and one peso per month additional pay for each enlistment subsequent to his second enlistment: *And provided further*, That the Director from the force authorized may organize district bands of not more than thirty members each.

“Band:

“For one conductor, with rank of captain, at four thousand five hundred pesos per annum; one chief musician, at seventy pesos per month; one first sergeant, at fifty pesos per month; two principal musicians, at forty-five pesos per month each; ten sergeants, at forty pesos per month each; seventeen corporals, at thirty-five pesos per month each; forty-nine privates, at thirty pesos per month each.

“Office of the Director:

“For one clerk, class six; one messenger, at three hundred pesos per annum.

“Executive division:

“For one major and executive inspector, at five thousand pesos per annum; one clerk, class five; two clerks, class six; three clerks, class seven; one clerk, class eight; one clerk, class nine; one clerk, Class C; two clerks, Class E; two clerks, Class F; one clerk, Class H; two clerks, Class I; one messenger, at four hundred and twenty pesos per annum; three messengers, at three hundred and sixty pesos per annum each.

“Inspectors’ division:

“For per diems of twelve pesos for each of the United States Army officers detailed as inspectors for Constabulary; one clerk, class seven.

“Information division:

“For one lieutenant-colonel and Assistant Director, superintendent, at six thousand pesos per annum; one major and assistant superintendent, at four thousand five hundred pesos per annum; one clerk, class six; two clerks, class seven; one clerk, class eight; two clerks, Class D; one agent, at four thousand pesos per annum; one agent, at three thousand six hundred pesos per annum; two agents, at three thousand two hundred pesos per annum each; three agents, at two thousand four hundred pesos per annum each; two agents, at nine hundred pesos per annum each; four agents, at six hundred pesos per annum each; four agents, at four hundred and eighty pesos per annum each; one messenger, at three hundred pesos per annum; hire of additional assistance as required from time to time, at varying rates of pay, not to exceed fifteen thousand pesos.

“Supply division:

“For one major and assistant chief supply officer, at five thousand pesos per annum; one captain and assistant chief supply officer, at four thousand five hundred pesos per annum; one clerk, class six; one accountant and bookkeeper, class six; one clerk, class seven; one clerk, Class G; one clerk, Class I; one captain and property accountant, at four thousand five hundred pesos per annum; one clerk, Class D; one clerk, Class

E; two clerks, Class G; one clerk, Class I; one clerk, Class J; one major and property officer, at four thousand five hundred pesos per annum; one clerk, class eight; one clerk, Class A; one clerk, Class B; one clerk, Class G; one clerk, Class I; one ordnance storekeeper, class eight; one ordnance storekeeper, class nine; one shipper, class nine; one corral foreman, at five pesos and seventy-five centavos per diem; one storekeeper, at four pesos and seventy-five centavos per diem; one assistant storekeeper, at three pesos per diem; hire of unskilled laborers.

“Medical division:

“For one major and superintendent, at five thousand pesos per annum; five captains and surgeons, at four thousand pesos per annum each; five first lieutenants and medical inspectors, at three thousand six hundred pesos per annum each; six second lieutenants and medical inspectors, at three thousand two hundred pesos per annum each; ten sergeants, at thirty-three pesos per month each; fifteen corporals, at twenty-eight pesos per month each; seventy-five privates, at eighteen pesos per month each; one clerk, Class G.

“Headquarters, District of Northern Luzon:

“For one clerk, class seven; two clerks, Class H; one janitor, at one hundred and eighty pesos per annum; hire of agents as required from time to time, at varying rates of pay, not to exceed four hundred pesos.

“Headquarters, District of Central Luzon:

“For one clerk, class eight; one clerk, class nine; one messenger, at four hundred and twenty pesos per annum; hire of agents as required from time to time, at varying rates of pay, not to exceed three thousand pesos.

“Headquarters, District of Southern Luzon:

“For one clerk, class seven; one clerk, Class H; one clerk, Class I; one blacksmith, at five pesos per diem; three teamsters, at twenty pesos per month each; hire of agents as required from time to time, at varying rates of pay, not to exceed one thousand four hundred pesos.

“Headquarters, District of the Visayas:

“For two clerks, class eight; one clerk, Class I; one corral foreman, at three pesos per diem; one janitor, at two hundred and four pesos per annum; one driver, at two hundred and sixteen pesos per annum; one driver, at one peso per diem; one messenger, at one hundred and eighty pesos per annum; hire of agents as required from time to time, at varying rates of pay, not to exceed one thousand two hundred pesos.

“Headquarters, District of Mindanao:

“For one clerk, class seven; two clerks, Class H; one corral foreman, at five pesos per diem; one janitor, at two hundred and forty pesos per annum; one driver, at two pesos and fifty centavos per diem; hire of agents as required from time to time, at varying rates of pay, not to exceed three hundred pesos: *Provided*, That with the authority of the Governor-General, the Director may increase the number of Constabulary

districts, the provisions of section five of Act Numbered One hundred and seventy-five to the contrary notwithstanding.

“School:

“For one clerk, class nine; one fencing master and physical instructor, with relative rank of second lieutenant, at two thousand four hundred pesos per annum; one teamster, at five pesos and fifty centavos per diem.

“Miscellaneous:

“For accrued leaves of absence; hire of emergency clerical labor: *Provided*, That additional compensation shall not be paid hereunder; hire of temporary employees: *Provided*, That all moneys arising from deductions from the pay of officers on account of violations of regulations or infractions of discipline, in accordance with section two of Act Numbered Ten hundred and ninety-six, in cases where services have been actually rendered to the Government, and from forfeitures of pay and allowances by dishonorably discharged enlisted men, shall be deposited in the Insular Treasury to the credit of the pension and retirement fund: *And provided further*, That until otherwise provided by law, the following amounts shall be deducted and retained from the monthly pay of members of the Constabulary and deposited with the Insular Treasurer to the credit of the pension and retirement fund: From all officers and noncommissioned officers, two per centum of monthly pay and from the monthly pay of privates, forty centavos: *And provided further*, That the amount paid annually by officers and enlisted men for cedulas shall be deposited in the Insular Treasury to the credit of the pension and retirement fund of the Philippines Constabulary, under such rules as the Governor-General may prescribe: *And provided further*, That a sum equal to the difference between the amount deducted annually from the pay of officers and enlisted men and the amount paid by them for cedula is hereby made a permanent continuing annual appropriation from any moneys in the Insular Treasury not otherwise appropriated, and shall be deposited in the Insular Treasury to the credit of the pension and retirement fund of the Philippines Constabulary: *And provided further*, That officers and noncommissioned officers who may leave the service after having rendered fifteen years of faithful, satisfactory, and continuous service, shall be paid from the pension and retirement fund the total amount deducted from their monthly salaries under the provisions of this Act.

“Contingent expenses:

“For contingent expenses, including the purchase of clothing, camp and garrison equipage; purchase of material and manufacture of clothing and equipage, including allowance to enlisted men for clothing not drawn in kind; purchase, repair, and preservation of arms, ammunition, equipments, and musical instruments: *Provided*, That articles of clothing, equipage, and equipment may be sold to officers and enlisted men for their personal use, at cost price, under such restrictions as the Director of Constabulary may prescribe, with the approval of the Secretary of Commerce and Police: *And provided further*, That clothing and other necessaries of life, excepting

food supplies, may be sold by Constabulary civil supply stores to members of the non-Christian tribes at points to be designated by the Secretary of the Interior, under the same conditions as sold to Insular and provincial employees, the provisions of Act Numbered Two hundred and forty-two to the contrary notwithstanding; allowance and commutation for offices and quarters, under the provisions of Acts Numbered Seven hundred and six and Eight hundred and seven; rent of offices, guardhouses, arsenals, barracks, storehouses, stables, and telephones; necessary repairs to buildings and construction of temporary buildings; fuel, illuminating, and cleaning supplies; transportation of officers, enlisted men, employees, and prisoners; travel of enlisted men upon their discharge to place of enlistment; transportation and subsistence of persons necessarily required by the Director and Assistant Directors in the transaction of public business, subject to approval by the Secretary of Commerce and Police; transportation of supplies; forage; veterinary attendance, medicines, shoeing, and incidentals for animals; purchase and hire of draft and riding animals; purchase and repair of harness, wagons, carts, and so forth; hire of boats, other than those of the Bureau of Navigation; purchase of boat supplies, including gasoline or petroleum engines for installation in small boats owned by the Bureau; hire of cutters and launches belonging to the Bureau of Navigation; subsistence of officers and employees while traveling under orders, including per diems of same when traveling upon official business; purchase of street-car tickets; hire of vehicles from the city of Manila: *Provided*, That the subsistence and traveling expenses of officers and the traveling expenses of enlisted men on escort duty shall be paid by the Bureau of Constabulary, and not by the bureau or province at whose request the escort is furnished, the provisions of section one of Act Numbered Four hundred and four to the contrary notwithstanding: *And provided further*, That the Bureau of Constabulary shall pay the cost of transportation of prisoners from the place of arrest to the place where they are turned over to the province or to a court officer for trial, that, thereafter, and until turned over to the Bureau of Prisons, all necessary transportation shall be paid by the province concerned: *And provided further*, That forage in kind for one private animal used in the public service may be furnished the officer owning it, on his certificate, approved by his senior inspector and district director: *And provided further*, That the cost of transportation of one private animal used in the public service shall be allowed to officers when changing station, upon the approval of the senior inspector and the district director: *And provided further*, That forage may be sold at cost price to any officer of the Constabulary on his certificate that it is for his personal use.

“Secret service:

“For a contingent fund to be used for secret-service purposes, and for the payment of rewards for the apprehension of deserters, in the discretion of the Director of Constabulary; expenses connected with the deportation of vagrants; payment of rewards leading to the capture and conviction of



brigands and other criminals, authorized under the provisions of Act Numbered Five hundred and twenty-two, as amended; discovery and prevention of crime: *Provided*, That payment of rewards hereunder may be made to persons employed in the service of the Insular, provincial, or municipal governments, when in the discretion of the Governor-General such payments are in the interest of the public service, the provisions of Act Numbered One hundred and forty-eight to the contrary notwithstanding.

“Subsistence:

“For subsistence of enlisted men, except members of the Constabulary band; cargadores and municipal police and volunteers operating under the Constabulary; prisoners and destitute witnesses; enlisted men, officers, and other employees of the Insular Government, and of officers, enlisted men, and employees of the United States Army sick in Constabulary Hospitals, at forty centavos per day each: *Provided*, That all collections, at rates fixed by the Director of Constabulary, for the treatment of employees of the Government and employees and members of the United States Army, excepting enlisted men of the Constabulary, shall be deposited in the Insular Treasury as a credit to this appropriation: *And provided further*, That when subsistence of enlisted men is lost through unavoidable causes, the Secretary of Commerce and Police may authorize, upon proper evidence being submitted, reimbursement to the company sustaining such loss: *And provided further*, That company commanders and medical officers in charge of hospitals will be charged with the duty of making requisition for, disbursing, and accounting for subsistence funds and subsistence supplies for their respective commands.

“Incidentals:

“For the purchase and repair of office furniture and equipment; purchase of stationery and supplies; payment to the Insular Treasurer of premiums on officers' bonds; newspapers and professional books; postage and telegrams; printing and binding, including emergency printing at the various district headquarters, the provisions of Act Numbered Two hundred and ninety-six to the contrary notwithstanding; medical treatment of officers and enlisted men under the provisions of Act Numbered Eight hundred and seven; medical, surgical, and hospital supplies, including hospital laundry work; burial of officers, enlisted men, and secret-service agents, including the purchase of cemetery lots; ice, distilled water, laundry of office towels, and other incidental expenses; in all, two million six hundred and fifty thousand pesos.

“BUREAU OF PUBLIC WORKS.

“SEC. 16. *Public buildings*.—For maintenance, alteration, and repairs to public buildings, including leased buildings the contract for which provides that the maintenance, alteration, and repairs shall be made at the expense of the Government: *Provided, however*, That no expenditure shall be made under this paragraph except upon approval by the Secretary of Commerce and Police; one hundred and sixty-five thousand pesos.

## "BUREAU OF NAVIGATION.

"Sec. 17. For salaries, wages, and other expenses, as follows:

## "Office of the Director:

"Director of Navigation, at twelve thousand pesos per annum; Assistant Director of Navigation, who shall perform the duties of superintendent of interisland transportation, at seven thousand five hundred pesos per annum; Second Assistant Director of Navigation, at six thousand pesos per annum; one chief clerk, class five; one clerk, class eight; one clerk, Class H; two employees, at three hundred and sixty pesos per annum each; two messengers, at three hundred pesos per annum each.

## "Division of accounts:

"One cashier, class six; one clerk, Class D; one clerk, Class I; one messenger, at three hundred pesos per annum.

## "Division of coast guard and transportation:

"Marine superintendent, at five thousand pesos per annum; one medical inspector, at five thousand pesos per annum: *Provided*, That during the time that this position shall be filled by an officer detailed from the Army or Navy said officer shall receive per diems of twelve pesos in lieu of the salary of the position; one inspector of machinery, class one; one property clerk, class five; two clerks, class eight; one clerk, class nine; one store-keeper, class nine; one clerk, Class H; one messenger, at three hundred pesos per annum; compensation of officers, petty officers, and crews of cables, cutters and launches: *Provided*, That a ten per centum increase in salaries may be paid to officers and crew on the cutter assigned to duty transporting lepers to Cullion; cargadores; subsistence of fleet: *Provided*, That the officers assigned to duty aboard the cables, Rizal and the cutter to be designated by the Director of Navigation as subject primarily to emergency service requirements shall be allowed three pesos per diem each for subsistence: *And provided further*, That funds hereby appropriated may be used for subsistence and aid of shipwrecked sailors or other persons in distress, as demanded by the laws of humanity and the customs of maritime nations, and for subsistence of postal clerks while on duty on vessels of the Bureau of Navigation.

## "Interisland transportation:

"One clerk, class seven; two clerks, class nine; one messenger, at three hundred pesos per annum.

## "Miscellaneous:

"For temporary employees, accrued leaves of absence, and salary allowances to employees appointed outside the Philippine Islands.

## "Light-house division:

"Light-house engineer, at six thousand pesos per annum: *Provided*, That during the time that this position shall be filled by an officer detailed from the Army or Navy said officer shall receive per diems of ten pesos in lieu of the salary of the position; Assistant Light-house Engineer, at four thousand eight hundred pesos per annum: *Provided*, That during the time

this position shall be filled by an officer detailed from the Army or Navy said officer shall receive per diems of five pesos in lieu of the salary of the position; one clerk, class six; one clerk, Class A; one clerk, Class H; one clerk, Class J; one messenger, at three hundred and sixty pesos per annum; one draftsman, class seven; pay of junior draftsmen; pay of mechanics and laborers in the light-house machine shop; temporary employees; accrued leaves of absence, and salary allowances to employees appointed outside the Philippine Islands:

“Office of light-house inspector:

“Light-house inspector, at four thousand five hundred pesos per annum: *Provided*, That during the time this position shall be filled by an officer detailed from the Army or Navy said officer shall receive per diems of ten pesos in lieu of the salary of the position; one clerk, class seven; one clerk, Class A; one messenger, at three hundred and sixty pesos per annum; one chief of light keepers, at one thousand four hundred and forty pesos per annum; six light keepers, at nine hundred and sixty pesos per annum each; eighteen light keepers, at eight hundred and forty pesos per annum each; twenty-one light keepers, at seven hundred and twenty pesos per annum each; twenty-nine light keepers, at six hundred pesos per annum each; fifty-nine light keepers, at four hundred and eighty pesos per annum each; twenty first-class apprentices, at two hundred and forty pesos per annum each; ten second-class apprentices, at one hundred and eighty pesos per annum each; pay of keepers of lesser classes, laborers, and boatmen; purchase of rations for employees at Ambolon, Apo Reef, Cape Engaño, La Monja, Mataja, Cape Melville, Ocata, San Bernardino, San Miguel, Sialat Point, Suluan, Tanguingui, Ungay Point, and such other light stations as it may, in the opinion of the Director of Navigation, be necessary to ration, and for newly appointed keepers and apprentices, temporary employees; accrued leaves of absence, and salary allowances to employees appointed outside the Philippine Islands.

“Division of port works:

Chief of division, at eight thousand pesos per annum; chief clerk, class five; cost clerk, class nine; one stenographer, class eight; one clerk, class nine; one time clerk, at one thousand pesos per annum; one messenger, Class J; one assistant engineer, at six thousand five hundred pesos per annum; two assistant engineers, class one; one assistant engineer, class three; one assistant engineer, class four; three assistant engineers, class five; two assistant engineers, class six; two surveyors, class six; one transitman, at three thousand pesos per annum; one computer, at three thousand pesos per annum; three overseers, class seven; two dredge overseers, class seven; two dredge overseers, class eight; three inspectors, class nine; one assistant transitman, class nine; two hydrographers, at two thousand one hundred and sixty pesos per annum each; one draftsman, Class D; one junior draftsman, Class F; one junior draftsman, Class H; two dredge captains, Class D; four dredge engineers, at nine hundred pesos per annum each; four dredge mates, Class J; two dredge levermen, Class

I; hire of skilled, semiskilled, and unskilled labor and such other employees as may be necessary; accrued leaves of absence, and salary allowances to employees appointed outside the Philippine Islands.

“Contingent expenses:

“For contingent expenses for all divisions of the Bureau, including the purchase and repair of office furniture and equipment, surveying and drafting instruments, and office supplies; transportation of officers, employees, and supplies; cablegrams, postage, and telegrams; printing and binding; maintenance of Engineer Island; purchase and construction of minor water craft; salvage of wrecks and disabled vessels; purchase of coal and supplies; repairs to vessels; pilotage; hire of transportation from the city of Manila; purchase of street-car tickets; per diems or allowances in lieu thereof; necessary repairs to light stations now in operation, including subsistence and local transportation, to preserve public property and avoid future extensive repairs; illuminating oil for light stations; supplies for light stations, including tools, instruments, paints, and cleaning materials; furniture and implement cases for light stations; house rent for light-keepers not provided with dwellings; repair, maintenance, and upkeep of buoys and beacons now in position; pay of watchmen; upkeep of semaphore tower on Engineer Island; maintenance of arc light at Iloilo; upkeep of machinery in lighthouse machine shop; purchase of supplies and materials; maintenance, renewals, and repairs to plants and the construction of such additional appliances as may be necessary to economically operate the present plants; harbor investigations; maintenance and operation of a combination dredge and snag boat on the Cagayan River, Luzon; maintenance and repair of existing port improvements and the removal of obstructions to navigation, and other incidental expenses: *Provided*, That the funds hereby appropriated shall be available for the purchase of medals and other rewards, when authorized by resolution of the Philippine Legislature, for officers and employees of the Bureau who display special bravery or render distinguished service in saving life or property; for the purpose of paying subsidies to vessels engaged in the interisland trade, under contract with the Government of the Philippine Islands, and for the reimbursement of the Bureau of Navigation for losses resulting from the operation of Government vessels in connection with interisland traffic, the same to be in lieu of the annual appropriation of two hundred and thirty thousand pesos made by Act Numbered Seventeen hundred and fifteen, one hundred and twenty-five thousand pesos; in all, one million four hundred and eight thousand pesos.

“BUREAU OF POSTS.

“Sec. 18. For salaries, wages, and other expenses, as follows:

“Office of the Director:

“Director of Posts, at twelve thousand pesos per annum: *Provided*, That the Director shall act as postmaster of Manila ex officio; Assistant Director of Posts, seven thousand five hundred pesos per annum; superintendent

of postal division, at six thousand five hundred pesos per annum; superintendent of telegraph division, at six thousand pesos per annum; chief of postal savings bank division, at six thousand pesos per annum; chief clerk, class two; disbursing officer, class two; two clerks, class four; three clerks, class five; five clerks, class six; six clerks, class seven; six clerks, class eight; two clerks, class nine; one clerk, Class A; two clerks, Class B; four clerks, Class C; six clerks, Class D; six clerks, Class E; eight clerks, Class F; ten clerks, Class G; ten clerks, Class H; ten clerks, Class I; one mechanic, at two hundred pesos per month; two mechanics, at sixty pesos per month each; four mechanics, at fifty pesos per month each; two mechanics, at forty pesos per month each; one messenger, at three hundred and sixty pesos per annum; twenty-five employees, at thirty pesos per month each.

“District inspectors:

“Four district inspectors, class five; four district inspectors, class six; four district inspectors, class seven.

“Post-offices:

“One cashier of the Manila post-office, whose duties shall include the receipt and accounting in the name of the Postmaster for all moneys which may be received in the transaction of the postal, money order, telegraph, telephone, and postal savings bank business at said post-office, and who will sign, in the name of the postmaster, such accounts and official papers, including money orders, as the Director of Posts may direct, class two; two postmasters, class four; four postmasters, class five; eight postmasters, class six; fifteen postmasters, class seven; ten postmasters, class eight; five postmasters, class nine; five postmasters, Class B; ten postmasters, Class C; ten postmasters, Class D; ten postmasters, Class E; fifteen postmasters, Class F; twenty postmasters, Class G; twenty-five postmasters, Class H; sixty postmasters, Class I; fifty postmasters, Class J; four hundred and eighty postmasters, at not exceeding four hundred and twenty pesos per annum each; one operator, class four; three operators, class five; six operators, class six; ten operators, class seven; fifteen operators, class eight; ten operators, class nine; ten operators, Class C; ten operators, class D; ten operators, Class E; fifteen operators, Class F; twenty-five operators, Class H; forty operators, Class I; sixty-five operators, Class J; fifty operators, at not exceeding two hundred and forty pesos per annum each; three clerks, class four; two clerks, class five; five clerks, class six; seven clerks, class seven; ten clerks, class eight; six clerks, class nine; four clerks, Class A; four clerks, Class B; five clerks, Class C; eight clerks, Class D; ten clerks, Class E; ten clerks, Class F; fifteen clerks, Class G; thirty clerks, Class H; fifty clerks, Class I; forty clerks, at not exceeding four hundred and twenty pesos per annum each; one watchman, at one hundred and fifty pesos per month; thirty employees, Manila post-office, at thirty-five pesos per month each; forty employees, Manila post-office, at thirty pesos per month each; twenty employees, at

other post-offices, at twenty-five pesos per month each; forty employees, at other post-offices, at twenty pesos per month each; eighty employees, at other post-offices, at fifteen pesos per month each.

“Mail transportation:

“Postal clerks on mail trains and mail steamers, at not exceeding two thousand four hundred pesos per annum each; one foreman, Manila post-office, at two hundred and twenty-five pesos per month; one driver, Manila post-office, at sixty pesos per month; two drivers, Manila post-office, at fifty pesos per month each; ten drivers, Manila post-office, at thirty pesos per month each.

“Construction and maintenance:

“Fifteen linemen, class eight; thirty-five linemen, class nine; thirty linemen, class ten; ten linemen, Class H; three hundred linemen, at not exceeding four hundred and twenty pesos per annum each; semiskilled, unskilled, and emergency labor; one wireless engineer, class five; one cable engineer, class seven; one cable seaman, at two hundred pesos per month; one cable splicer, at two hundred pesos per month.

“Free-delivery service:

“Four letter carriers, Manila post-office, Class B; thirty letter carriers, Manila post-office, Class D; letter carriers, for other offices, at rates of compensation to be fixed by the Director of Posts with the approval of the Secretary of Commerce and Police, not to exceed one hundred thousand pesos:

“Miscellaneous:

“Hire of temporary employees, including ten stamp agents in Manila at four pesos per month each; accrued leaves of absence, and salary allowances to employees appointed outside the Philippine Islands.

“Contingent:

“Contingent expenses, including cost of inland mail transportation, except railroads; railroad mail transportation; sea mail transportation to foreign ports; mail transportation through foreign countries; repair and maintenance of old telegraph lines; expenses of cable ship; transportation and traveling expenses of linemen, including allowance of twenty pesos per month for each authorized horse furnished and maintained by said linemen for official transportation: *Provided*, That the Director of Posts is hereby authorized, with the prior approval of the Secretary of Commerce and Police, to advance from this appropriation to linemen not to exceed one hundred and twenty-five pesos for the purchase of each native horse or four hundred pesos for the purchase of each Australian horse or motorcycle required for transportation, such advance to be reimbursed to the Government by monthly deduction of ten per centum in the case of the purchase of a native horse and twenty per centum in case of the purchase of an Australian horse or motorcycle from the linemen's salaries; per diems, traveling expenses, and transportation of district inspectors traveling on official business; per diems, traveling expenses, and transportation of other officers and employees traveling on official business; transportation

of supplies; cablegrams; printing and binding; letter carriers' equipment; mail equipment; telegraph and telephone lines supplies; office supplies for telephone and telegraph lines; general office supplies; manufacture of stamps; official transportation in the city of Manila; furniture and fixtures; rents; lights; telephones; electric current for ventilating and power purposes; repairs to offices; repairs to furniture and fixtures; ice; water; handling telegrams by commercial companies; bond premiums paid by the Bureau of Posts; secret work; repairs to mail dock, and other incidental expenses; in all, six hundred and sixty thousand pesos.

"BUREAU OF COAST AND GEODETIC SURVEY.

"SEC. 19. For salaries, wages, and other expenses, as follows: For per diem of ten pesos for the officer of the United States Coast and Geodetic Survey detailed as chief of the Bureau; one clerk, class five; two clerks, class six; one clerk, class seven; one clerk, class eight; two clerks, Class C; four clerks, Class D; four clerks, Class E; five clerks, Class F; two clerks, Class G; three clerks, Class H; four employees, at thirty pesos per month each; for emergency employees to replace employees on leave; for commutation of accrued leaves due employees, for pay and rations of petty officers and crews of vessels on Insular rolls; for hire of field hands and other extra labor for shore parties; for reimbursement to the Bureau of the Treasury for watchman service in the Intendencia Building; for contingent expenses, including repairs of steamers and launches: *Provided*, That minor and emergency repairs may be made at the nearest available point when the vessels are away from Manila, without the intervention of the Bureau of Navigation; for supplies for the maintenance and operation of steamers and launches, medical treatment and medicines, uniforms for petty officers and crews on Insular vessels; for the purchase or hire of pack and saddle animals, camp outfit, supplies, signal lumber; for the purchase, repair, and maintenance of office supplies and furniture; for printing, binding, map printing and photo-lithography, notices to mariners, photographing original sheets; for cablegrams, postage, and telegrams; for transportation and actual subsistence for officers and employees when traveling on Insular business, and other incidental expenses; in all, two hundred and twenty thousand pesos.

"BUREAU OF LABOR.

"SEC. 20. For salaries, wages, and other expenses, as follows: Director of Labor, at seven thousand pesos per annum; Assistant Director, at five thousand pesos per annum; one chief clerk, class eight; one law clerk, class seven; one clerk, class nine, chief statistical division; one clerk, class ten; one clerk, Class A; superintendent of the Free Employment Agency at Manila; one clerk, Class A, superintendent of the Free Employment Agency at Cebu; two clerks, Class B; one clerk, Class B, superintendent of the Free Employment Agency at Iloilo; one clerk, Class C; one clerk, Class C, a recruiting agent of emigrant laborers in the Island of Panay;

one clerk, Class C, a recruiting agent of emigrant laborers in Ilocos; one clerk, Class D; one clerk, Class E, a recruiting agent of emigrant laborers in Bohol Province; one clerk, Class F; two clerks, Class G; two clerks, Class H; three clerks, Class I; three clerks, Class J; for messengers, temporary employees, accrued leaves, salary allowances to employees appointed outside the Philippine Islands; for the purchase and repair of office equipment and furniture; the purchase of office supplies; transportation of officers, employees and supplies; hire of transportation from the city of Manila; the purchase of street-car tickets; for per diems or allowances in lieu thereof; cablegrams, postage, and telegrams; printing and binding; care and maintenance of office building, rent of telephones, transportation of emigrant laborers, and miscellaneous expenses; in all, sixty-five thousand pesos.

“CONSULTING ARCHITECT.

“SEC. 21. For salary of the Consulting Architect, twelve thousand pesos per annum: *Provided*, That the expense of authorized assistants, office supplies, per diems, and other necessary charges shall be paid from the appropriations for the Bureau of Public Works.

“SUPERVISING RAILWAY EXPERT.

“SEC. 22. For salaries, wages, and other expenses, as follows: Supervising Railway Expert, at twelve thousand pesos per annum; chief clerk, class five; two inspecting engineers, class one; one clerk and stenographer, class six; one messenger, at three hundred and sixty pesos per annum; temporary employees, and contingent expenses, including buildings in Baguio, purchase and maintenance of equipment and furniture, purchase of office supplies, transportation of officers, employees and supplies; per diems and subsistence; cablegrams, postage, and telegrams; printing, binding, rents; inspection of materials outside the Philippine Islands in the United States, England, and elsewhere; janitor service, ice, water, and incidental expenses; in all, twenty-four thousand pesos.

“DEPARTMENT OF FINANCE AND JUSTICE.

“BUREAU OF JUSTICE.

“SEC. 23. For salaries and wages of Attorney-General, at twelve thousand pesos per annum; Solicitor-General, at ten thousand pesos per annum; Assistant Attorney-General, at eight thousand pesos per annum; one assistant attorney, at six thousand pesos per annum; one assistant attorney, at five thousand five hundred pesos per annum; two assistant attorneys, at five thousand pesos per annum each; two assistant attorneys, at four thousand five hundred pesos per annum each; two assistant attorneys, at four thousand pesos per annum each; two assistant attorneys, at three thousand six hundred pesos per annum each; chief clerk, at four thousand eight hundred pesos per annum; one



employee, class five; five employees, class seven; three employees, class ten; one employee, Class A; two employees, Class B; one employee, at one thousand three hundred and twenty pesos per annum; two employees, Class D; one employee, Class E; one employee, Class G; two employees, Class H; one employee, Class I; two employees, Class J; four employees, at three hundred and sixty pesos per annum each; two employees, at two hundred and forty pesos per annum each; one head janitor, at six hundred pesos per annum; one janitor, at two hundred and forty pesos per annum; two janitors, at one hundred and eighty pesos per annum each; for hire of emergency employees, under the approval of the Secretary of Finance and Justice; for accrued leaves of absence; for contingent expenses, including the purchase of office furniture and repairs; purchase of office supplies; per diems of officers and employees when traveling on official business; transportation of officers, employees, and supplies; cablegrams, postage, and telegrams; printing and binding; rent and care of building and other incidental expenses; in all, one hundred and fifty thousand pesos.

“BUREAU OF CUSTOMS.

“SEC. 24. For salaries, wages, and other expenses, as follows: Insular Collector of Customs, at twelve thousand pesos per annum; one special commissioner, at seven thousand pesos per annum; one special agent, at five thousand pesos per annum; one special agent, at four thousand pesos per annum; one law clerk, at four thousand pesos per annum; one translator, at three thousand six hundred pesos per annum; one clerk, at three thousand two hundred pesos per annum.

“Cashier's division:

“Cashier, class one; one clerk, class four; one teller, class six; one assistant teller, class nine; one clerk, class ten; three clerks, Class C; two clerks, Class D; one clerk, Class F; one clerk, Class G; one clerk, Class H; two clerks, Class I; one clerk, Class J; one clerk, Class K; one messenger, at twenty pesos per month.

“Board of Protests and Appeals:

“One clerk, class five; one clerk, class eight; one clerk, Class H; one clerk, Class I; two clerks, Class J.

“Revenue cutter section:

“Two captains, class nine; two mates, class D; two engineers, Class C, with commutation of rations at one peso per diem each; two assistant engineers, at thirty-five pesos per month each; four quartermasters, at twenty-five pesos per month each; two stewards, at thirty pesos per month each; six firemen, at twenty-two pesos per month each; eight sailors, at twenty pesos per month each, with commutation of rations at thirty centavos per diem each.

“Interior ports:

“One coast district inspector of customs, class eight; one clerk, Class K.

“Office of Insular Deputy Collector:

“Insular Deputy Collector of Customs, at nine thousand pesos per annum; one clerk, class six; one clerk, Class I; one messenger, at thirty pesos per month.

“Marine division:

“Deputy Collector, class three; two clerks, class six; two clerks, class eight; one clerk, class nine; one clerk, Class A; four clerks, Class D; one clerk, Class F; two clerks, Class I; two clerks, Class K; one messenger, at twenty pesos per month.

“Appraiser’s division:

“Appraiser of the port, class one; assistant appraiser of the port, class three; two assistant appraisers, class four; two assistant appraisers, class five; five examiners, class six; seven examiners, class seven; ten examiners, class eight; seven examiners, class nine; one stenographer, class seven; four examiners, Class D; two examiners, Class E; one clerk, Class G; one clerk, Class I; two clerks, Class J; three clerks, Class K; three employees, at twenty pesos per month each; two messengers, at fifteen pesos per month each; one weigher, Class H; eight weighers, Class J.

“Liquidation division:

“Chief of division, class five; one clerk, class six; one clerk, class eight; one clerk, class ten; three liquidators, Class D; two liquidators, Class E; one clerk, Class F; one clerk, at twenty pesos per month; one messenger, at fifteen pesos per month.

“Passenger and baggage division:

“Chief of division, at four thousand pesos per annum; one inspector, class eight; three inspectors, class ten; one inspector, Class D; one inspector, Class H; four employees, at thirty pesos per month each.

“Office of the Insular Special Deputy Collector of Customs:

“Insular Special Deputy Collector of Customs, at seven thousand two hundred pesos per annum; one clerk, class seven; one clerk, Class I.

“Immigration division:

“Chief of division, class three; one inspector, class six; one inspector, class seven; one stenographer, class seven; two inspectors, class eight; three inspectors, class nine; two Chinese interpreters, Class D; one clerk, Class G; three clerks, Class H; one employee, at thirty pesos per month; one employee, at twenty-five pesos per month; two employees, at twenty pesos per month each; one messenger, at fifteen pesos per month.

“License division:

“Chief of division, class six; one clerk, Class F; one clerk, Class G; one clerk, Class H.

“Hull and boiler division:

“One supervising inspector, class two; one boiler inspector, class five; one hull inspector, class six; two boiler inspectors, class six; one clerk, Class E; one clerk, Class I.

“Office of the Surveyor of the Port:

“Surveyor of the Port, at eight thousand pesos per annum; two clerks, class seven; one inspector of vessels, Class A; one clerk, Class E; one messenger, at thirty pesos per month.

“Harbor master’s section:

“One harbor master, class four; one berthing officer, class seven; two bay and river guards, Class H; one bay and river guard, Class I; one messenger, at fifteen pesos per month.

“Semaphore section:

“One superintendent, Class D; one assistant superintendent, Class G; three messengers, at thirty-two pesos per month each.

“Shipping section:

“One shipping agent, Class A; one clerk, Class J; three agents, at twenty pesos per month each; one messenger, at sixteen pesos per month.

“Inspectors’ division:

“Deputy Surveyor, class four; one inspector, class six; one inspector, class seven; one inspector, class eight; two inspectors, class nine; one inspector, class ten; ten inspectors, Class A; one inspector, Class B; two inspectors, Class C; three inspectors, Class D; three inspectors, Class E; three inspectors, Class F; two clerks, Class G; twenty guards, Class I; ninety guards, Class J.

“Office of the chief clerk:

“Chief clerk, class one; one stenographer, class eight.

“Correspondence and records division:

“Chief of division, class four; assistant chief of division, class six; one clerk, class eight; one clerk, Class A; one clerk, Class D; one clerk, Class E; one clerk, Class F; one clerk, Class G; four clerks, Class H; three clerks, Class I; three clerks, Class J; one employee, at forty pesos per month; one employee, at thirty pesos per month; two messengers, at thirty pesos per month each; two messengers, at twenty-five pesos per month each; two messengers, at twenty pesos per month each; four messengers, at fifteen pesos per month each.

“Statistical division:

“Chief of division, class five; one clerk, class six; one clerk, class eight; two clerks, class nine; one clerk, class ten; one clerk, Class A; two clerks, Class B; two clerks, Class C; two clerks, Class D; one clerk, Class E; two clerks, Class F; two clerks, Class G; two clerks, Class H; four clerks, Class I.

“Property section:

“Property clerk, class six; one storekeeper, class eight; one clerk, Class G; one employee, at forty pesos per month; two employees, at thirty pesos per month each; two cocheros, at thirty pesos per month each.

“Harbor launch division:

“One launch foreman, class eight; one assistant launch foreman, Class C; one patron, Class D; five patrons, Class F; one patron, Class K; one

engineer, Class E; five engineers, Class F; one engineer, Class H; two engineers, Class I; two assistant engineers, Class I; one engineer, Class J; twelve firemen, at four hundred pesos per annum each; five quartermasters, at twenty-five pesos per month each; twenty sailors, at twenty pesos per month each; one messenger, at twenty pesos per month.

“Superintendent of building section:

“One superintendent, at nine hundred pesos per annum; one night watchman, Class G; five night watchmen, Class H; two night watchmen, Class I; one laborer, Class H; thirteen janitors, at thirty pesos per month each; one telephone operator, Class H.

“Iloilo custom-house:

“Collector of customs, Iloilo, at eight thousand pesos per annum; deputy collector of customs, at four thousand pesos per annum; surveyor of customs, at three thousand six hundred pesos per annum; one clerk, class six; one appraiser, class seven; two clerks, class eight; one clerk, class nine; one inspector, class ten; one inspector, Class A; three clerks, Class D; one clerk, Class E; one engineer, Class G; one clerk, Class G; one patron, Class H; one clerk, Class I; two guards, Class I; fourteen guards, Class J; one fireman, Class J; one sailor, Class J; three messengers, at thirty pesos per month each; two lookouts, at twenty-five pesos per month each; one laborer, at twenty-five pesos per month; one clerk, at twenty pesos per month; three sailors, at twenty pesos per month each; one fireman, at twenty pesos per month; two laborers, at fifteen pesos per month each; emergency guards, at not exceeding one thousand two hundred pesos in all.

“Cebu custom-house:

“Collector of customs, at eight thousand pesos per annum; deputy collector of customs, at four thousand pesos per annum; surveyor of customs, at three thousand six hundred pesos per annum; two clerks, class six; one appraiser, class seven; two clerks, class eight; two inspectors, class ten; one inspector, Class A; one clerk, Class D; one clerk, Class F; one patron, Class G; one engineer, Class G; one harbor policeman, Class G; one clerk, Class H; three employees, Class H; two firemen, Class J; five guards, Class I; fifteen guards, Class J; three sailors, at thirty pesos per month each; one employee, at thirty pesos per month; one employee, at twenty pesos per month; and for emergency guards, not exceeding one thousand two hundred pesos.

“Cebu pumping plant:

“One engineer, at twenty-five pesos per month; one fireman, at twenty-five pesos per month; one water tender, at twenty-five pesos per month.

“Balabac custom-house:

“Deputy collector of customs, at three thousand six hundred pesos per annum; one clerk, Class D; three boatmen, at fifteen pesos per month each.

“Miscellaneous:

“For a fund to be expended in the discretion of the Insular Collector

of Customs for pay of secret agents while employed in apprehending violators of the customs, immigration, and revenue laws; for accrued leaves of absence, and the hire of temporary employees.

“Contingent expenses:

“For contingent expenses, including the purchase and repair of office furniture, apparatus, fixtures, and supplies; per diems of officers and employees when traveling on official business, and in the discretion of the Insular Collector of Customs, of officers and employees temporarily on duty at places other than their regular stations; transportation of officers, employees, and supplies; cablegrams, postage, and telegrams; printing and binding; a fund to be expended in the discretion of the Insular Collector of Customs for the expenses of secret agents in the detection and punishment of violators of the customs, immigration, and revenue laws; expenses of harbor launches and customs cutters: *Provided*, That minor and emergency repairs may be made at the nearest available point without the intervention of the Bureau of Navigation; clothing allowance of three uniforms, three hats, and three neckerchiefs per annum for each petty officer and member of crew of said launches and cutters; rent of custom-house at the port of Cebu, deportation of Chinese who failed to comply with the provisions of Act Numbered Seven hundred and two of the Philippine Commission; subsistence of customs officers while on duty on board United States Army and Navy vessels; per diems for expert testimony of merchants and services of marine officers or other persons appointed on marine examination and other boards; hire and maintenance of land transportation; the removal of wrecks which obstruct the navigable waters of the Archipelago; hire of coolies for handling supplies; electric light; fuel; ice; laundry; subscriptions; telephone service, and miscellaneous court fees and other incidentals: *Provided*, That the expenditures on account of the customs service in the Moro Province shall be made under the general authority of the Insular Collector of Customs, as provided by section thirty-four of Act Numbered Seventeen hundred and ninety-two, but appropriations therefor shall be made from the funds of the Moro Province by the Legislative Council thereof, in accordance with the requirement of said service as indicated by the Insular Collector of Customs, upon the approval of the Secretary of Finance and Justice: *And provided further*, That the cost and maintenance of customs cutters and other vessels detailed for patrol in the Moro Province may be borne in whole or in part by the appropriation for the Bureau of Customs: *And provided further*, That the Bureau of Customs is authorized to charge for services and supplies furnished to any other branch of the Government or other persons, and the collections resulting from such charges, and the net proceeds of all receipts except for export, import, wharfage, and immigration dues, coastwise license fees and customs revenue stamps, shall be deposited to the credit of the appropriation of that Bureau and be available for expenditures in addition to the amounts specifically appropriated for the Bureau of Customs; in all eight hundred thousand pesos.

## "BUREAU OF INTERNAL REVENUE.

"SEC. 25. For salaries, wages, and other expenses, as follows: Collector of Internal Revenue, at twelve thousand pesos per annum; one Deputy Collector of Internal Revenue, at seven thousand five hundred pesos per annum; one Deputy Collector of Internal Revenue, at six thousand pesos per annum; one law clerk, class three; one cashier, class three; one chief clerk, class four; three chiefs of division, class four; six chiefs of division, class five; four clerks, class six; four clerks, class seven; nine clerks, class eight; three clerks, class nine; three clerks, class ten; four clerks, Class A; one clerk, Class B; two clerks, Class C; one clerk, at one thousand three hundred and twenty pesos per annum; seventeen clerks, Class D; thirteen clerks, Class E; sixteen clerks, Class F; twenty-one clerks, Class G; twelve clerks, Class H; fifty-two clerks, Class I; twenty-two clerks, Class J; seven clerks, at three hundred and sixty pesos per annum each; twenty-five clerks, at three hundred pesos per annum each; six clerks, at two hundred and forty pesos per annum each; one messenger, at three hundred pesos per annum; two messengers, at two hundred and forty pesos per annum each; one agent-at-large, at four thousand five hundred pesos per annum; six agents, at four thousand pesos per annum each; nine agents, at three thousand six hundred pesos per annum each; fourteen agents, at three thousand two hundred pesos per annum each; three agents, at three thousand pesos per annum each; twelve agents, at two thousand eight hundred pesos per annum each; nineteen agents, at two thousand four hundred pesos per annum each; one watchman, at fifty pesos per month; one janitor, at forty pesos per month; ten laborers, at seventy centavos per diem each; four temporary employees, engaged in stamping and numbering internal-revenue stamps, licenses, cedulas, and so forth, and indexing cedula records; banqueros, launch employees, and so forth; for temporary storekeepers, at not to exceed seventy pesos per month each; for accrued leaves of absence and salary allowances to employees appointed outside of the Philippine Islands; and for contingent expenses, including the purchase and repair of office equipment, furniture, and supplies; transportation of officers, employees, and supplies; hire of transportation from the city of Manila; purchase of street-car tickets; per diems or allowances in lieu thereof; cablegrams, postage, and telegrams; bond premiums; printing and binding; janitor's supplies; gauging instruments; riding equipment; telephones; purchase, maintenance, and repair of launches: *Provided*, That minor and emergency repairs may be made, without the intervention of the Bureau of Navigation, at the nearest available point, when vessels are away from Manila; forage allowance of twenty pesos per month each to agents in the provinces for each authorized horse furnished and maintained by said agent for official transportation: *Provided*, That the Collector of Internal Revenue is hereby authorized, with the prior approval of the Secretary of Finance and Justice, to advance from this appropriation to agents not to exceed one hundred and twenty-five pesos for the purchase of each native horse or four hundred pesos for

the purchase of each Australian horse required for transportation, such advance to be reimbursed to the Government by a monthly deduction from the agents' salaries of ten per centum in the case of the purchase of a native horse and twenty per centum in the case of the purchase of an Australian horse; a special fund, to be expended in the discretion of the Collector of Internal Revenue, for expenses incident to the detection and punishment of violators of the laws with the administration of which the Bureau of Internal Revenue is charged, six thousand pesos; subscriptions to newspapers, magazines, and periodicals, and for washing and other incidental expenses; in all, five hundred and seventy-five thousand pesos.

"BUREAU OF THE TREASURY.

"SEC. 26. For salaries, wages, and other expenses, as follows: Insular Treasurer, at twelve thousand pesos per annum; Assistant Insular Treasurer, at seven thousand five hundred pesos per annum; chief of the division of banks and currency, at seven thousand pesos per annum; one paying teller, at six thousand pesos per annum; one receiving teller, at five thousand five hundred pesos per annum; one chief clerk, at five thousand pesos per annum; two clerks, class five; six clerks, class six; three clerks, class seven; two clerks, class eight; three clerks, class nine; one clerk, Class A; two clerks, Class D; two clerks, Class F; one clerk, Class G; two clerks, Class H; two clerks, Class I; two clerks, Class J; one special messenger, at six hundred pesos per annum; one employee, at four hundred and eighty pesos per annum; two messengers, at three hundred and sixty pesos per annum each; three watchmen, at one hundred and fifty pesos per month each; three guards, at sixty pesos per month each; temporary employees and accrued leaves of absence; for contingent expenses, including the purchase and repair of office furniture and supplies; transportation of officers, employees, and supplies; hire of transportation from the city of Manila; purchase of street-car tickets; per diems or allowances in lieu thereof; cablegrams, postage, and telegrams; printing and binding; for bond premiums of officers and employees, insurance on funds, maintenance of office, and other incidental expenses; in all, one hundred and twenty-three thousand pesos.

"DEPARTMENT OF PUBLIC INSTRUCTION.

"BUREAU OF EDUCATION.

"SEC. 27. For salaries and wages: Director of Education, at twelve thousand pesos per annum; Assistant Director, at seven thousand five hundred pesos per annum; Second Assistant Director, at six thousand five hundred pesos per annum; one employee, class five; one employee, at three thousand nine hundred and sixty pesos per annum; two employees, class six; five employees, class seven; seven employees, class eight; seven employees, class nine; two employees, Class C; eight employees, Class D; eight employees, Class E; fifteen employees, Class F;

eighteen employees, Class G; seventeen employees, Class H; eighteen employees, Class I; twenty-five employees, Class J; three employees, Class K.

“Offices of division superintendents:

“Two division superintendents, at six thousand pesos per annum each; two division superintendents, at five thousand five hundred pesos per annum each; three division superintendents, at five thousand pesos per annum each; two division superintendents, at four thousand eight hundred pesos per annum each; eleven division superintendents, at four thousand five hundred pesos per annum each; six division superintendents, at four thousand pesos per annum each; fourteen division superintendents, at three thousand six hundred pesos per annum each: *Provided*, That salaries may be paid to school superintendents and employees irrespective of the positions to which they are assigned, the provisions of Act Numbered Six hundred and seventy-two to the contrary notwithstanding.

“General teaching force:

“One teacher, class five; twenty-two teachers, class six; seventy teachers, class seven; ninety-four teachers, at three thousand pesos per annum each; two hundred teachers, class eight; one hundred and sixty-six teachers, at two thousand six hundred pesos per annum each; one hundred and eighty-four teachers, class nine; sixteen teachers, class ten; twenty teachers, at one thousand three hundred and twenty pesos per annum each; thirty teachers, Class D; thirty teachers, Class E; thirty teachers, Class F; eighty teachers, Class G; one hundred teachers, Class H; two hundred teachers, Class I; two hundred teachers, Class J: *Provided*, That the Director of Education, subject to the approval of the Secretary of Public Instruction, may detail or assign any teacher to perform such duties in any branch or division of the Bureau of Education as the service may require, the provisions of Act Numbered Four hundred and thirty to the contrary notwithstanding: *And provided further*, That the Director of Education, subject to the approval of the Secretary of Public Instruction, may designate certain teachers for continuous duty throughout school vacation periods in cases where the good of the service makes this action advisable, such teachers to be entitled to the leave privileges provided in section twenty-three (a) of Act Numbered Sixteen hundred and ninety-eight in lieu of the vacation privileges granted to teachers in section twenty-three (d) of said Act; teachers in the night schools, at not to exceed three pesos per night each, and principals at not to exceed four pesos per night each.

“Miscellaneous:

“Normal School: Four janitors, at thirty pesos per month each; six janitors, at twenty pesos per month each. Trade School, Manila: One mechanic, at two pesos and eighty centavos per diem; seven janitors, at twenty pesos per month each; for hire of student laborers in Trade School, Normal School, and emergency laborers in general office and division offices; for hire of temporary emergency employees; one superintendent of Filipino students in the United States, at five thousand pesos per annum; salary of physician attending pupils in Insular schools, at six hundred pesos per annum; accrued leave and allowances.



## "Contingent expenses:

"For contingent expenses, including purchase and repair of office equipment, books, industrial equipment, machinery, tools, supplies for operation, and purchase of general supplies and industrial material; transportation of supplies; transportation of officers and employees to the Philippine Islands; transportation of officers and employees from the Philippine Islands; transportation and expenses of officers and employees traveling on official business, including an allowance of not to exceed twenty pesos per month each to division superintendents and supervising teachers for official transportation in the provinces, for each authorized horse furnished and maintained by said division superintendents and supervising teachers for official transportation in the discretion of the Director of Education, subject to the approval of the Secretary of Public Instruction: *Provided*, That said authorized horses shall be furnished by the division superintendents and supervising teachers at their own expense; per diems of officers and employees traveling on official business; hire of transportation from the city of Manila; street-car tickets; cablegrams, postage, and telegrams; printing and binding; ice and distilled water for Insular schools and dormitories; water and ice for, and care of general office; fuel, lights, and telephones for Insular schools and dormitories, and for electric power in the Trade School; rental of buildings for Insular schools and dormitories connected therewith; repairs to and construction of permanent buildings, including schoolhouses; for the actual and necessary cost of education and maintenance, including traveling expenses, of not to exceed fifty students in the United States, at not more than one thousand pesos per annum each, under the provisions of Act Numbered Eight hundred and fifty-four, as amended, and for the actual and necessary living and incidental expenses while in Manila, in the discretion of the Secretary of Public Instruction, and for the traveling expenses of such students from Manila to their homes in the provinces; medical attendance to Government students, as provided by Act Numbered Eleven hundred and thirty-three; for the actual and necessary traveling expenses of the Superintendent of Filipino students in the United States, of an assistant accompanying students from San Francisco to their places of establishment in the United States, and of necessary attendance accompanying parties of students from Manila to San Francisco, and from San Francisco to Manila, and other incidental expenses; for honoraria to be paid to teachers giving instruction in the annual vacation assemblies at the rate of not to exceed forty pesos per month for each course given and not to exceed one hundred and twenty pesos per month to any one teacher, Act Numbered One hundred and forty-eight to the contrary notwithstanding; for the support of primary instruction in the Provinces of Palawan and Mindoro, including salaries of teachers, to be allotted by the Secretary of Public Instruction; for the support of primary instruction in the municipalities located on "friar lands" estates to be allotted by the Secretary of Public Instruction; to be distributed to the municipalities to the credit of their respective school funds by the Director of Education, with the approval of the Secretary of Public Instruction, for the aid of barrio schools which by reason of the precarious financial

condition of the municipalities to which they pertain are unable to open or are about to close, and for the payment of salaries of municipal industrial teachers, and for the purchase of equipment, tools, and materials for use in industrial classes in primary and intermediate schools; in all, three million six hundred and fifty thousand pesos.

“BUREAU OF AGRICULTURE.

“SEC. 28. For salaries, wages, and other expenses, as follows: Director of Agriculture, at ten thousand pesos per annum; Assistant Director, at six thousand five hundred pesos per annum; one chief veterinarian, at eight thousand pesos per annum; one superintendent of agricultural extension work, at five thousand pesos per annum; one superintendent of serum laboratory, at five thousand pesos per annum; one assistant chief veterinarian, at five thousand pesos per annum; one chief of the division of experiment stations, at six thousand pesos per annum; one assistant to the Director, at five thousand pesos per annum; two district veterinarians, class four; one superintendent of publications, class four; one chief clerk, class four; twelve employees, class five; sixteen employees, class six; twenty-seven employees, class seven; twelve employees, class eight; twelve employees, class nine; five employees, class ten; three employees, Class A; three employees, Class B; three employees, Class C; eight employees, Class D; four employees, Class E; fourteen employees, Class F; six employees, Class G; six employees, Class H; five employees, Class K; for the hire of inoculators, live-stock inspectors, mechanics, teamsters, and laborers, at stations and farms, and for the hire of temporary employees, and for accrued leaves of absence; contingent expenses, including the purchase and repair of office equipment and furniture; per diems and allowances in lieu thereof; transportation of officers, employees, and supplies; cablegrams, postage, and telegrams; printing and binding; collection and purchase of seeds, plants, and so forth, for experimental purposes and for distribution; purchase of instruments and apparatus; purchase of live stock, vehicles, harness, and stable supplies; forage, machinery, implements and tools, station and farm supplies, medicines, building materials and repairs; purchase and manufacture of serum; rents, and other incidental expenses; in all, one million pesos.

“BUREAU OF PRISONS.

“SEC. 29. For salaries, wages, and other expenses, as follows: One Director, at ten thousand pesos per annum; one Assistant Director, at seven thousand five hundred pesos per annum: *Provided*, That while occupying quarters in Bilibid Prison, the Director and Assistant Director shall reimburse the Bureau of Prisons for the use of such quarters and servants as may be allowed by the Secretary of Public Instruction, at the rate of two hundred pesos and one hundred and twenty-five pesos, respectively, per month; one Second Assistant Director, at four thousand five hundred pesos per annum.

## "Bilibid Prison:

"One executive inspector, at four thousand pesos per annum; two clerks, class seven; two clerks, class eight; one clerk, class nine; one baker, class nine; one chief inspector of the guard, class seven; two inspectors of the guard, class eight; thirty-one first-class guards: *Provided*, That the pay of first-class guards shall be at the rate of one thousand eight hundred pesos each for the first year of service, two thousand pesos for the second year, two thousand one hundred and sixty pesos for the third year, and two thousand two hundred and eighty pesos for the fourth year; one clerk and interpreter, Class A; one clerk, Class A; one overseer, Class C; three clerks, Class D; one overseer, Class D; two clerks, Class F; two clerks, Class G; three clerks, Class I; two sergeants of the guard: *Provided*, That the pay of sergeants shall be at the rate of seven hundred and twenty pesos each for the first year of service, eight hundred pesos for the second year, and nine hundred pesos for the third year; sixteen keepers: *Provided*, That the pay of keepers shall be six hundred pesos per annum each for the first year of service, seven hundred and fifty pesos for the second year, and eight hundred and twenty-four pesos for the third year; forty-five second-class guards: *Provided*, That the pay of second-class guards shall be at the rate of four hundred and eighty pesos per annum each for the first year of service, six hundred pesos for the second year, six hundred and sixty pesos for the third year, and seven hundred and twenty pesos for the fourth year; two chaplains, at one thousand two hundred pesos per annum each; one matron, at eight hundred and forty pesos per annum; two Sisters of Charity, at three hundred and sixty pesos per annum each; two drivers, at one peso and ninety centavos per diem each; two cocheros, at one peso per diem each; two laborers, at thirty pesos per month each; additional compensation for executions, at twenty pesos for each execution; one musical instructor, at eight hundred and forty pesos per annum; for such proportion of office salaries of the Industrial Division as shall be fixed by the Secretary of Public Instruction; for the hire of temporary employees and the payment of accrued leaves of absence; for contingent expenses, including the purchase and repair of office supplies, ice, printing, binding; per diems of officers and employees traveling on official business; transportation of officers and employees; cablegrams, postage, and telegrams; hire and maintenance of land transportation; illumination supplies and fuel; band supplies; ammunition; for subsistence of four thousand and forty native and Asiatic prisoners, at sixteen centavos per diem each, and fifty American and European prisoners, at forty centavos per diem each; for hospital special diet; prisoners' supplies, including clothing, bedding, tobacco, mess kits, soap, barber supplies, and so forth; one suit of clothing, at value not exceeding five pesos, and a gratuity not exceeding ten pesos, in case when in the discretion of the Director of Prisons such clothing and gratuity are necessary, and clothing for pardoned and deported American prisoners; transportation of discharged prisoners to their homes in the Philippine Islands;

burial of deceased prisoners; medical and hospital supplies, including ice and illumination; kitchen fuel and supplies; renewal and repairs of building and equipment, and water and sewer; and for the maintenance of juveniles and miscellaneous supplies for the maintenance of the prison.

“Iwahig division:

“For one superintendent, at six thousand pesos per annum; one assistant superintendent, at four thousand pesos per annum; one civil engineer, at four thousand five hundred pesos per annum; one farming instructor, at three thousand six hundred pesos per annum; one trades instructor, at three thousand two hundred pesos per annum; one sawmill foreman, at three thousand six hundred pesos per annum; one clerk, class eight; one chaplain, at one thousand eight hundred pesos per annum; one agent, at eight hundred pesos per annum; one overseer, Class C; one assistant overseer, Class D; one assistant overseer, Class F; one assistant overseer, Class I; one assistant overseer, Class J: *Provided*, That the superintendent, with the approval of the Director of Prisons, is authorized to employ as assistant overseers such suitable colonists who have been legally discharged, as may in his judgment be necessary, within the limits of this Act; one foreman, at four hundred and eighty pesos per annum; one matron, at four hundred and eighty pesos per annum; for temporary employees and accrued leaves of absence; for contingent expenses, including the subsistence of one thousand native and Asiatic prisoners at fifteen centavos per diem each, and five American and European prisoners, at thirty centavos per diem each; for prison supplies, clothing, bedding, soap, tobacco, mess kits, postage stamps for prisoners' mail; office supplies; cablegrams, postage, and telegrams; launch repairs and supplies; transportation and per diem of employees; transportation of prisoners to and from the colony: *Provided*, That when in the judgment of the Director of Prisons a first-class prisoner merits consideration, his wife, family, or fiancée may be permitted to join him and that the transportation from their homes to Iwahig and return may be paid from this appropriation; transportation of supplies; gratuities to colonists holding positions of trust; purchase of live stock and miscellaneous supplies; purchase and maintenance of miscellaneous equipment; to reimburse the superintendent of the Iwahig penal colony for entertainment, to such an amount, not to exceed one thousand pesos per annum, as may be allowed by the Secretary of Public Instruction, and to pay such expenses of the Board of Visitors as may be authorized by the Secretary of Public Instruction: *Provided*, That, with the approval of the Secretary of Public Instruction, any surplus funds in the industrial division of the Bureau may be used for equipment and permanent improvements in the Iwahig penal colony; in all, six hundred thousand pesos.

“PHILIPPINES LIBRARY.

“Sec. 30. For salaries and wages: One librarian, at five thousand pesos per annum; one superintendent and librarian of circulating division (American Circulating Library), at three thousand pesos per annum; one curator of division of Filipiniana, at three thousand pesos per annum; one

cataloguer, class eight; one assistant librarian for circulating division, class eight; one general library assistant, class nine; one library assistant at two thousand pesos per annum; one library assistant, at one thousand two hundred pesos per annum; one assistant cataloguer, at one thousand two hundred pesos per annum; two clerks, at one thousand three hundred and twenty pesos per annum each; one clerk, at five hundred and forty pesos per annum; two clerks, at four hundred and eighty pesos per annum each; one clerk and reading-room assistant, at four hundred and twenty pesos per annum; two reading-room assistants, at three hundred pesos per annum each; one clerk and book mender, at three hundred and sixty pesos per annum; four messengers and laborers, at two hundred and forty pesos per annum each; one janitor, at three hundred and sixty pesos per annum; three janitors, at three hundred pesos per annum each; one watchman, at three hundred and sixty pesos per annum; for contingent expenses, including rent, remodeling, and general care of building; repair of library and office equipment; subscriptions to periodicals and serials, and membership with societies; binding and printing; postage and telegrams; transportation of books and library materials; traveling expenses of officials in the Philippine Islands and between the United States and the Philippine Islands; accrued leaves; per diems of officers and employees traveling on official business; car fare and carromata hire, and all other expenses authorized by the Philippines Library Board; in all, fifty-seven thousand five hundred pesos.

#### “THE JUDICIARY.

“SEC. 31. For salaries and wages, as follows:

##### “Supreme Court:

“Chief Justice, at twenty thousand pesos per annum; six associate justices, at twenty thousand pesos per annum each; clerk of the court, at six thousand pesos per annum; two deputy clerks, at four thousand pesos per annum each; two employees, class six; three employees, class seven; one employee, Class B; one employee, Class C; one employee, Class D; one employee, Class E; one employee, Class F; one employee, Class G; three employees, Class H; one employee, Class I; five employees, Class J; five employees, at three hundred pesos per annum each; two employees, at two hundred and forty pesos per annum each.

##### “Reporter of the Supreme Court:

“Reporter of the Supreme Court, at seven thousand pesos per annum; one employee, class six; three employees, class seven; one employee, class eight; one employee, class nine; four employees, class ten; one employee, Class A; one employee, at three hundred and sixty pesos per annum.

##### “Courts of First Instance, Manila:

“Three judges, at eleven thousand pesos per annum each; clerk, at four thousand pesos per annum; one assistant clerk, at three thousand two hundred pesos per annum; three deputy clerks, at two thousand four hundred pesos per annum each; five employees, class seven; one employee,

class eight; two employees, class nine; one employee, at one thousand three hundred and twenty pesos per annum; one employee, Class E; nine employees, Class H; six employees, at three hundred pesos per annum each.

“Courts of First Instance, First District:

“One judge, at nine thousand pesos per annum; one employee, class eight; one employee, Class C; one clerk, Cagayan, at one thousand six hundred pesos per annum; one clerk, Isabela, at one thousand four hundred pesos per annum; two employees, Class I; two employees, at two hundred and forty pesos per annum each.

“Courts of First Instance, Second District:

“One judge, at nine thousand pesos per annum; one clerk, Ilocos Norte, at one thousand eight hundred pesos per annum; one clerk, Ilocos Sur, at one thousand eight hundred pesos per annum; one employee, Class C; one employee, Class D; two employees, Class I; two employees, Class J; two employees, at two hundred and forty pesos per annum each.

“Courts of First Instance, Third District:

“One judge, at ten thousand pesos per annum; one employee, class seven; one employee, class nine; one clerk, Pangasinan, at two thousand two hundred pesos per annum; one clerk, Zambales, at one thousand six hundred pesos per annum; one deputy clerk, at seven hundred and twenty pesos per annum; one employee, Class I; one employee, Class J; one employee, at two hundred and forty pesos per annum.

“Courts of First Instance, Fourth District:

“One judge, at ten thousand pesos per annum; one employee, Class A; one employee, Class H; one clerk, Nueva Ecija, at one thousand eight hundred pesos per annum; one clerk, Pampanga, at two thousand pesos per annum; one clerk, Tarlac, at one thousand eight hundred pesos per annum; one deputy clerk, at six hundred pesos per annum; one employee, Class I; two employees, Class J; three employees, at two hundred and forty pesos per annum each.

“Courts of First Instance, Fifth District:

“One judge, at ten thousand pesos per annum; one clerk, Bulacan, at two thousand pesos per annum; one clerk, Rizal, at one thousand eight hundred pesos per annum; one employee, class eight; one employee, Class G; one employee, Class H; one employee, at one thousand one hundred and forty pesos per annum; one employee, Class I; one employee, Class J; two employees, at two hundred and forty pesos per annum each.

“Courts of First Instance, Sixth District:

“One judge, at ten thousand pesos per annum; one clerk, Bataan, at one thousand six hundred pesos per annum; one clerk, Cavite, at one thousand eight hundred pesos per annum; one clerk, La Laguna, at one thousand eight hundred pesos per annum; one employee, Class C; two employees, Class I; two employees, Class J; two employees, at three hundred and sixty pesos per annum each; three employees, at two hundred and forty pesos per annum each.

“Courts of First Instance, Seventh District:

“One judge, at ten thousand pesos per annum; one employee, class eight; one employee, class nine; one clerk, Batangas and Mindoro, at two thousand five hundred pesos per annum; one clerk, Tayabas and Marinduque, at two thousand two hundred pesos per annum; three deputy clerks, at six hundred pesos per annum each; one deputy clerk, at five hundred pesos per annum; two employees, Class I; one employee, Class J; four employees, at two hundred and forty pesos per annum each.

“Courts of First Instance, Eighth District:

“One judge, at ten thousand pesos per annum; one employee, class seven; one employee, class nine; one clerk, Albay, at one thousand eight hundred pesos per annum; one clerk, Ambos Camarines, at one thousand eight hundred pesos per annum; one deputy clerk, at seven hundred and twenty pesos per annum; two employees, Class I; two employees, Class J; one employee, at two hundred and forty pesos per annum.

“Courts of First Instance, Ninth District:

“One judge, at ten thousand pesos per annum; one employee, class seven; one employee, class nine; one clerk, Iloilo, at two thousand four hundred pesos per annum; two employees, Class H; one employee, Class J; one employee, at three hundred pesos per annum.

“Courts of First Instance, Tenth District:

“One judge, at ten thousand pesos per annum; one employee, at three thousand pesos per annum; one employee, class nine; one clerk, Antique, at one thousand six hundred pesos per annum; one clerk, Occidental Negros, at two thousand two hundred pesos per annum; one employee, Class I; one employee, Class J; one employee, at four hundred and twenty pesos per annum; one employee, at three hundred pesos per annum.

“Courts of First Instance, Eleventh District:

“One judge, at ten thousand pesos per annum; one employee, class eight; one clerk, Bohol, at two thousand pesos per annum; one clerk, Cebu, at two thousand four hundred pesos per annum; one clerk, Oriental Negros, at one thousand six hundred pesos per annum; one deputy clerk, at one thousand two hundred pesos per annum; one employee, Class D; two employees, Class H; two employees, Class I; one employee, at four hundred and twenty pesos per annum; two employees, at two hundred and forty pesos per annum each.

“Courts of First Instance, Twelfth District:

“One judge, at ten thousand pesos per annum; two employees, Class A; one clerk, Leyte, at two thousand pesos per annum; one clerk, Samar, at one thousand eight hundred pesos per annum; one deputy clerk, at seven hundred and twenty pesos per annum; one employee, Class I; one employee, Class J; two employees, at two hundred and forty pesos per annum each.

“Courts of First Instance, Thirteenth District:

“One judge, at nine thousand pesos per annum; one employee, Class A; one clerk, Misamis, at one thousand eight hundred pesos per annum; one

clerk, Surigao, at one thousand six hundred pesos per annum; one clerk, district of Lanao, at six hundred pesos per annum; one clerk, subdistrict of Dapitan, at seven hundred and twenty pesos per annum; one employee, Class D; one employee, Class I; one employee, at three hundred and sixty pesos per annum; four employees, at two hundred and forty pesos per annum each.

“Courts of First Instance, Fourteenth District:

“One judge, at nine thousand pesos per annum; one clerk, Fourteenth District, at two thousand four hundred pesos per annum; one employee, class nine; one deputy clerk, at eight hundred pesos per annum; three deputy clerks, at six hundred pesos per annum each; one deputy clerk, at four hundred pesos per annum; one employee, Class J; two employees, at two hundred and forty pesos per annum each.

“Courts of First Instance, Fifteenth District:

“One judge at nine thousand pesos per annum; one interpreter, at two thousand four hundred pesos per annum; one employee, Class A; one employee, Class C; one clerk, Capiz, at one thousand eight hundred pesos per annum; one clerk, Palawan, at six hundred pesos per annum; one clerk, Sorsogon, at one thousand six hundred pesos per annum; one clerk, Masbate, at eight hundred pesos per annum; one clerk, Romblon, at one thousand pesos per annum; one deputy clerk, Palawan, at four hundred and eighty pesos per annum; two employees, Class I; one employee, Class J; one employee, at three hundred and sixty pesos per annum; three employees, at two hundred and forty pesos per annum each.

“Courts of First Instance, Mountain District:

“One judge, at nine thousand pesos per annum; one fiscal for the Mountain Province and Nueva Vizcaya, at three thousand two hundred pesos per annum; one clerk, Mountain Province and Nueva Vizcaya, at three thousand two hundred pesos per annum; one clerk, La Union, at one thousand eight hundred pesos per annum; one deputy clerk, subprovince of Benguet, at eight hundred and forty pesos per annum; two deputy clerks, at six hundred pesos per annum each; one employee, Class J; clerical, interpreting, and translating assistants to the fiscal of the Mountain Province and Nueva Vizcaya, not to exceed one thousand eight hundred pesos per annum.

“Judges of First Instance and employees at large:

“Four judges, at nine thousand pesos per annum each; one employee, class six; two employees, class eight; two employees, class nine.

“Court of Land Registration:

“One judge, at ten thousand pesos per annum; four associate judges, at nine thousand pesos per annum each; clerk of court, at five thousand pesos per annum; assistant clerk, at three thousand two hundred pesos per annum; one deputy clerk, class six; three deputy clerks, class nine; one chief surveyor, class six; three employees, class seven; one employee, at three thousand pesos per annum; five employees, class eight; six employees, class nine; six employees, Class A; three employees, Class C;



eighteen employees, Class D; three employees, Class E; seven employees, Class F; four employees, Class G; ten employees, Class H; four employees, Class I; two employees, Class J; twelve employees, at three hundred and sixty pesos per annum each.

“Miscellaneous:

“For the hire of special interpreters and other emergency employees under approval of the Secretary of Finance and Justice, and for accrued leaves of absence.

“Contingent expenses:

“For contingent expenses, including the purchase and repair of office equipment, furniture, and supplies; per diems of officers and employees when traveling on official business; all per diems of judges of the Courts of First Instance and of the Court of Land Registration; transportation of officers, employees, and supplies, including the traveling expenses of justices of the peace as provided by section thirty-three of Act Numbered Sixteen hundred and twenty-seven; cablegrams, postage, and telegrams; printing and binding; expenses incurred under section ten of Act Numbered Thirteen hundred and seventy-six, and the per diems of clerks of courts under section five of said Act, being hereby authorized, the provisions of existing law to the contrary notwithstanding; for the payment of rent for the quarters occupied by the Court of Land Registration in the city of Manila; for advertising not otherwise provided for; for the payment of reasonable charges authorized by the Attorney-General for chemical or medical examinations when in his opinion the provisions of section fifteen of Act Numbered Fourteen hundred and eighty-seven and sections thirty-seven and forty-one of Act Numbered Sixteen hundred and twenty-seven are insufficient to secure the proper administration of justice, or for other technical or professional services necessarily incident to criminal proceedings conducted in Courts of First Instance or of justices of the peace; and other incidental expenses: *Provided*, That the judiciary appropriation shall be reimbursed from funds appropriated for the contingent expenses of the Executive Bureau at the rate of twelve thousand pesos per annum for services rendered by the Reporter of the Supreme Court in editing and publishing the Official Gazette and compiling the laws of the Philippine Legislature. The Bureau of Justice shall be charged with the disbursement of appropriations for the judiciary, and the cost of supplies and traveling expenses of justices of the peace shall be a charge against said appropriations, until otherwise provided by law; in all, nine hundred thousand pesos.

“PROVINCIAL GOVERNMENT OF MINDORO.

“SEC. 32. For salaries and wages of provincial governor, at three thousand six hundred and fifty pesos per annum, or per diems of ten pesos to the United States Army officer filling the position by detail; provincial treasurer, at four thousand pesos per annum; provincial fiscal, at nine hundred pesos per annum; for salaries and wages of such employees as may be authorized by resolution of the provincial board with the approval

of the Executive Secretary; for general provincial expenses, including the actual and necessary traveling expenses of officers and employees, under the provisions of Act Numbered Thirteen hundred and ninety-six; for the purposes contemplated by Act Numbered Eighteen hundred and forty-five; for the transportation of supplies; purchase and repair of office equipment and furniture, and purchase of office supplies; postage and telegrams; printing and binding; hire and maintenance of official transportation; sheriff's fees; court fees; premium on surety bonds; maintenance of prisoners; permanent equipment; for a fund to be expended by the provincial governor as provided in Act Numbered Six hundred and eighty-two under the head of 'Provincial Government of Lepanto-Bontoc;' and for other incidental expenses; thirty-three thousand four hundred pesos.

#### "PROVINCIAL GOVERNMENT OF PALAWAN.

"SEC. 33. For salaries, wages and other expenses, as follows: Provincial governor, at four thousand eight hundred pesos per annum, or per diems of ten pesos to the United States Army officer filling the position by detail; provincial secretary-treasurer, at three thousand two hundred pesos per annum; for salaries and wages of such employees as may be authorized by resolution of the provincial board approved by the Executive Secretary; for accrued leaves, and temporary employees; for general provincial expenses, including the actual and necessary traveling expenses and per diems of officers and employees, under the provisions of Act Numbered Thirteen hundred and ninety-six; for transportation of supplies; purchase and repair of office equipment and furniture; purchase of office supplies; for the purposes contemplated by Act Numbered Eighteen hundred and forty-five; for a fund to be expended by the provincial governor as provided in Act Numbered Six hundred and eighty-two under the head of 'Provincial Government of Lepanto-Bontoc;' for cablegrams, postage, and telegrams; maintenance, repairs, and fuel for launch; permanent equipment; repairs to buildings; sheriff's fees; maintenance of prisoners; premiums on surety bonds; and other incidental expenses; in all, twenty-nine thousand pesos.

#### "PROVINCIAL GOVERNMENT OF BATANES.

"SEC. 34. For salaries and wages of provincial governor, at three thousand six hundred pesos per annum; assistant to provincial governor, at three thousand two hundred pesos per annum; provincial secretary-treasurer, at one thousand five hundred pesos per annum; for per diems of not to exceed five pesos for the third member of the provincial board for each session at which he is actually present; for salaries and wages of employees as may be authorized by resolution of the provincial board with the approval of the Executive Secretary; part salary and travel expenses of fiscal assigned for temporary duty; for general expenses, including the actual and necessary traveling expenses and per diems of officers and employees, under the provisions of Act Numbered Thirteen

hundred and ninety-six; transportation of supplies; purchase and repair of office equipment and furniture; purchase of office supplies; postage and telegrams; insurance; repair and maintenance of provincial launch; maintenance of prisoners; repair and construction of buildings; maintenance of official transportation; and other incidentals; in all, fifteen thousand pesos.

“MISCELLANEOUS.

“SEC. 35. Subject to the approval of the Governor-General, for the commutation and payment of claims for salary, leave, and expenses of personnel, lawfully incurred and not otherwise provided for, and for miscellaneous general expenses of the Government, including the settlement of claims for damages, twenty thousand pesos: *Provided*, That this fund shall be reimbursable for such payments from the funds of the bureau, office, province, or municipality in interest, when practicable.

“SEC. 36. For the salary, per diems, and travel expenses of the lieutenant-governor of Samar, as authorized by Act Numbered Seventeen hundred and fifty-nine, and for other official expenses in connection therewith: *Provided*, That no appropriation shall be set up by the Insular Auditor for this purpose until the balance of funds heretofore appropriated shall have been expended for these purposes.

“SEC. 37. For the commutation and payment of all claims for salary, part salary, accrued leave, traveling expenses, and transportation, and so forth, lawfully incurred and not otherwise provided for, including expenditures authorized by the Secretary of War, fifty thousand pesos.

“SEC. 38. For the salaries of the chief and assistant chief of police of the municipality of Cavite, as provided by Act Numbered Twelve hundred and eighty-one, and the salaries of substitutes when necessary, and an allowance of forty pesos per month in lieu of official transportation in kind; five thousand pesos.

“SEC. 39. For the necessary expenses of the Board of Rate Regulation, as contemplated by Act Numbered Seventeen hundred and seventy-nine, including compensation of its secretary, subject to approval by the Governor-General; five thousand pesos.

“SEC. 40. For payment for legal services in behalf of this Government, or any branch thereof before Federal courts at Washington or elsewhere outside the Philippine Islands, from January first, nineteen hundred and eleven; five thousand pesos.

“Total miscellaneous, eighty-five thousand pesos.

“Total of appropriations for all purposes, seventeen million eight hundred and ninety thousand three hundred and ten pesos.

“SEC. 41. The appropriations herein made for each bureau, province, or office, shall be available for payment of authorized commutations of accrued leaves of absence of the officers and employees thereof, and for payment of such expenses as may accrue to such bureaus, provinces, or offices by reason of the operations of Act Numbered Fifteen hundred and nine.

"Sec. 42. After payment of all obligations actually incurred in the fiscal year nineteen hundred and eleven and prior years, whether or not the supplies have been delivered or services rendered prior to the conclusion of said year, including completion of permanent improvements duly authorized, all balances of appropriations heretofore made for the current expenses of bureaus and offices of the Insular Government shall revert to the general fund: *Provided*, That, subject to approval of the head of the proper Department, chiefs of bureaus or offices may expend on permanent improvements funds appropriated for current expenses: *And provided further*, That, upon the recommendation of the Secretary of the Department concerned, the Governor-General may direct the restoration of any part of the funds hereby reverted to the credit of the bureau or office for which such funds were originally appropriated: *And provided further*, That nothing in this section shall be construed to prevent transfer of funds by order of the Governor-General under the provisions of Act Numbered Nineteen hundred and two.

"Sec. 43. The appropriations for current expenses of the various bureaus and offices of the Government shall be available for the payment to the credit of the Fidelity Bond Premium Fund of two-thirds of the premium fixed in pursuance of section three of Act Numbered Seventeen hundred and thirty-nine, on behalf of Insular officers and employees pertaining to the respective bureaus and offices. This section shall be considered permanent legislation until specifically amended or repealed.

"Sec. 44. The fines imposed and collected through the efforts of the Philippine Society for the Prevention of Cruelty to Animals, its members or agents, for violations of the laws enacted for the prevention of cruelty to animals and for their protection, shall belong to said society and shall be used to promote its objects, and provisions of section five of Act Numbered Twelve hundred and eighty-five to the contrary notwithstanding.

"Sec. 45. All messengers paid under the provisions of this Act, who have rendered five years continuous satisfactory service, shall be entitled to the benefit of accrued and vacation leave, in the same manner as other employees, the provisions of the Civil Service Act or rules to the contrary notwithstanding.

"Sec. 46. In the event of failure on the part of the Legislature to make provision for the current expenses of the Bureau of Public Works in the Public Works bill providing for permanent improvements for the ensuing year, then, and in that case, the same appropriation which was made for the Bureau of Public Works in Act Numbered Nineteen hundred and eighty-nine shall be held to be reenacted effective for the fiscal year nineteen hundred and twelve."

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by the President, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 523 was unanimously passed and the title was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the amendments of the Commission.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, passed the following bill (A. B. No. 536), in which it requests the concurrence of the Commission: An Act providing funds for public works and permanent improvements, and for other purposes.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Assembly Bill No. 536 was read the first time.

By unanimous consent, it was read the second time by title only and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"SECTION 1. The following sums, or so much thereof as may be respectively necessary, are hereby appropriated, out of any funds in the Insular Treasury not otherwise appropriated, in compensation for the services of the Bureau of Public Works for the fiscal year ending June thirtieth, nineteen hundred and twelve, unless otherwise stated.

"BUREAU OF PUBLIC WORKS.

"*Current expenses:*

"General office:

"For salaries, wages and other expenses, as follows: Director of Public Works, at fifteen thousand pesos per annum; one Chief Engineer, at twelve thousand pesos per annum; one Assistant to the Director, class one; one accountant, class one; one chief division engineer, at nine thousand pesos per annum; five division engineers, at seven thousand pesos per annum each; one property clerk, class five; one disbursing officer and cashier, class five; one accountant, class five; one record clerk, class five; three clerks, class six; one storekeeper, class six; two clerks, class seven; seven clerks, class eight; one clerk, Class B; three clerks, Class C; one clerk, Class D; one clerk, Class E; one clerk, Class F; one clerk, Class G; seven clerks, Class I; four messengers, at three hundred and sixty pesos per annum each.

“Division of engineering design:

“One bridge engineer, at eight thousand pesos per annum; one supervising engineer, at seven thousand pesos per annum; one assistant engineer, class two; one assistant engineer, class four; one chief draftsman, class four; two assistant engineers, class five; one clerk and stenographer, class seven; one draftsman, class nine; one junior civil engineer, Class C; two junior draftsmen, Class I; three junior draftsmen Class K; one messenger, at two hundred and forty pesos per annum.

“Division of building design:

“One assistant architect, at eight thousand pesos per annum; one assistant architect, at seven thousand pesos per annum; one chief draftsman, class two; one structural engineer, class two; two architectural draftsmen, class five; one architectural draftsman, class six; one clerk, class six; one clerk and stenographer, class seven; three architectural draftsmen, Class C; two clerks, Class F; three junior draftsmen, Class H; one messenger, Class K.

“Division of building maintenance:

“One chief foreman, class five; one electrician, class five; one inspector, class six; three foremen, class seven; one clerk, class nine; one clerk, Class D; one cement tester, Class E; one messenger, at three hundred pesos per annum.

“Statistical division:

“One statistical engineer, at six thousand five hundred pesos per annum; one clerk, Class C; two clerks, Class G; three clerks, Class H; two clerks, Class I; one clerk, Class J; one junior draftsman, Class E; one junior draftsman, Class G; one junior draftsman, Class H.

“Provincial division:

“Three district engineers, class one; nine district engineers, class three; six district engineers, class four; eight district engineers, class five; five district engineers, class seven; two assistant engineers, Class A; one clerk, class seven; four clerks, class nine; three clerks, class ten; four clerks, Class G; six clerks, Class I; seven clerks, Class J; eight messengers, at fifteen pesos per month each.

“Building custody:

“One janitor, Class D; one foreman, Class H; three foremen, class J.

“Miscellaneous:

“Hire of such engineers, draftsmen, surveyors, clerks, and employees, with the approval of the Secretary of Commerce and Police, as may be necessary from time to time to accomplish authorized work; accrued leaves of absence; salary allowances to employees appointed outside the Philippine Islands.

“Contingent expenses:

“For contingent expenses, including the purchase of office furniture; construction equipment; tools; machinery; implements, and so forth; purchase of office supplies; purchase, maintenance, and operation of means

of transportation; per diems and subsistence of officers and employees when traveling on official business; transportation of officers, employees, and supplies; cablegrams, postage, and telegrams; allowance to district engineers and their assistants in the provinces for keep of authorized horses and motorcycles furnished and maintained for official transportation; telephones and operators in buildings of which this Bureau is the custodian; electric current for same; ice and distilled water for the same; maintenance of equipment, periodicals, technical books; janitors' supplies for buildings of which this Bureau is custodian: *Provided*, That the costs of janitors' services, and supplies, telephone service, electric current, ice, water, laundry, and incidental expenses pertaining to the building custodian service, shall be prorated and collected by the Bureau of Public Works from the bureaus and offices served: *And provided further*, That no additional telephone service shall be installed for Insular Government offices in the city of Manila except under the supervision of the Bureau of Public Works, upon approval by the head of the Department having jurisdiction over the bureau or office requiring the service.

"Employees of the Bureau of Public Works shall be entitled to medicines and medical attendance while engaged on any authorized public works at places where usual medical attendance is not accessible, and the Director of Public Works may, subject to the approval of the Secretary of Commerce and Police, appoint such physicians, at fixed monthly salaries, as may be in his judgment for the best interest of the service, when such medical attendance and supplies can not be furnished by the Bureau of Health or the Bureau of Constabulary. The salaries and expenses of the bureau employees engaged on provincial, municipal, or other work may, with the approval of the Director of Public Works, be paid directly by the province, municipality, bureau, or person concerned, or by the province for the municipality: *Provided, however*, That in the event of their being so employed, the charge of the Bureau of Public Works for the general administrative expense of the Bureau shall be fixed by the Secretary of Commerce and Police not in any case to exceed eight per centum of the total cost of the project, which rate is hereby fixed and limited as the charge for the general administrative expense on all work performed under the supervision of the Bureau of Public Works: *Provided, further*, That this paragraph shall take effect as of July first, nineteen hundred and ten.

"In all, five hundred thousand pesos.

#### "PERMANENT IMPROVEMENTS.

"SEC. 2. The following sums, or so much thereof as may be necessary, are hereby appropriated out of any funds in the Insular Treasury not otherwise appropriated, for the following-named public works and permanent improvements, and for other purposes of the Insular Government: *Provided*, That no part of the appropriations herein made shall be available for use in any of the works herein authorized without prior authorization of the Governor-General.

## "BUREAU OF CONSTABULARY.

"For the construction of permanent buildings at Ilagan, Isabela, to be allotted in the discretion of the Secretary of Commerce and Police, twenty thousand pesos; for permanent buildings, to be allotted in the discretion of the Secretary of Commerce and Police, fifty thousand pesos: *Provided*, That of this amount ten thousand pesos, or so much thereof as may be necessary, shall be immediately available for the construction of a strong room for the storage of arms and ammunition in the Oriente Building in Manila; in all, seventy thousand pesos.

## "BUREAU OF PUBLIC WORKS.

"For the construction, improvement, and, where necessary, maintenance of roads and bridges in those provinces which shall accept the provisions of Act Numbered Sixteen hundred and fifty-two, and which shall by resolution of the provincial board guarantee, by continuing annual appropriations, the establishment of such a conservation system as may be necessary in the judgment of the Director of Public Works on all first-class roads now or hereafter constructed and declared to be such by the Director of Public Works, including the construction, improvement, and maintenance of roads and bridges in the Provinces of Mindoro, Palawan, and Batanes, to be allotted in the discretion of the Secretary of Commerce and Police, one million pesos.

"For the drilling of artesian wells and for the construction of water supply systems, to be allotted in the discretion of the Secretary of Commerce and Police, two hundred and fifty thousand pesos.

"For river control investigation and construction, to be allotted in the discretion of the Secretary of Commerce and Police, two hundred thousand pesos.

"Subject to approval by the Secretary of Commerce and Police, work may be executed by the Bureau of Public Works for private parties, the total charges thereof to be collected and deposited to the credit of appropriations for current expenses of the Bureau of Public Works and become available therefor: *Provided*, That the provisions of this paragraph shall be retroactive in effect, to include operations for the period from July first, nineteen hundred and ten, to June thirtieth, nineteen hundred and eleven.

"In all, one million four hundred and fifty thousand pesos.

## "BUREAU OF NAVIGATION.

"For the improvement of ports and dredging of navigable rivers and canals, opening of new canals, construction of breakwaters, sea walls, dams, and containing walls, for the prevention of inundations, including the continuation of the sea wall in the port of Cebu, and for the improvement of the port of Iloilo, to be allotted in the discretion of the Secretary of Commerce and Police, five hundred thousand pesos: *Provided*, That in case of the approval by Congress of a law authorizing the sale of bonds for



public improvements and the approval of a law by the Legislature appropriating part of the proceeds from the sale of such bonds for the improvement of ports, this appropriation shall be of no force or effect.

"For the purchase of launches and the improvement of cutters for the purpose of fitting them up for new work, forty thousand pesos.

"In all, five hundred and forty thousand pesos.

"BUREAU OF AGRICULTURE.

"For the completion of the Pandacan Cattle Quarantine Station, including office building, additional sheds, concrete and other fences, concrete docks and runway, revetment along river front, fill, surfacing of roads, concrete silos, industrial railway, and adobe masonry river wall at forage factory, twenty thousand pesos.

"COURT OF LAND REGISTRATION.

"For the construction of a vault, five thousand pesos; for the construction of an electric elevator, one thousand five hundred pesos; in all, six thousand five hundred pesos.

"UNIVERSITY OF THE PHILIPPINES.

"For the construction of a building for the use of the University of the Philippines, two hundred and fifty thousand pesos; for the construction, for the College of Agriculture at Los Baños, of a stable, ten thousand pesos; residence of the Dean, ten thousand pesos; irrigation system, fourteen thousand pesos; in all, two hundred and eighty-four thousand pesos.

"PHILIPPINES LIBRARY.

"For the purchase of book stacks and appurtenances thereto, eleven thousand pesos; for the purchase of books, fifteen thousand pesos; in all, twenty-six thousand pesos.

"Total appropriations for public works and permanent improvements, two million eight hundred and ninety-six thousand five hundred pesos.

"All balances remaining unexpended when any public work or permanent improvement appropriated for by this Act are completed shall be returned at once to the Insular Treasury and shall not be available for withdrawal or disbursement thereafter, but shall be carried to the general revenues of the Islands.

"SEC. 3. The public good requiring the speedy enactment of this bill, the same shall take effect on its passage, but the appropriations herein made shall not be available until July first, nineteen hundred and eleven."

The report and recommendation of the Committee of the Whole were adopted.

On motion by Commissioner Elliott, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage the roll was called and Assembly Bill No. 536 was unanimously passed as amended.

The President moved to amend the title to read as follows:

An Act making appropriations for public works.

The motion prevailed.

*Ordered*, That the Secretary request the concurrence of the Assembly in the bill as passed.

FEBRUARY 2, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 2, 1911, passed the following resolution (A. J. R. No. 20), in which it requests the concurrence of the Commission: Joint Resolution repealing Joint Resolutions Numbered Two, of the First Philippine Legislature, and One and Two, of the Second Philippine Legislature, and declaring the election of Resident Commissioners to the United States concluded and of no effect.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The resolution is as follows:

Assembly Joint Resolution No. 20. Joint Resolution repealing Joint Resolutions Numbered Two, of the First Philippine Legislature, and One and Two, of the Second Philippine Legislature, and declaring the election of Resident Commissioners to the United States concluded and of no effect.

*Resolved by the Philippine Commission and the Philippine Assembly*, That, it being impossible for the two Houses of the Legislature to come to an agreement in the matter of the election of Resident Commissioners to the United States under the provisions of Joint Resolutions Numbered Two, of the First Philippine Legislature, and One and Two, of the Second Legislature, the said Resolutions are hereby repealed and the election of said Resident Commissioners by both Houses of this Legislature is declared concluded and of no effect, unless Congress shall by subsequent legislation provide that the Legislature proceed anew to the election of such Resident Commissioners.

Assembly Joint Resolution No. 20 was read the first time and laid on the table.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, passed the following bill (A. B. No. 551), in which it requests the concurrence of the Commission: An Act amending Act Numbered Nineteen hundred and forty-one, entitled "An Act creating a Code Committee to revise and amend the Civil, Commercial, Penal, and Procedure Codes in force in the Philippine Islands and to

prepare new codes on said subjects, making necessary appropriation for the same, and for other purposes."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 551 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, for report and recommendation.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has disagreed to the amendment of the Commission to Assembly Concurrent Resolution No. 5, entitled "Concurrent Resolution authorizing the Executive Secretary to enter into a contract with two American and two Filipino newspapers for the publication of official notices."

It asks a conference with the Commission on the disagreeing votes of the two Houses thereon, and has appointed as managers at the same on its part, Delegates Ilagan, Lozada, and Contreras.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

*Resolved*, That the Commission insist on its amendments to Assembly Concurrent Resolution No. 5, entitled "Concurrent Resolution authorizing the Executive Secretary to enter into a contract with two American and two Filipino newspapers for the publication of official notices," disagreed to by the Assembly, and agree to the conference requested by the Assembly on the disagreeing votes of the two Houses thereon.

*Ordered*, That Commissioner Branagan be the manager on the part of the Commission.

#### REPORT OF STANDING COMMITTEE.

[Committee Report No. 196.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on February 3, 1911, Assembly Bill No. 551, entitled "An Act amending Act Numbered Nineteen hundred and forty-one, entitled, 'An Act creating a Code Committee to revise and amend the Civil, Commercial, Penal, and Procedure Codes in force in the Philippine Islands and to prepare new codes on said subjects, making necessary appropriation for the same, and for other purposes,'" "

has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be laid on the table.

Respectfully submitted.

GREGORIO ARANETA,  
*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

MESSAGES FROM THE ASSEMBLY (RESUMED).

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, passed the following bill (A. B. No. 540), in which it requests the concurrence of the Commission: An Act to provide funds for the travel and subsistence expenses of the delegates of the Philippine Islands to the International Tuberculosis Congress to be held at Rome, Italy, during the present year of nineteen hundred and eleven.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

Assembly Bill No. 540 was read the first time.

By unanimous consent, it was read the second time by title only and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following amendments:

Page 1, line 4, after the word "delegates" insert the following words "one a member."

Page 1, line 5, after the words "College of Medicine and Surgery of the Philippine University" insert the following words: "and the other appointed by the Philippine Islands Antituberculosis Society."

Strike out section 2, and insert in lieu thereof the following:

"SEC. 2. The delegate from the College of Medicine and Surgery of the Philippine University shall be appointed by the Governor-General and shall, during his absence from the Philippine Islands, receive his regular salary as an employee of the Insular Government."

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by the President, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 540 was unanimously passed and the title was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the amendments of the Commission.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has disagreed to the amendment of the Commission to Assembly Bill No. 549, entitled "An Act making a special appropriation of one hundred thousand pesos for the relief of the sufferers from the eruption of Taal Volcano, and for other purposes."

It asks a conference with the Commission on the disagreeing votes of the two Houses thereon, and has appointed as managers at the same on its part Delegates Barretto, Apacible, and Kalaw.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

*Resolved*, That the Commission insist on its amendment to Assembly Bill No. 549, entitled "An Act making a special appropriation of one hundred thousand pesos for the relief of the sufferers from the eruption of Taal Volcano, and for other purposes," disagreed to by the Assembly, and agree to the conference requested by the Assembly on the disagreeing votes of the two Houses thereon.

*Ordered*, That Commissioner Gilbert be the manager on the part of the Commission.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, passed the following bill (A. B. No. 550), in which it requests the concurrence of the Commission: An Act to appropriate funds for charitable purposes.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Assembly Bill No. 550 was read the first time.

By unanimous consent, it was read the second time by title only and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass.

The report and recommendation of the Committee of the Whole were adopted.

On motion by the President, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 550 was unanimously passed and the title was read and approved.

*Ordered*, That the Secretary notify the Assembly thereof.

RESIDENT COMMISSIONERS.

On motion by the President,

The Secretary was directed to inform the Assembly that the Commission was ready to proceed in the matter of the election of Resident Commissioners.

MESSAGE FROM THE ASSEMBLY.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, passed the following bill (A. B. No. 552), in which it requests the concurrence of the Commission: An Act providing that a certified copy of all Executive Orders and regulations be sent to the Philippine Legislature.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Assembly Bill No. 552 was read the first time and laid on the table.

REPORTS OF STANDING COMMITTEES.

[Committee Report No. 197.]

MR. PRESIDENT: Your Committee on Municipal and Provincial Governments, to which was referred on January 30, 1911, Assembly Bill No. 537, entitled "An Act to authorize the municipal council of Vigan, Ilocos Sur, to give up the possession of Calle Corta, situated west of the Vigan high school building between Calles Burgos and Lincoln, and to cede the same to the province of Ilocos Sur as a lot for the provincial high school,"

has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be passed, for the following reasons:

(a) Calle Corta, which it is proposed to close, is a short, little used street about two hundred meters long, separating grounds of the provincial high school from those of the provincial building and connecting Calles Burgos and Lincoln.

(b) The closing of this street will enable a rearrangement of the high school and provincial building grounds to the mutual advantage of both and will permit of much needed improvements.

Respectfully submitted.

RAFAEL PALMA,

*Chairman pro tempore, Committee on Municipal and  
Provincial Governments.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

Assembly Bill No. 537 was read the second time.

On motion by Commissioner Palma, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 537 was unanimously passed and the title was read and approved.

*Ordered,* That the Secretary notify the Assembly thereof.

CONFERENCE REPORT NO. 14.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Commission to Assembly Bill No. 482, entitled "An Act granting a franchise to Simplicio Rodis to construct, maintain, and operate a street railway in the city of Cebu," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Assembly recede from its disagreement to the amendments of the Commission and agree to the same.

C. B. ELLIOTT,

*Manager on the part of the Commission.*

TEODOBO M. KALAW,

TEOPISTO GUINGONA,

*Manager on the part of the Assembly.*

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has agreed to the report of the committee of conference on the disagreeing votes of the two Houses to the amendment of the

Commission to Assembly Bill No. 482, entitled "An Act granting a franchise to Simplicio Rodis to construct, maintain, and operate a street railway in the city of Cebu."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was accepted.

CONFERENCE REPORT NO. 15.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Commission to Assembly Bill No. 223, entitled "An Act prescribing regulations for notaries public," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Commission agree to amend the second paragraph of section 87 of Act No. 136, as amended by section 1 of the Commission's amendment to A. B. No. 223, to read as follows:

"The notary public shall enter in such register in chronological order, the nature of each instrument executed, sworn to, or acknowledged before him, the persons executing, swearing to, or acknowledging the instrument, the witnesses, if any, to the signatures, the date of the execution, oath, or acknowledgment of the instrument, the fees collected by him for his services as notary in connection therewith, and, when the instrument is a contract, a brief description of the substance thereof, and shall give to each entry a consecutive number, beginning with number one in each calendar year. The notary shall give to each instrument executed, sworn to, or acknowledged before him a number corresponding to the one in his register, and shall also state on the instrument the page or pages of his register on which the same is recorded. No blank line shall be left between entries. At the end of each week the notary public shall certify in his register the number of instruments executed, sworn to, or acknowledged before him, and if none have been executed, sworn to, or acknowledged that fact shall appear in the certificate. Such register shall be kept in books to be furnished by the Attorney-General to any notary public upon request and upon payment of the actual cost thereof. The register shall be duly paged, and on the first page the Attorney-General shall certify the number of pages of which the book consists;" and that the Assembly concur in the same.

That the Commission agree to the addition of a new section to the bill as amended by it to read as follows:

"SEC. 3. The second paragraph of section seven hundred and ninety-one of Act Numbered One hundred and ninety is hereby amended to read as follows:

"For protesting bill or note for nonacceptance or nonpayment and



giving notice, one peso and fifty centavos; for registering such protest and making record, fifty centavos; for attesting letters of attorney with seal, fifty centavos; for notarial affidavit to an account or other writing, with seal, fifty centavos; for each oath or affirmation with seal, forty centavos; for taking proof of debts to be sent abroad, fifty centavos; for a certified copy of record and affidavit of its correctness, one peso; for writing depositions and affidavits, ten centavos for each one hundred words; for taking proof or acknowledgment of any writing concerning real or personal estate and certificate thereof, for each party, one peso;" and that the Assembly concur in the same.

That the Commission agree to the insertion in the title, before the words "and for other purposes," of the following: "amending section seven hundred and ninety-one of Act Numbered One hundred and ninety, known as the 'Code of Civil Procedure,' so as to increase the fees which notaries public may collect in certain cases;" and that the Assembly concur in the same.

That the Assembly recede from its disagreement to the amendments of the Commission in all other respects and concur therein.

JUAN SUMULONG,

*Manager on the part of the Commission.*

V. SINGSON ENCARNACION,

HERMOGENES REYES,

J. A. CLARIN,

*Managers on the part of the Assembly.*

The report was adopted.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has agreed to the report of the committee of conference on the disagreeing votes of the two Houses to the amendment of the Commission to Assembly Bill No. 223, entitled "An Act prescribing regulations for notaries public."

Very respectfully,

RAMÓN DIOKNO,

*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

#### REPORTS OF STANDING COMMITTEES.

[Committee Report No. 198.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of the Interior, to which was referred on February 1, 1911, Assembly Bill No. 502, entitled "An Act providing for scholarships in the School of Forestry, appropriating fifteen thousand six hundred and fifty pesos therefor, and for other purposes," has examined the same and has the

honor to report it back to the Commission with the following recommendation, viz:

That the bill do pass.  
Respectfully submitted.

W. CAMERON FORBES,  
*Committee on Matters Pertaining to  
the Department of the Interior.*

To the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

Assembly Bill No. 502 was read the second time and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following amendments:

Line 3, page 1, strike out the word "including" and insert in lieu thereof the word "and."

Same page, lines 8 and 9, strike out the words "division superintendent of schools of each province" and insert in lieu thereof "Director of Education."

Same page, line 12, strike out the words "division superintendent of schools" and insert in lieu thereof the words "Director of Education."

Page 2, line 16, insert after the word "in" the words "some other branch of;" in lines 16 and 17 strike out the words "or some department thereof."

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by the President, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 502 was unanimously passed, and the title was read and approved.

*Ordered,* That the Secretary request the concurrence of the Assembly in the amendments of the Commission.

[Committee Report No. 199.]

MR. PRESIDENT: Your Committee on Appropriations, to which was referred on January 30, 1911, Assembly Bill No. 525, entitled "An Act amending section one of Act Numbered Nineteen hundred and eighty-nine, entitled 'An Act making appropriations for sundry expenses of the Insular Government for the fiscal year ending June thirtieth, nineteen hundred and eleven, and other designated periods,' in the portion relating to the

Philippine Assembly," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill do pass.

The object of this bill is to cover a deficiency in the appropriation for the Philippine Assembly for the fiscal year 1911. Act No. 1989 appropriated ₱450,000 for the Assembly. It is now proposed to appropriate ₱25,000 additional, making the entire appropriation for the Assembly for the fiscal year 1911, ₱475,000.

Respectfully submitted.

GREGORIO ARANETA,  
FRANK A. BRANAGAN,  
*Committee on Appropriations.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

Assembly Bill No. 525 was read the second time and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following amendments:

Strike out all beginning with the words "per diems" in line 17, page 1, down to and including the words "per diems" in line 20, page 2, and strike out all beginning with the word "salaries" in line 27 on page 2 down to and including the word "duties" in line 32 of the same page.

Insert after the word "discretion" in line 23, page 3, the following:

"Provided, That such funds shall not be used to increase the emoluments of any officer of the Government or member of the Philippine Legislature."

The report and recommendation of the Committee of the Whole were adopted and the bill ordered on file for third reading.

MESSAGES FROM THE ASSEMBLY.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has disagreed to the amendment of the Commission to Assembly Bill No. 400, entitled "An Act authorizing the Insular Treasurer to invest the accretions to the gold-standard fund in certain loans to provinces and municipalities to aid in the construction of public works."

It asks a conference with the Commission on the disagreeing votes of the two Houses thereon, and has appointed as managers at the same on its part Delegates Ocampo, Guanko, and Yánsón.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

*Resolved*, That the Commission insist on its amendment to Assembly Bill No. 400, entitled "An Act authorizing the Insular Treasurer to invest the accretions to the gold-standard fund in certain loans to provinces and municipalities to aid in the construction of public works," disagreed to by the Assembly, and agree to the conference requested by the Assembly on the disagreeing votes of the two Houses thereon.

*Ordered*, That Commissioner Branagan be the manager on the part of the Commission, and that the Secretary notify the Assembly accordingly.

FEBRUARY 2, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has disagreed to the amendment of the Commission to Assembly Bill No. 480, entitled "An Act to reorganize the justice of the peace courts and amend in this sense sections one, three, four, five, six, seven, eight, fourteen, twenty-six, twenty-seven, twenty-nine, and thirty-seven of Act Numbered sixteen hundred and twenty-seven, and their amendments."

It asks a conference with the Commission on the disagreeing votes of the two Houses thereon, and has appointed as managers at the same on its part Delegates Singson, Reyes, and Díaz.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

*Resolved*, That the Commission insist on its amendment to Assembly Bill No. 480, entitled "An Act to reorganize the justice of the peace courts and amend in this sense sections one, three, four, five, six, seven, eight, fourteen, twenty-six, twenty-seven, twenty-nine, and thirty-seven of Act Numbered Sixteen hundred and twenty-seven, and their amendments," disagreed to by the Assembly, and agree to the conference requested by the Assembly on the disagreeing votes of the two Houses thereon.

*Ordered*, That Commissioner Araneta be the manager on the part of the Commission, and that the Secretary notify the Assembly accordingly.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has disagreed to the amendment of the Commission to Assembly Bill No. 518, entitled "An Act to appropriate the sum of fifty thousand pesos for the relief of sufferers from public calamities."

It asks a conference with the Commission on the disagreeing votes of

the two Houses thereon, and has appointed as managers at the same on its part Delegates Barretto and Guanko.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

*Resolved*, That the Commission insist on its amendment to Assembly Bill No. 518, entitled "An Act to appropriate the sum of fifty thousand pesos for the relief of sufferers from public calamities," disagreed to by the Assembly, and agree to the conference requested by the Assembly on the disagreeing votes of the two Houses thereon.

*Ordered*, That the President be the manager on the part of the Commission, and that the Secretary notify the Assembly accordingly.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, passed the following bill (A. B. No. 535), in which it requests the concurrence of the Commission: An Act amending section twenty-eight of Act Numbered Seventeen hundred and eighty, so as to provide that the bonds for the firearms of the municipal police be executed upon property of the municipality.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 535 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of Commerce and Police, for report and recommendation.

At this point the President left the Session Chamber and Commissioner Gilbert took the chair.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, passed the following bill (A. B. No. 548), in which it requests the concurrence of the Commission: An Act reorganizing the local school boards in order to make their action on educational matters in their municipalities more direct and efficacious.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 548 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of Public Instruction, for report and recommendation.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, passed the following bill (A. B. No. 533), in which it requests the concurrence of the Commission: An Act to establish special classes for midwives in connection with the classes for male and female nurses, for the instruction of Filipino women in the practice of obstetrics and puericulture, and to amend Act Numbered Nineteen hundred and seventy-five, entitled "An Act to provide for the establishment of classes for the instruction and training of male and female nurses under the supervision of the Director of Health."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 533 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of the Interior, for report and recommendation.

#### REPORTS OF STANDING COMMITTEES.

[Committee Report No. 200.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on January 30, 1911, Assembly Joint Resolution No. 17, entitled "Joint Resolution giving instructions to the Resident Commissioners in the United States relative to the repeal of section twenty-one of the existing tariff," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the resolution be indefinitely postponed.

This resolution is designed to protect domestic coal against competition from outside, and your committee would be inclined to favor it were it not for the fact that at present the Philippine Islands are not producing sufficient coal to supply the local demand.

Respectfully submitted.

GREGORIO ARANETA,  
*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 201.]

MR. PRESIDENT: Your Committee on Municipal and Provincial Governments, to which was referred on January 30, 1911, Assembly Bill No. 314, entitled "An Act making elective the office of lieutenant-governors of the subprovinces of Marinduque, Tayabas, Catanduanes, Albay, Abra, Ilocos Sur, Siquijor, Oriental Negros, Masbate, Sorsogon, and Romblon, Capiz," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be laid on the table.

A similar bill, No. 325 of the Assembly, was laid on the table by the Commission in the last session of the First Legislature. Your committee has not changed its mind since that time and it believes that the existing law, for practical reasons, does not require the change provided for in the accompanying bill.

Respectfully submitted.

RAFAEL PALMA,  
*Chairman pro tempore, Committee on Municipal  
and Provincial Governments.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 202.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Finance and Justice, to which was recommitted on December 14, 1910, Commission Bill No. 39, entitled "An Act to amend section three of Act Numbered Sixteen hundred and seventy-one, as amended by Act Numbered Eighteen hundred and eighteen, by giving authority to the Governor-General to proclaim any working day as a bank holiday, and for other purposes," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be laid on the table.

This bill had its origin in a petition signed by the representatives of the banks praying that Saturday of Holy Week and the 31st of December be declared bank holidays. With respect to the first day mentioned, no other grounds for the proposed action is alleged than that it would give merchants, bank officials, and others the opportunity of taking an outing in the country. This does not seem to be a sufficiently powerful reason for closing the banks, with the resulting disturbance to business affairs and confusion in regard to the maturing of negotiable instruments.

With regard to the 31st day of December, the additional reason is alleged that it would allow the banks and business houses three clear days in which to balance accounts and reopen the books for the coming year. Your committee believes it would be better for the Governor-General, in case it is deemed advisable, to declare the 31st day of December as an official holiday by means of an executive order, as has been done heretofore, rather than to pass an Act authorizing the Governor-General to declare

that day a bank holiday only, as the latter method would produce more disturbance in business affairs and confusion in regard to the maturing of negotiable instruments.

Respectfully submitted.

GREGORIO ARANETA,  
*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 203.]

MR. PRESIDENT: The Committee on Municipal and Provincial Governments, to which was referred on October 18, 1910, draft of bill amending Act No. 1909, the enactment of which was recommended by the municipal council of Caloocan, Rizal, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That it be laid on the table.

Your committee recognizes the expediency of changing the law in the sense of granting municipal councils power to let cockpit licenses at public auction. While such a system could not correct all the abuses and fraudulent acts now committed for the benefit of some councilors, it would at least be satisfactory for the municipality, since the latter would directly receive the increase in its receipts that might legitimately be expected from the letting of the same at public auction. But the committee believes that the petition under consideration is not to be recommended, because it leaves to the discretion of the municipal councils the determination as to whether or not the license should be let at public auction, as well as the duration of such license. Had the municipal councils power to determine whether or not the license should be let at public auction, they might in a given case favor certain individuals or corporations to the detriment of the municipal revenues. It is thought necessary, in any case, to limit the duration of the license to one or more years during the term of each council, in order not to deprive succeeding councils of such power by granting licenses for a longer period.

Respectfully submitted.

RAFAEL PALMA,  
*Chairman pro tempore, Committee on Municipal  
and Provincial Governments.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 204.]

MR. PRESIDENT: The Committee on Municipal and Provincial Governments, to which was referred on October 18, 1910, a petition of the convention of municipal presidents of Tarlac, regarding licensing of cockpits,



has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the petition be laid on the table.

The reasons of your committee for making this recommendation are the same as those expressed in its report submitted on February 3, 1911, regarding a draft of a bill amending Act No. 1909, the enactment of which was recommended by the municipal council of Caloocan, Rizal.

Respectfully submitted.

RAFAEL PALMA,

*Chairman pro tempore, Committee on Municipal  
and Provincial Governments.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 205.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Commerce and Police, to which was referred on February 1, 1911, Assembly Bill No. 505, entitled "An Act to reestablish the office of provincial engineer by amending the Provincial Government Act and the amendments thereto," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be laid on the table.

In this connection attention is invited to the following indorsement of the Director of Public Works.

"MANILA, P. I., February 2, 1911.

"Respectfully returned to the honorable the Secretary of Commerce and Police.

"This bill provides for 31 provincial engineers, to be paid at the rate of compensation fixed by the provincial boards. Apparently they are entirely under the control of the provincial board and not under the supervision of the Director of Public Works; and they are given charge of practically all public works, including appropriations for public works and permanent improvements, and irrigation, except in the case (line 8, page 5) of 'any public works executed under a special appropriation.'

"If this bill became a law the present public works policy in the Islands would be given a setback from which it would take years to recover. In place of a well-organized central Bureau carrying out a well-conceived plan of public works development for the Islands, establishing and maintaining high engineering standards and a uniform system for the execution of work, we would substitute a system whereby 31 engineers, under no central control, would each be working out their own ideas in 31 different provinces. There would be no rigid supervision of work, no central responsibility, and no uniform standards of engineering. Different theories of road construction, bridge design, and architectural design (according to this law apparently plans for buildings need not be gotten from the Architect's Office; see lines 1 and 2, p. 3) would prevail.

"The passage of this bill would be soon followed by a great deterioration in all the provincial engineering work. The present system of having a central administration enables the Bureau to pay salaries high enough to attract a few experienced and thoroughly qualified engineers and designers to prepare the designs, adopt the standards, and supervise the work carried on all over the Islands by the lower salaried, younger, and less experienced engineers in charge of the work in the provinces. This proposed bill apparently abolishes the central control, and is not to be considered if the Government is in earnest in its program for the development of public work in the Islands.

"Most of the benefits of this Act have already been secured by the action of this Bureau in breaking up the districts and making a district of each province, with an engineer in charge, who can thus keep in close touch with the provincial board, and, by the proposed amendment in the appropriation bill, allowing the provinces, with the approval of the Director of Public Works, to pay the engineers in the provinces directly. This will result in a decentralization of the Bureau of Public Works, which is highly desirable, without the least slackening in the engineering standards which have been adopted, as under this plan the administrative control of these engineers, including their rate of pay, is under the Director of Public Works.

"Attention is especially invited to paragraph (k) of this bill. If this became law it would be a new departure in engineering practice. I do not believe that any government or any business anywhere has a similar provision. I do not believe that any engineers could be hired on such terms.

"WARWICK GREENE,

*"Director of Public Works."*

Respectfully submitted.

C. B. ELLIOTT,

*Committee on Matters Pertaining to the  
Department of Commerce and Police.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 206.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Public Instruction, to which was referred on February 3, 1911, Assembly Bill No. 548, entitled "An Act reorganizing local school boards in order to make their action on educational matters in their municipalities more direct and efficacious," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That it be laid on the table.

This bill proposes to extend to a very considerable extent the powers of the local school boards, and in no small degree changes the present

system of school management. Your committee feels that without expressing an opinion as to the propriety of the theory of the bill, its provisions should be studied with a great deal of care and its detail carefully worked out so that the present conditions in our schools will not be disrupted. It is impossible in the few hours that remain to make such a study of the bill, and your committee, therefore, recommends that it be laid on the table.

Respectfully submitted.

NEWTON W. GILBERT,  
*Committee on Matters Pertaining to the  
Department of Public Instruction.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 207.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Commerce and Police, to which was referred on February 3, 1911, Assembly Bill No. 535, entitled "An Act amending section twenty-eight of Act Numbered Seventeen hundred and eighty so as to provide that the bonds for the firearms of the municipal police be executed upon property of the municipality," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be laid on the table.

Commencing with the last word of line 20 this reads:

"After each municipal election a new bond to insure the safe-keeping of the firearms and ammunition shall be executed by the municipal council upon property of the municipality or, in default thereof, of a sum equal to the value of the firearms, deposited in the Postal Savings Bank, and when such new bond shall have been executed and approved all bonds previously executed for the safe-keeping and security of such firearms and ammunition in the hands of municipal authorities shall be deemed to be canceled."

This would make a farce of municipal firearms licenses and would leave nobody with a direct personal responsibility.

Nearly all of the latest ladrone uprisings got their start from arms captured from municipal police.

Under the present system each municipal councilman has to give a bond for his proportionate share of municipal firearms at ₱200 per arm, and since this system was inaugurated there have been practically no municipal firearms captured.

If arms were licensed at their actual value—about ₱10 each—and nobody would be required personally to make even this ridiculous amount

good, we should immediately prepare for ladrone activity throughout the Islands. In other words this new bill extends an invitation to ladronism.

Respectfully submitted.

C. B. ELLIOTT,

*Committee on Matters Pertaining to the  
Department of Commerce and Police.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 208.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Commerce and Police, to which was referred on January 30, 1911, Assembly Bill No. 539, entitled "An Act further to amend section one of Act Numbered Sixteen hundred and fifty-two, as amended by Act Numbered nineteen hundred and thirty-two, by providing that the thirty per centum increase of the cedula tax shall be expended only in those municipalities where provincial roads passing through the same have not been repaired, and authorizing municipal councils to administer the funds collected for such purpose," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be laid on the table.

Respectfully submitted.

C. B. ELLIOTT,

*Committee on Matters Pertaining to the  
Department of Commerce and Police.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

Commissioner Gilbert in the chair, the President and Commissioner Elliott absent.

[Committee Report No. 209.]

MR. PRESIDENT: Your Committee on Taxation and Revenue, to which was referred on January 30, 1911, Assembly Bill No. 361, entitled "An Act to repeal Act Numbered Six hundred and eighty and reenact section three of Act Numbered Six hundred and fifty-five, to extend the time for the redemption of land and improvements forfeited for delinquency in the payment of the land tax, and to authorize the provincial boards to suspend the collection of said tax or remit it in any municipality or municipalities of their respective provinces, under certain conditions, and for other purposes," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be laid on the table.

Your committee does not believe that the minimum value of taxable

real estate should be raised, as is endeavored by section 1 of this bill. It is now ₱50.

As to section 2 of the bill, attention is invited to section 78 of Act No. 82, as amended by section 18 of Act No. 1791, which allows delinquents in the payment of the land tax six months after notice of delinquency in which to pay the tax, and to section 79 of Act No. 82, as amended by section 19 of Act No. 1791, which provides for a delay of one year after delinquency before the delinquent is ejected, and also gives him ninety days after ejection in which to redeem the property. Your committee is of the opinion that the existing law on this subject is sufficiently liberal. Reference is also made to Committee Report No. 17, adopted April 14, 1910, and Committee Report No. 44, adopted October 22, 1910, which laid on the table petitions asking for legislation similar to that proposed by section 2 of this bill.

Act No. 1979 authorizes provincial boards to extend the time for the payment of the land and cedula taxes. This Act was passed April 19, 1910, and greatly enlarged the powers of provincial boards. Your committee believes that it is too soon to again extend such powers, as is proposed by section 3 of this bill. This section is to the same effect as a resolution of a convention of municipal presidents which was laid on the table on October 22, 1910, upon the recommendation of your committee (Report No. 46).

Respectfully submitted.

FRANK A. BRANAGAN,  
GREGORIO ABANETA,  
NEWTON W. GILBERT,  
RAFAEL PALMA,

*Committee on Taxation and Revenue.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 210.]

MR. PRESIDENT: Your Committee on Taxation and Revenue, to which was referred on January 30, 1911, Assembly Bill No. 270, entitled "An Act authorizing municipal councils to revalue real property on request in cases of erroneous and unjust assessments, and providing that provincial boards of tax appeals and the central equalization board can not modify the valuation made by the municipal boards except in cases of appeal," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be laid on the table.

Act No. 1943 and sections 10 and 11 of Act No. 1791 provide ample remedy to all persons whose lands have been erroneously or unjustly

assessed for taxation, and your committee sees no need for further legislation on the subject.

Respectfully submitted.

FRANK A. BRANAGAN,  
GREGORIO ARANETA,  
NEWTON W. GILBERT,  
RAFAEL PALMA,

*Committee on Taxation and Revenue.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 211.]

MR. PRESIDENT: Your Committee on Taxation and Revenue, to which was referred on January 30, 1911, Assembly Bill No. 296, entitled "An Act making the land tax applicable to certain property now exempt from said tax, and for other purposes," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be laid on the table.

An examination of the constitutions and statutes of the different States of the United States, where accessible, shows that with one exception church property is exempt from taxation. Ohio exempts all houses used exclusively for religious worship and the ground necessary thereto. Tennessee exempts all property belonging to any religious society, except such part as is used to compete with any business that pays taxes to the State. Vermont exempts churches and pew holdings. Indiana, by its constitution, prohibits the legislature from taxing property, municipal, educational, religious, or charitable. Minnesota exempts all educational, \* \* \* and houses used exclusively for religious worship. Michigan exempts all houses of public worship. Massachusetts exempts all houses of religious worship owned or held in trust or by any religious organization. Other States exempting churches from taxation are Illinois, Louisiana, and Texas. California is the only State found where church property is taxed, and strong efforts are being made to amend its constitution in this respect.

By far the greater part of church property in the Philippine Islands is held by the Roman Catholic Church. It was only after ten years of controversy and negotiation that the differences arising from a separation of church and state, after a close union in these Islands for centuries, have been finally settled, and most of the settlements were made with the tacit understanding that the law relating to the taxation of church

property should be left as it is generally in the United States. It is believed that this understanding should not be violated.

Respectfully submitted.

FRANK A. BRANAGAN,  
GREGORIO ARANETA,  
NEWTON W. GILBERT,  
RAFAEL PALMA,

*Committee on Taxation and Revenue.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

#### REPORTS OF SELECT COMMITTEES.

[Committee Report No. 212.]

MR. PRESIDENT: Your select Committee on Amendments to the Election Law, to which was referred on January 30, 1911, Assembly Bill No. 504, entitled "An Act to provide that all elective provincial and municipal offices shall be for four years; to prohibit a second reelection to the same; to change the date of the general elections; to amend Act Numbered Nineteen hundred and twenty-nine entitled 'An Act to change the date for commencing future annual sessions of the Philippine Legislature,' to amend certain sections of Act Numbered Fifteen hundred and eighty-two, known as The Election Law, and for other purposes," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill do pass with the following amendment:

Strike out all after the enacting clause, substituting therefor the following:

"SECTION 1. The next general election for provincial and municipal officials, including all municipal councilors, shall be held on the first Tuesday of June, nineteen hundred and twelve, and subsequent general elections on the same date each four years thereafter. The term of office of provincial and municipal officials elected at such general election or subsequent general elections shall be four years, and shall commence on the sixteenth day of October next following their election.

"The present incumbents of provincial and municipal offices shall continue in office until their successors are elected or appointed and qualified: *Provided, however,* That if the Congress of the United States at the close of the present session shall not have postponed the next general election for Delegates to the Philippine Assembly until next year, the next general election for Delegates to the Philippine Assembly and for provincial and municipal officials as above provided shall be held on the fifth day of September of the present year.

"SEC. 2. After the next general election no elective provincial or municipal officer, who holds his office by virtue of an election, shall be eligible for election for the period immediately following any term which he so holds.

"SEC. 3. Paragraph seven of section three of Act Numbered Fifteen hundred and eighty-two, known as The Election Law, is hereby amended to read as follows:

"So much of this Act as provides for elections of Delegates to the Philippine Assembly shall apply to the townships of Bulalacao, Calapan, Caluya, Lubang, Mamburao, Naujan, Pinamalayan, Concepcion, Abra de Ilog, San Jose, Paluan, and Sablayan in Mindoro, and in the townships of Cagayancillo, Coron, Cuyo, and Puerto Princesa in Palawan, and the township of San Quintin in Ilocos Sur, which are hereby declared to be municipalities and containing a sufficient proportion of civilized people for the purpose of electing Delegates to the Philippine Assembly, and for no other purpose. The provincial board of the province in which said townships are situated shall perform the duties devolved by this Act upon municipal councils with respect to such elections for Delegate to the Philippine Assembly and shall perform them sufficiently in advance of the times herein prescribed that the rights of the people or the times in which acts or duties are herein required or permitted to be done shall not be abridged. In said townships at said elections the duties herein devolved upon municipal secretaries shall be done by the township secretary. The expense of such elections shall be borne by the townships in which they are held."

"SEC. 4. Paragraphs two, three, and four of section four of said Act Numbered Fifteen hundred and eighty-two are hereby amended to read as follows:

"Whenever the election of an elective provincial officer shall have resulted in a failure to elect it shall be the duty of the Governor-General to issue as soon as possible a proclamation calling a special election to be held to fill said office. In the event of the death of a provincial officer-elect prior to his taking office, or whenever a provincial officer-elect shall, for any reason, fail to qualify, the Governor-General may, in his discretion, issue a proclamation calling a special election to be held to fill the vacancy, or appoint the person who shall fill the vacancy until his successor shall have been duly elected and shall have qualified for the subsequent term. In case a special election shall have been called and held and shall have resulted in failure to legally elect such provincial officer, the Governor-General shall appoint a person to fill the vacancy. The person so appointed shall hold office for the term for which the office should have been filled by election.

"Whenever a vacancy shall occur in the office of municipal president, such office shall be filled by the vice-president, if there be one, for the unexpired term and until his successor is elected and qualified. Whenever a vacancy shall occur in any other elective municipal office, such office shall be filled by appointment by the provincial board, and the officer so appointed



shall serve until his successor is elected and qualified. Whenever the election of an elective municipal officer shall have resulted in a failure to elect, or in the event of the death of a municipal officer-elect prior to his taking office, or whenever any municipal officer-elect shall, for any reason, fail to qualify, the provincial board shall appoint, by and with the consent of the Governor-General, a duly qualified elector of the municipality to fill the vacancy until his successor shall have been duly elected and shall have qualified for the subsequent term.

“Upon the failure to elect any Delegate at any election at which the office is authorized to be filled, or upon the death or disqualification of a person elected a Delegate before the beginning of his official term, or whenever a vacancy shall occur in the office of Delegate to the Philippine Assembly, the Governor-General shall make a proclamation of a special election to fill such office for the unexpired term, specifying the district in which the election is to be held, and the date thereof, which shall not be less than forty nor more than ninety days, reckoned from the date of the proclamation.’

“The last paragraph of section four of said Act Numbered Fifteen hundred and eighty-two is hereby stricken out and repealed.

“SEC. 5. Section seven of Act Numbered Fifteen hundred and eighty-two is hereby amended to read as follows:

“SEC. 7. *Division into districts, and representation.*—Each district for which provision is hereinafter made shall be entitled to elect one Delegate to the Assembly: *Provided, however,* That the whole number elected from any province shall not exceed the number prescribed for that province in section five of this Act.

“The provinces hereinbefore mentioned as being entitled to elect more than one Delegate are hereby divided into Assembly districts, as follows:

“Albay: First District—Composed of the municipalities of Bacacay, Libog, Malilipot, Malinao, Tabaco, and Tiwi. Second District—Composed of the municipalities of Albay, Bato, Calolbon, Manito, Pandan, Rapu-Rapu, Viga, and Virac. Third District—Composed of the municipalities of Camalig, Guinobatan, Jovellar, Libon, Ligao, Oas, and Polangui.

“Ambos Camarines: First District—Composed of the municipalities of Basud, Cabusao, Capalonga, Daet, Gainza, Indan, Labo, Libmanan, Lupi, Mambulao, Milaor, Minalabac, Pamplona, Paracale, Pasacao, Ragay, San Fernando, San Vicente, Sipocot, and Talisay. Second District—Composed of the municipalities of Baa, Bato, Bula, Calabanga, Camaligan, Canaman, Iriga, Magarao, Nabua, Nueva Caceres, and Pili. Third District—Composed of the municipalities of Buhí, Caramoan, Goa, Lagonoy, Sagnay, San Jose, Siruma, Tigaon, and Tinambac.

“Batangas: First District—Composed of the municipalities of Balayan, Calaca, Lemery, Nasugbu, Taal, Talisay, Tanauan, and Tuy. Second District—Composed of the municipalities of Alitagtag, Batangas, Bauan, Cuenca, and Ibaan. Third District—Composed of the municipalities of Lipa, Lobo, Rosario, San Jose, San Juan de Boeboc, and Santo Tomas.

“Bohol: First District—Composed of the municipalities of Antequera, Baclayon, Calape, Corella, Cortes, Dauis, Loon, Maribojoc, Panglao, and

Tagbilaran. Second District—Composed of the municipalities of Alburquerque, Balilihan, Batuan, Bilar, Carmen, Dimiao, Inabanga, Loay, Loboc, Sevilla, and Tubigon. Third District—Composed of the municipalities of Anda, Candijay, Duero, Garcia-Hernandez, Guindulman, Jagna, Jetafe, Mabini, Sierra-Bullones, Talibon, Ubay, and Valencia.

“Bulacan: First District—Composed of the municipalities of Bulacan, Calumpit, Hagonoy, Malolos, Paombong, Pulilan, and Quingua. Second District—Composed of the municipalities of Angat, Baliuag, Bocaue, Meycauayan, Norzagaray, Obando, Polo, San Ildefonso, San Miguel, San Rafael, and Santa Marfa.

“Cagayan: First District—Composed of the municipalities, of Alcala, Amulung, Aparri, Baggao, Calayan, Camalaniugan, Cattaran, Iguig, Lal-lo, Peña-Blanca, and Tuguegarao. Second District—Composed of the municipalities of Abulug, Claveria, Enrile, Mauanan, Pamplona, Piat, Sanchez-Mira, Santo Niño, Solana, and Tuao.

“Capiz: First District—Composed of the municipalities of Capiz, Dao, Dumarao, Iuisan, Panay, Panitan, Pilar, Pontevedra, and Sigma. Second District—Composed of the municipalities of Calivo, Dumalag, Jamindan, Lezo, Libacao, Mambusao, New Washington, Sapan, and Tapas. Third District—Composed of the municipalities of Badajoz, Buruanga, Cajidiocan, Ibajay, Looc, Malinao, Nabas, Odiongan, Romblon, San Fernando, and Taft.

“Cebu: First District—Composed of the municipalities of Bogo, Borbon, Carmen, Catmon, Danao, Pilar, San Francisco, Tabogon, and Tudela. Second District—Composed of the municipalities of Cebu, Liloan, Mandaue, and Opon. Third District—Composed of the municipalities of Carcar, Minglanilla, Naga, San Fernando, and Talisay. Fourth District—Composed of the municipalities of Argao, Dalaguete, and Sibonga. Fifth District—Composed of the municipalities of Alegria, Badian, Boljo-on, Ginatilan, Malabuyoc, Moalbual, Oslob, and Samboan. Sixth District—Composed of the municipalities of Aloguinsan, Barili, Dumanjug, Pinamungajan, and Toledo. Seventh District—Composed of the municipalities of Asturias, Balamban, Bantayan, Daan-Bantayan, Medellin, San Remigio, Santa Fe, and Tuburan.

“Ilocos Norte: First District—Composed of the municipalities of Bacarra, Bangui, Laoag, Pasuquin, Piddig, San Miguel, and Vintar. Second District—Composed of the municipalities of Badoc, Batac, Dingras, Paoyay, San Nicolas, and Solsona.

“Ilocos Sur: First District—Composed of the municipalities of Bantay, Cabugao, Caoayan, Lapog, Magsingal, Santa Catalina, Santo Domingo, San Vicente, Sinit, and Vigan. Second District—Composed of the municipalities of Candon, Narvacan, Santa Cruz, Santa Lucia, Santa Maria, San Esteban, and Santiago. Third District—Composed of the municipalities of Bangued, Bucay, Dolores, La Paz, Pilar, San Quintin (township), Santa, and Tayum.

“Iloilo: First District—Composed of the municipalities of Guimbal, Miagao, Oton, San Joaquin, and Tigbauan. Second District—Composed of the municipalities of Arevalo, Buenavista, Iloilo, and Jaro! Third

District—Composed of the municipalities of Cabatuan, Leon, and Santa Barbara. Fourth District—Composed of the municipalities of Barotac Nuevo, Dumangas, Dingle, Janiuay, and Pototan. Fifth District—Composed of the municipalities of Balasan, Banate, Passi, and Sara.

“La Laguna: First District—Composed of the municipalities of Alaminos, Bay, Biñan, Cabuyao, Calamba, Calauan, Los Baños, Pila, San Pablo, San Pedro Tunasan, and Santa Rosa. Second District—Composed of the municipalities of Cavinti, Famy, Lilio, Longos, Luisiana, Lumban, Mabitac, Magdalena, Majayjay, Nagcarlan, Paete, Pagsanjan, Pangil, Santa Cruz, Santa Maria, and Siniloan.

“La Union: First District—Composed of the municipalities of Bacnotan, Balaoan, Bangar, Luna, San Fernando, and San Juan. Second District—Composed of the municipalities of Agoo, Aringay, Bauang, Caba, Naguilian, Rosario, Santo Tomas, and Tubao.

“Leyte: First District—Composed of the municipalities of Baybay, Biliran, Caibiran, Kawayan, Leyte, Mérida, Naval, Ormoc, Palompon, San Isidro, and Villarba. Second District—Composed of the municipalities of Bato, Cabalian, Hilongos, Hindang, Inopacan, Liloan, Maasin, Macrohon, Malitbog, Matalom, Pintuyan, and Sogod. Third District—Composed of the municipalities of Abuyog, Barugo, Burauen, Carigara, Dagami, Hinunangan, Hinundayan, and Jaro. Fourth District—Composed of the municipalities of Alangalang, Babatngon, Dulag, Palo, San Miguel, Tacloban, Tanauan, and Tolosa.

“Manila: First District—Composed of the districts of Binondo, Intramuros, San Nicolas, and Tondo. Second District—Composed of the districts of Ermita, Malate, Paco, Pandacan, Quiapo, Sampaloc, San Miguel, Santa Ana, and Santa Cruz.

“Misamis: First District—Composed of the municipalities of Balingasag, Gingoog, Mambajao, Sagay, Tagoloan, and Talisayan. Second District—Composed of the municipalities of Baliangao, Cagayan, Initao, Jimenez, Langaran, Misamis, and Oroquieta.

“Occidental Negros: First District—Composed of the municipalities of Cadiz, Escalante, Manapla, Sagay, San Carlos, Saravia, Silay, and Victorias. Second District—Composed of the municipalities of Bacolod, Bago, La Carlota, Murcia, Talisay, and Valladolid. Third District—Composed of the municipalities of Binalbagan, Cauayan, Himamaylan, Hinigaran, Ilog, Isabela, Kabankalan, and Pontevedra.

“Oriental Negros: First District—Composed of the municipalities of Ayquitán, Bais, Dumaguete, Guijulan, Manjuyod, Sibulan, Tanjay, and Tayasan. Second District—Composed of the municipalities of Bacong, Dauin, Larena, Lazi, Luzuriaga, Maria, San Juan, Siaton, Siquijor, Tolong, and Zamboanguita.

“Pampanga: First District—Composed of the municipalities of Angeles, Bacolor, Floridablanca, Guagua, Lubao, Macabebe, Masantol, Porac, Santa Rita, and Sexmoan. Second District—Composed of the municipalities of Apalit, Arayat, Candaba, Mabalacat, Magalan, Mexico, Minalin, San Fernando, San Luis, and San Simon.

“Pangasinan: First District—Composed of the municipalities of Agno, Aguilar, Alaminos, Anda, Balincaguin, Bani, Bolinao, Dasol, Infanta, Lingayen, Salasa, San Isidro de Potot, San Isidro Labrador, and Sual. Second District—Composed of the municipalities of Binmaley, Dagupan, Mangatarem, San Carlos, and Urbiztondo. Third District—Composed of the municipalities of Alava, Bayambang, Calasiao, Malasiqui, Mangaldan, Mapandan, San Fabian, and Santa Barbara. Fourth District—Composed of the municipalities of Alcala, Bautista, Binalonan, Manaog, Pozorrubio, San Jacinto, Santo Tomas, Urdaneta, and Villasis. Fifth District—Composed of the municipalities of Asingan, Balungao, Natividad, Rosales, San Manuel, San Nicolas, San Quintin, Santa Maria, Tayug, and Umingan.

“Rizal: First District—Composed of the municipalities of Calocan, Las Piñas, Malabon, Navotas, Parañaque, Pasay, Pateros, San Felipe Neri, San Juan del Monte, San Pedro Macati, and Tagig. Second District—Composed of the municipalities of Antipolo, Binangonan, Jalajala, Mariquina, Montalban, Morong, Pasig, Pililla, San Mateo, Tanay, and Taytay.

“Samar: First District—Composed of the municipalities of Allen, Bobon, Calbayog, Capul, Catarman, Catubig, Laoang, Lavezares, Oquendo, Palapag, Pambujan, San Antonio, Santa Margarita, and Tinambacan. Second District—Composed of the municipalities of Almagro, Basey, Calbiga, Catbalogan, Gandara, Santa Rita, Santo Niño, Tarangnan, Villareal, Wright, and Zumarraga. Third District—Composed of the municipalities of Balangiga, Borongan, Dolores, Guiuan, Llorente, Oras, Salcedo, San Julian, Sulat, and Taft.

“Sorsogon: First District—Composed of the municipalities of Bacon, Barcelona, Bulusan, Casiguran, Castilla, Gubat, Irosin, Juban, Matnog, Prieto-Dias, Santa Magdalena, and Sorsogon. Second District—Composed of the municipalities of Aroroy, Bulan, Cataingan, Dimasalang, Donsol, Magallanes, Masbate, Milagros, Pilar, San Fernando, San Jacinto, and San Pascual.

“Tarlac: First District—Composed of the municipalities of Anaao, Camiling, Gerona, Moncada, Paniqui, Pura, and San Manuel. Second District—Composed of the municipalities of Bamban, Capas, Concepción, La Paz, Tarlac, and Victoria.

“Tayabas: First District—Composed of the municipalities of Atimonan, Baler, Candelaria, Casiguran, Dolores, Infanta, Lueban, Lucena, Mauban, Pagbilao, Polillo, Sampaloc, Sariaya, Tayabas, and Tiaon. Second District—Composed of the municipalities of Alabat, Boac, Calauag, Catanauan, Gasan, Guinayangan, Gumaca, Lopez, Mogpog, Mulanay, Pitogo, Santa Cruz, Torrijos, and Unisan.

“The provincial boards of each of the above-named provinces, within ten weeks after the passage of this Act, shall cause to be prepared and filed with the Executive Secretary an outline map or plan of each of the Assembly districts within such province, showing the location and names of the municipalities, or portions thereof, included in each district. A copy of the said map or plan shall also be posted and kept posted in at least three conspicuous public places in each municipality and barrio

thereof composing each district, at least ninety days prior to every general election.'

"SEC. 6. Section eight of Act Numbered Fifteen hundred and eighty-two is hereby amended to read as follows:

"SEC. 8. *Election precincts.*—Each municipality shall have at least one election precinct. The municipal council in each municipality containing more than four hundred voters shall, at least sixty days before the first election held under the provisions of this Act, divide the municipality into precincts in such a manner that the same, so far as practicable, shall be composed of contiguous and compact territory, and shall contain not to exceed four hundred voters: *Provided, however,* That wherever any barrio or barrios of any municipality are made a part of a district in which the rest of the municipality is not included, the municipal council of the said municipality shall define the precincts of said barrio or barrios. If at any election the number of voters registered in any election precinct shall exceed four hundred, the municipal council shall, at least four months before the following election, redistrict said municipality as above provided: *And provided further,* That any municipality having not more than one election precinct which has for any reason been consolidated with another and has, by reason of such consolidation, become a barrio, shall constitute an election precinct, even if it have less than four hundred voters, if the distance between its remotest barrio and the nearest polling place of the municipality to which it was annexed, by the shortest road, shall exceed five miles. Maps or plans plainly showing the boundaries of the precinct shall be posted and kept posted at the polling place or places and at two other conspicuous public places in each precinct for at least forty-five days before each election, and the plans of all the precincts of the municipality shall be kept posted at the municipal building for the same number of days before each election. Notice and plan of such re-division shall be filed with the provincial treasurer.'

"SEC. 7. Paragraph three of section twelve of said Act Numbered Fifteen hundred and eighty-two, as amended, is hereby further amended to read as follows:

"No person shall be eligible to election as a Delegate to the Philippine Assembly, provincial governor, or third member of a provincial board unless, not less than ten days before the day set for the election, he shall have filed with the proper provincial board a written certificate, over his signature, that he thereby announces, or permits to be announced, his candidacy for the position to be mentioned in said certificate. Said certificate shall state the political party to which the candidate belongs and shall contain a statement that the person offering his candidacy is a resident of the Assembly district or of the province, as the case may be, in which his candidacy is offered, that he is a duly qualified elector of said Assembly district or province, as the case may be, and that he is eligible to hold the office for which he is a candidate: *Provided, however,* That in case of the death or disqualification of any candidate who has duly announced his candidacy, occurring within the ten days next preceding the day of election, as hereinbefore mentioned, it shall be lawful for any other

duly qualified person to file, on or before noon of the day set for the election, a certificate of his candidacy for the position for which the deceased or disqualified person was a candidate.'

"SEC. 8. The first and second paragraphs of section fifteen of said Act are hereby amended to read as follows:

"It shall be the duty of the municipal council in each municipality wherein a general election is to be held to appoint ninety days immediately prior to the date of such general election three inspectors of election and one poll clerk for each election precinct therein who shall hold office for four years. Should there be in such municipality one or more political parties or branches thereof which shall have polled thirty per centum or over of the votes cast at the preceding general election, then two of the said inspectors shall belong to the party which polled the largest number of votes in said municipality at the said preceding election and the other inspector shall belong to the party which polled the next largest number of votes at said election: *Provided, however,* That the inspectors so appointed shall be persons proposed by the representative or representatives of such political parties.

"Any person appointed as inspector who accepts appointment and qualifies for the office shall be ineligible to be elected or appointed to any other office during the entire time for which he was appointed as such inspector. No person who holds any public office, or is a candidate for public office, shall be eligible to appointment as inspector or poll clerk.

"SEC. 9. Section seventeen of The Election Law is hereby amended by adding, after the words 'in the fifth column the respective residences of such persons by street and number or, if there be none, by a brief description of the locality thereof,' the following: 'In the sixth column the qualification or qualifications by virtue of which he has taken the elector's oath.'

"SEC. 10. The seventh paragraph of section seventeen of the Election Law is hereby amended by making the first sentence read as follows:

"Any person who applies for registration, or who is registered, may, at any of the first four meetings of the board, be challenged by any inspector, qualified voter, or candidate, or representative of such candidate authorized in writing.'

"SEC. 11. The first paragraph of section twenty-one of The Election Law is hereby amended by making the first sentence thereof read as follows:

"SEC. 21. *Conduct of elections.*—At all the elections held under the provisions of this Act the polls shall be open from seven o'clock in the morning until six in the afternoon, during which period not more than one member of the board of inspectors shall be absent at one time, and then for not to exceed twenty minutes at one time.'

"SEC. 12. The second paragraph of section twenty-two of said Act Numbered Fifteen hundred and eighty-two is hereby amended to read as follows:

"The voter on receiving his ballot shall forthwith retire alone to one of the empty polling booths and shall there prepare his ballot by writing in the proper space for each office the name of the person for whom he desires to vote. A voter otherwise qualified who declares that he can not

write, or that from blindness or other physical disability he is unable to prepare his ballot, may make an oath to the effect that he is so disabled and the nature of his disability and that he desires the inspectors to assist him in the preparation of such ballot. The board shall keep a record of all such oaths taken and file the same with the municipal secretary with the other records of the board after the election. One of the inspectors shall prepare the ballot of the voter according to his wishes in the presence of the other two inspectors and out of view of any other person. The information thus obtained shall be regarded as a privileged communication. No voter shall be allowed to occupy a booth already occupied by another voter, or to occupy a booth more than eight minutes in case there are voters waiting to occupy booths, or to speak or converse with anyone other than as herein provided while within the polling place. It shall be unlawful to erase any printing from the ballot or to add any distinguishing feature thereto, or to intentionally tear or deface the same, or to make any mark thereon other than the names of the candidates voted for.'"

Respectfully submitted.

NEWTON W. GILBERT,  
GREGORIO ARANETA,  
RAFAEL PALMA,  
*Select Committee.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

Assembly Bill No. 504 was read the second time and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass.

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Araneta, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 504 was unanimously passed.

Commissioner Araneta moved to amend the title by striking out the words "to amend Act Numbered Nineteen hundred and twenty-nine, entitled 'An Act to change the date for commencing future annual sessions of the Philippine Legislature.'" "

The motion prevailed and the title as amended was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the amendment of the Commission.

[Committee Report No. 213.]

MR. PRESIDENT: Your Select Committee on Amendments to the Election Law, to which was referred on November 2, 1910, resolution No. 27 of the municipal presidents of Pampanga, requesting the Legislature to repeal the law which prohibits the election of persons who are at the time of the election holding any municipal or provincial offices, and to make them eligible whenever they possess the qualifications required by law, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That this resolution be filed, as this point has been considered in the amendments recommended by your committee to Assembly Bill No. 504, entitled "An Act to provide that all elective provincial and municipal offices shall be for four years; to prohibit a second reelection to the same; to change the date of the general elections; to amend Act Numbered Nineteen hundred and twenty-nine, entitled 'An Act to change the date for commencing future annual sessions of the Philippine Legislature,' to amend certain sections of Act Numbered Fifteen hundred and eighty-two, known as The Election Law, and for other purposes."

Respectfully submitted.

NEWTON W. GILBERT,  
GREGORIO ARANETA,  
RAFAEL PALMA,  
*Select Committee.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

[Committee Report No. 214.]

MR. PRESIDENT: Your Select Committee on Amendments to the Election Law, to which was referred on November 2, 1910, resolution No. 26 of the convention of municipal presidents of Pampanga recommending an amendment to paragraph 2 of section 22 of the Election Law to provide that a voter otherwise qualified who declares that he can not write, or that from blindness or other physical disability he is unable to prepare his ballot, may make an oath to the effect that he is so disabled, giving the nature of his disability, and that he shall then be assisted in the preparation of his ballot by two persons named by him, has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That this resolution be filed, as this point has been considered in the amendments recommended by your Committee to Assembly Bill No. 504 entitled "An Act to provide that all elective provincial and municipal offices shall be for four years; to prohibit a second reelection to the same; to change the date of the general elections; to amend Act Numbered Nineteen hundred and twenty-nine, entitled 'An Act to change the date for commencing future annual sessions of the Philippine Legislature,' to



amend certain sections of Act Numbered Fifteen hundred and eighty-two, known as The Election Law, and for other purposes.”

Respectfully submitted.

NEWTON W. GILBERT,  
GREGORIO ABANETA,  
RAFAEL PALMA,  
*Select Committee.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

RESOLUTION.

Commissioner Branagan introduced the following resolution :

Commission Resolution No. 58. *Resolved*, That the Secretary be, and he hereby is, authorized to take steps to have printed and bound at the end of the present session of the Legislature five hundred copies in English and five hundred copies in Spanish of the Journal of the Commission for the period January first, nineteen hundred and ten, to February third, nineteen hundred and eleven, including the special session of nineteen hundred and ten and the first regular session of the Second Philippine Legislature, following the same general style as that of the Journals for preceding sessions, fifty copies of the Journal in English and fifty copies in Spanish to be bound in full sheep, and the remainder in cloth.

The resolution was adopted.

RECESS.

At 6 o'clock postmeridian,  
The Chair declared a recess until 9 o'clock postmeridian.

RECONVENED.

At 9 o'clock postmeridian,  
The Commission reconvened,  
The President in the chair.

MESSAGES FROM THE ASSEMBLY.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has disagreed to the amendment of the Commission to Assembly Bill No. 523, entitled “An Act making appropriations for sundry expenses of the Insular Government for the fiscal year ending June thirtieth, nineteen hundred and twelve, and other designated periods.”

It asks a conference with the Commission on the disagreeing votes of

the two Houses thereon, and has appointed as managers at the same on its part Delegates Sotto, Fuentebella, Singson, Del Rosario, Ocampo, Lukban, and Guingona.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

*Resolved*, That the Commission insist on its amendment to Assembly Bill Numbered Five hundred and twenty-three, entitled "An Act making appropriations for sundry expenses of the Insular Government for the fiscal year ending June thirtieth, nineteen hundred and twelve, and other designated periods," disagreed to by the Assembly, and agree to the conference requested by the Assembly on the disagreeing votes of the two Houses thereon.

*Ordered*, That Commissioners Gilbert, Araneta, Palma, Branagan, and the President be the managers on the part of the Commission, and that the Secretary notify the Assembly accordingly.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has disagreed to the amendment of the Commission to Assembly Bill No. 536, entitled "An Act providing funds for public works and permanent improvements, and for other purposes."

It asks a conference with the Commission on the disagreeing votes of the two Houses thereon, and has appointed as managers at the same on its part Delegates Veyra, Diaz, and Valle.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

*Resolved*, That the Commission insist on its amendment to Assembly Bill No. 536, entitled "An Act providing funds for public works and permanent improvements, and for other purposes," disagreed to by the Assembly, and agree to the conference requested by the Assembly on the disagreeing votes of the two Houses thereon.

*Ordered*, That Commissioners Elliott and Sumulong be the managers on the part of the Commission, and that the Secretary notify the Assembly accordingly.

CONFERENCE REPORT NO. 16.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Commission to Assembly Bill No. 239, entitled "An Act to amend section one of Act Numbered Five hundred and eighteen,

entitled 'An Act defining highway robbery, or brigandage, and providing for the punishment therefor,' so as to reduce the penalty therein designated,' having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Commission agree to strike out of the proviso in section 1 of the bill as amended by it the words "such greater punishment shall be imposed upon the persons forming such band" and insert in lieu thereof the words "the persons forming such band who, under said laws, shall be responsible for such acts, shall be prosecuted under said laws and upon conviction shall suffer the punishment established therein;" and that the Assembly concur in the same.

That the Commission agree to strike out in section 2 of the bill as amended by it the words "every person knowingly aiding or abetting such a band" and insert in lieu thereof the words "every person knowingly and willingly aiding or abetting such a band;" and that the Assembly concur in the same.

That the Commission agree to add at the end of section 2 of the bill as amended by it the following proviso: "*Provided, however, That the act shall be presumed to have been committed knowingly and willingly unless the contrary is proven;*" and that the Assembly concur in the same.

That the Assembly recede from its disagreement to the amendments of the Commission in all other respects and concur therein.

GREGORIO ARANETA,

*Manager on the part of the Commission.*

V. SINGSON ENCARNACION,

*Manager on the part of the Assembly.*

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has agreed to the report of the committee of conference on the disagreeing votes of the two Houses to the amendment of the Commission to Assembly Bill No. 239, entitled "An Act to amend section one of Act Numbered Five hundred and eighteen, entitled 'An Act defining highway robbery, or brigandage, and providing for the punishment therefor,' so as to reduce the penalty therein designated."

Very respectfully,

RAMÓN DIOKNO,

*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Commission to Assembly Bill No. 239 was adopted.

## CONFERENCE REPORT NO. 17.

The committee of conference on the disagreeing votes of the two Houses on the amendments to Assembly Bill No. 400, entitled "An Act authorizing the Insular Treasurer to invest the accretions to the gold-standard fund in certain loans to provinces and municipalities to aid in the construction of public works," having met, after full and free conference, have been unable to agree.

FRANK A. BRANAGAN,

*Manager on the part of the Commission.*

PABLO OCAMPO,

ESPIRIDION GUANCO.

MANUEL FERNÁNDEZ YANSON.

*Managers on the part of the Assembly.*

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has agreed to the report of the committee of conference on the disagreeing votes of the two Houses to the amendment of the Commission to Assembly Bill No. 400, entitled "An Act authorizing the Insular Treasurer to invest the accretions to the gold-standard fund in certain loans to provinces and municipalities to aid in the construction of public works."

Very respectfully,

RAMÓN DIOKNO,

*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Commission to Assembly Bill No. 400 was accepted.

## CONFERENCE REPORT NO 18.

The committee of conference on the disagreeing votes of the two Houses on the amendments to Assembly Concurrent Resolution No. 5, entitled "Concurrent Resolution authorizing the Executive Secretary to enter into a contract with two American and two Filipino newspapers for the publication of official notices," having met, after full and free conference, have been unable to agree.

VICENTE LOZADA,

MAURICIO ILAGAN,

FULGENCIO CONTRERAS,

*Managers on the part of the Assembly.*

FRANK A. BRANAGAN,

*Manager on the part of the Commission.*

The report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Commission to Assembly Concurrent Resolution No. 5 was accepted.

## CONFERENCE REPORT NO. 19.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Commission to Assembly Bill No. 401, entitled "An Act to provide for the granting of a franchise to construct, maintain, and operate gas systems for the furnishing of gas for heat, lighting, and power in the city of Manila and the Province of Rizal, Philippine Islands," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Assembly recede from its disagreement to the amendments of the Commission in all respects, and agree thereto, except as follows:

It is recommended that the Commission agree to strike out of its amendment to section 6 the words "five thousand five hundred French calories," and insert in lieu thereof the words "five thousand French calories;" and that the Assembly concur in the same.

That the Commission recede from its amendment striking out the proviso to section 7 (a), contained in lines 16 to 27, inclusive, of page 3, and agree to the insertion of the following:

*"And provided further,* That until the grantee has been reimbursed the cost of the installation and piping in the consumers' premises including the meter, the grantee may charge in addition to the above, a rental for the ordinary (not prepayment) meters, as follows:

"Where three lights are installed twenty centavos per month.

"Where five lights are installed thirty centavos per month.

"Where ten lights are installed fifty centavos per month.

"Where twenty lights are installed seventy-five centavos per month.

"Where fifty lights are installed one peso per month.

"Where one hundred lights are installed one peso and fifty centavos per month.

"Where two hundred lights are installed two pesos per month.

"The books and records of the grantee shall be so kept as to enable the Auditor to ascertain the facts with reference to such cost and reimbursement."

That the Assembly concur in the same.

That the Commission agree to add at the end of section 12 of the bill as amended by the Commission the following:

"Which shall be distributed as follows: Two-sixths to the Insular Government; three-sixths to the city of Manila, and one-sixth to remain in the Insular Treasury for four years, after which it shall be apportioned by

the Governor-General equally between the municipalities of the Province of Rizal in which the gas service has been established."

That the Assembly concur in the same.

C. B. ELLIOTT,  
JUAN SUMULONG,  
RAFAEL PALMA,

*Managers on the part of the Commission.*

JUSTO LUKBAN,  
PABLO OCAMPO,  
C. LEDESMA,  
ALBERTO BARRETTO,

*Managers on the part of the Assembly.*

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has agreed to the report of the committee of conference on the disagreeing votes of the two Houses to the amendment of the Commission to Assembly Bill No. 401, entitled "An Act to provide for the granting of a franchise to construct, maintain, and operate gas systems for the furnishing of gas for heat, lighting, and power in the city of Manila and the Province of Rizal, Philippine Islands."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report of the committee of conference on the disagreeing votes of the two Houses on Assembly Bill No. 401 was adopted.

CONFERENCE REPORT NO. 20.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Commission to Assembly Bill No. 480, entitled "An Act to reorganize the justice of the peace courts and amend in this sense sections one, three, four, five, six, seven, eight, fourteen, twenty-six, twenty-seven, twenty-nine, and thirty-seven of Act Numbered Sixteen hundred and twenty-seven, and their amendments," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

(1) That the last proviso in section 1 of the Act as amended by the Commission be amended to read as follows:

"*Provided, however,* That the Governor-General may appoint any qualified person not included in such lists when the interests of the service so require."

(2) At the close of the first paragraph of section 3 of the Act as amended by the Commission, add the following words:

"In forcible entry proceedings he may grant preliminary injunctions, in accordance with the provisions of Act Numbered One hundred and

ninety, to prevent the defendant from committing further acts of dispossession against the plaintiff.

"Justices of the peace shall have exclusive jurisdiction to adjudicate questions of title to real estate or any interest therein when the value of the property in litigation does not exceed two hundred pesos, and where such value exceeds two hundred pesos but is less than six hundred pesos the justice of the peace shall have jurisdiction concurrent with the Court of First Instance."

(3) In the second paragraph of section 3 of the Act as amended by the Commission, strike out the following:

"No justice of the peace except that of the city of Manila or of a provincial capital shall have jurisdiction to adjudicate questions of title to real estate or any interest therein, and whenever a case requiring such adjudication is brought before him it shall be his duty upon discovering the same to suspend further proceedings therein and certify the cause forthwith to the Court of First Instance."

(4) At the close of section 9, add the following words:

"The applicant for examination for justice of the peace shall pay an examination fee of five pesos, to be collected by the clerk of the Court of First Instance, and the lawyer appointed by the judge as a member of the board of examination shall be entitled to a compensation of twenty pesos for each day of actual services."

(5) Section 10 of the Act as amended by the Commission to be changed to read as follows:

"For the purpose of paying the salaries of the justices of the peace provided in this Act, and the fees of the lawyer appointed as a member of the board of examination, for the fiscal year nineteen hundred and twelve, there is hereby appropriated, out of the funds of the Insular Treasury not otherwise appropriated, the sum of two hundred and fifty thousand pesos, all sums collected as fines and fees by the justices of the peace provided in section eight of this Act, and all examination fees provided in section nine of this Act. All these amounts shall be added to the appropriation for the Judiciary for the fiscal year nineteen hundred and twelve."

(6) That the Assembly recede from its disagreement to all the other amendments of the Commission, and agree to the same.

Respectfully submitted.

GREGORIO ARANETA,

*Manager on the part of the Commission.*

V. SINGSON ENCARNACIÓN,

HERMOGENES REYES,

ANACLETO DIAZ,

*Managers on the part of the Assembly.*

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has agreed to the report of the committee of conference on the disagreeing votes of the two Houses to the amendment of the

Commission to Assembly Bill No. 480, entitled "An Act to reorganize the justice of the peace courts and amend in this sense sections one, three, four, five, six, seven, eight, fourteen, twenty-six, twenty-seven, twenty-nine, and thirty-seven of Act Numbered Sixteen hundred and twenty-seven, and their amendments."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Commission to Assembly Bill No. 480 was adopted.

MESSAGES FROM THE ASSEMBLY.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has agreed to the report of the committee of conference on the disagreeing votes of the two Houses to the amendment of the Commission to Assembly Concurrent Resolution No. 5, entitled "Concurrent Resolution authorizing the Executive Secretary to enter into a contract with two American and two Filipino newspapers for the publication of official notices."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, passed the following bill (A. B. No. 513), in which it requests the concurrence of the Commission: An Act to appropriate the sum of three thousand five hundred pesos for the creation of Government scholarships in the College of Veterinary Science of the Philippine University.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Assembly Bill No. 513 was read the first time.

By unanimous consent, it was read the second time by title only.

On motion by Commissioner Gilbert, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.



The question then being upon its passage, the roll was called and Assembly Bill No. 513 was unanimously passed and the title was read and approved.

*Ordered*, That the Secretary notify the Assembly thereof.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, passed the following bill (A. B. No. 181), in which it requests the concurrence of the Commission: An Act to encourage emigration to the Island of Mindanao.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 181 was read the first time by title only and referred to the Committee on Affairs Pertaining to the Moro Province.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, passed the following bill (A. B. No. 207), in which it requests the concurrence of the Commission: An Act amending sections thirty-two and thirty-three of Act Numbered Nine hundred and twenty-six, as amended by Act Numbered Nine hundred and seventy-nine, by extending for five years the time required for the granting of a free title to Government agricultural land.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Assembly Bill No. 207 was read the first time and,  
On motion by the President, was  
Laid on the table.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, passed the following bill (A. B. No. 555), in which it requests the concurrence of the Commission: An Act to prohibit the transfer of any province, municipality, or barrio organized under the provisions of The Provincial Government Act and The Municipal Code to the control of any special province, and for other purposes.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Assembly Bill No. 555 was read the first time and,

On motion by the President, was

Laid on the table, for the reason that its passage would interfere with that provision of the Act of Congress conferring upon the Commission exclusive jurisdiction over that part of the Philippine Islands inhabited by Moros or other non-Christian tribes.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, agreed to the amendment of the Commission to Assembly Bill No. 502, entitled "An Act providing for scholarships in the School of Forestry, appropriating fifteen thousand six hundred and fifty pesos therefor, and for other purposes."

Very respectfully,

RAMÓN DIOKNO,

*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on February 3, 1911, agreed to the amendment of the Commission to Assembly Bill No. 476, entitled "An Act to amend sections one hundred and fifty and one hundred and eighty-two of Act Numbered Fourteen hundred and fifty-nine."

Very respectfully,

RAMÓN DIOKNO,

*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on February 3, 1911, agreed to the amendment of the Commission to Assembly Bill No. 313, entitled "An Act amending sections five and seven of Act Numbered Eight hundred and sixty-seven, as amended, by separating the Provinces of Oriental Negros and Bohol from the Eleventh Judicial District and making of them a new and separate judicial district, in addition to those now in existence adding a new paragraph at the end of said sections, changing the dates and places for holding the sessions of the Court of First Instance of Cebu and fixing the dates and places for

the sessions of the Courts of First Instance in the Provinces of the new district, and providing a judge for the same."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

REPORT OF SELECT COMMITTEE.

[Committee Report No. 215.]

MR. PRESIDENT: Your Select Committee on Amendments to the Election Law, to which was referred on January 30, 1911, Assembly Concurrent Resolution No. 2, entitled "Concurrent Resolution petitioning the Congress of the United States to pass an Act amending the Act of July first, nineteen hundred and two, in the sense that the age required in order to vote for the office of Delegate be twenty-one years or over, and authorizing the Philippine Assembly to prescribe the general qualifications of voters in elections for Delegates and to amend those already established," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the resolution be passed with the following amendments:

Page 2, in line 24, after the word "prescribe" insert the words "in the future;" in lines 25 and 26, strike out the words "and to amend those already established."

Amend the preamble to read as follows:

"Whereas the Act of Congress of the United States of July first, nineteen hundred and two, known as the The Philippine Bill, provides in section seven thereof that the qualification of electors in elections for the office of Delegate shall be the same as then provided by law in case of electors in municipal elections;

"Whereas at the time of the passage of the said Act of Congress, the law then in force in the Philippine Islands in matters of election was Act Numbered Eighty-two of the Philippine Commission, entitled 'The Municipal Code,' and the same provides in section six thereof that the electors shall be twenty-three years old or over and have the other qualifications determined and established in the same section;

"Whereas by virtue of the aforesaid Act of Congress, the Philippine Legislature lacks power to change the qualifications for voters for the office of Delegate to the Philippine Assembly;

"Whereas it is the intention of the Philippine Legislature to fix the age for voters for elective municipal and provincial offices at twenty-one years, thus harmonizing it with Act Numbered Eighteen hundred and ninety-one of said Legislature, which has provided that the majority age for the full exercise of civil rights be twenty-one years or over;

"Whereas it is advisable to require the same qualifications in the voters

for Delegates to the Philippine Assembly as in those for municipal and provincial offices;

"Whereas it is advisable that the Philippine Legislature should in the future have power to prescribe the general qualifications for voters of all classes for elective public offices in the Philippine Islands, when a change of circumstances justifies it: Now, therefore, be it."

Respectfully submitted.

GREGORIO ARANETA,  
RAFAEL PALMA,

*Committee on Amendments to the Election Law.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

Assembly Concurrent Resolution No. 2 was read the second time, as amended, and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following additional amendments:

Strike out the first paragraph of the resolution and insert in lieu thereof the following:

*"Resolved by the Philippine Assembly, the Philippine Commission concurring, That the Philippine Legislature petition the Congress of the United States to amend the Act of July first, nineteen hundred and two, entitled 'An Act temporarily to provide for the administration of affairs of civil government in the Philippine Islands, and for other purposes,' in the sense that the age of qualified electors for the office of Delegate shall be twenty-one years."*

and strike out the last paragraph of the preamble.

The report and recommendation of the Committee of the Whole were adopted and the resolution was ordered on file for third reading.

#### RESOLUTION.

The President introduced the following resolution:

Commission Resolution No. 59. Whereas the Secretary of Public Instruction deems it desirable and for the best interests of the service that Miss Mary T. Tormey, an employee of the Bureau of Education, be appointed principal of an intermediate school at a salary of three thousand two hundred pesos per annum; and

Whereas Miss Tormey, who is now receiving a salary of two thousand eight hundred pesos per annum, is not eligible for such promotion because of the fact that she has never taken a civil-service examination; and

Whereas it is shown that Miss Tormey has been in the service of the

Government for the past ten years, having been appointed before the adoption of the civil-service rule which now prevents her promotion, and has rendered services of the highest character, and has always given satisfaction to her officials, and is now performing work which, under the general rules of the Bureau of Education, should be compensated at a higher rate than that which is now received: Now, therefore, be it

*Resolved*, That under the general authority contained in section seventeen of Act Numbered Sixteen hundred and ninety-eight, Miss Mary T. Tormey is hereby appointed to the position of principal of an intermediate school at a salary of three thousand two hundred pesos per annum, effective this date; and be it

*Resolved further*, That a copy of this resolution be furnished the Insular Auditor, the Director of Civil Service, and the Director of Education, for their information and guidance.

The resolution was adopted.

REPORT OF STANDING COMMITTEE.

[Committee Report No. 216.]

MR. PRESIDENT: Your Committee on Affairs Pertaining to the Moro Province, to which was referred on February 3, 1911, Assembly Bill No. 181, entitled "An Act to encourage emigration to the Island of Mindanao," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be laid on the table, for the reason that it contains certain provisions affecting the whole of Mindanao, and therefore the Moro Province, over which the Assembly has no jurisdiction.

Respectfully submitted.

FRANK A. BRANAGAN,  
 RAFAEL PALMA,  
 C. B. ELLIOTT,

*Committee on Affairs Pertaining to the Moro Province.*

To the Honorable,  
 the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

THIRD READING AND ADOPTION OF RESOLUTION.

Assembly Concurrent Resolution No. 2. Concurrent Resolution petitioning the Congress of the United States that it pass an Act amending the Act of July first, nineteen hundred and two, in the sense that the age required in order to vote for the office of Delegate be twenty-one years or over, and authorizing the Philippine Assembly to prescribe the general qualifications of voters in elections for Delegates, and to amend those already established.

On motion by Commissioner Araneta, unanimously carried,  
 The resolution was considered urgent under the provisions of

Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon the adoption of the resolution, the roll was called and Assembly Concurrent Resolution No. 2 was unanimously adopted.

The President moved to amend the title to read as follows:

Concurrent Resolution petitioning the Congress of the United States to pass an Act amending the Act of July first, nineteen hundred and two, so that the legal age of qualified electors for the office of Delegate shall be twenty-one years.

The motion prevailed, and the title and preamble were agreed to.

*Ordered*, That the Secretary request the concurrence of the Assembly in the amendments of the Commission.

#### MESSAGES FROM THE ASSEMBLY.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, passed the following bill (A. B. No. 532), in which it requests the concurrence of the Commission: An Act amending section two of Act Numbered Thirteen hundred and ninety-four, as amended by section four of Act Numbered Eighteen hundred and sixty-seven, providing for certain reforms in the organization of the Philippines Constabulary.

Very respectfully,

RAMÓN DIOKNO,

*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

By unanimous consent, Assembly Bill No. 532 was read the first time by title only and referred to the Committee on Matters Pertaining to the Department of Commerce and Police, for report and recommendation.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, passed the following bill (A. B. No. 175), in which it requests the concurrence of the Commission: An Act appropriating the sum of twenty thousand pesos for the purchase of books, documents, and periodicals relative to the Philippine Islands, for the division of Filipiniana of the Philippines Library.

Very respectfully,

RAMÓN DIOKNO,

*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

Assembly Bill No. 175 was read the first time.

By unanimous consent, it was read the second time by title only.

On motion by Commissioner Gilbert, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 175 was unanimously passed and the title was read and approved.

*Ordered*, That the Secretary notify the Assembly thereof.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, agreed to the amendment of the Commission to Assembly Bill No. 540, entitled "An Act to provide funds for the travel and subsistence expenses of the delegates of the Philippine Islands to the International Tuberculosis Congress to be held at Rome, Italy, during the present year of nineteen hundred and eleven."

Very respectfully,

RAMÓN DIOKNO,

*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, passed the following bill (A. B. No. 553), in which it requests the concurrence of the Commission: An Act appropriating funds for sundry expenses of the University of the Philippines during the fiscal year ending June thirtieth, nineteen hundred and twelve, and for other purposes.

Very respectfully,

RAMÓN DIOKNO,

*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

Assembly Bill No. 553 was read the first time.

By unanimous consent, it was read the second time by title only and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass with the following amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"SEC. 1. The following sums, or so much thereof as may be respectively necessary, are hereby appropriated, out of any funds in the Insular Treasury

not otherwise appropriated, for the University of the Philippines, to be expended by the Board of Regents of said university, for the ends specified by law, in accordance with section six, letter (a), of Act Numbered Eighteen hundred and seventy, during the fiscal year ending June thirtieth, nineteen hundred and twelve:

"For the salary of the president of the university, fourteen thousand pesos; for the office of the Board of Regents, three thousand pesos; for the College of Medicine and Surgery, one hundred and ninety thousand pesos; for the College of Agriculture, sixty-eight thousand eight hundred pesos; for the School of Fine Arts, twenty-eight thousand and ten pesos; for the establishment and maintenance of a College of Law, twenty-five thousand pesos; for the establishment and maintenance of a course in pharmacy in the College of Philosophy, Science, and Letters, two thousand pesos; for the College of Veterinary Science, eighteen thousand one hundred pesos; for the College of Philosophy, Science, and Letters, sixty-seven thousand six hundred pesos; for the College of Civil Engineering, thirty-four thousand pesos: *Provided*, That the Board of Regents may, in its discretion, transfer the whole or any part of the appropriation for any college, school, or office of the University of the Philippines to any other college, school, or office of the University of the Philippines, and expend the same in the manner which the said Board shall deem most necessary and expedient: *And provided further*, That the Board of Regents is hereby authorized, with the consent and approval of the Director of Bureau and Secretary of Department concerned, to appoint officers and employees of the Departments and Bureaus of the Government to positions in the University of the Philippines at such compensation as may be fixed by said Board of Regents, which compensation shall be paid to such officers and employees from the appropriation for the University of the Philippines, Act Numbered One hundred and forty-eight notwithstanding; in all, four hundred and fifty thousand five hundred and ten pesos."

The report and recommendation of the Committee of the Whole were adopted by unanimous vote.

On motion by Commissioner Gilbert, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 553 was unanimously passed and the title was read and approved.

*Ordered*, That the Secretary request the concurrence of the Assembly in the amendments of the Commission.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has disagreed to the amendment of the Commission to Assembly Bill No. 504, entitled "An Act to provide that all elective pro-



vincial and municipal offices shall be for four years; to prohibit a second reelection to the same; to change the date of the general elections; to amend Act Numbered Nineteen hundred and twenty-nine, entitled 'An Act to change the date for commencing future annual sessions of the Philippine Legislature, to amend certain sections of Act Numbered Fifteen hundred and eighty-two, known as The Election Law, and for other purposes.' "

It asks a conference with the Commission on the disagreeing votes of the two Houses thereon, and has appointed as managers at the same on its part Delegates Reyes and Ilagan.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

*Resolved*, That the Commission insist on its amendment to Assembly Bill No. 504, entitled "An Act to provide that all elective provincial and municipal offices shall be for four years; to prohibit a second reelection to the same; to change the date of the general elections; to amend Act Numbered Nineteen hundred and twenty-nine, entitled 'An Act to change the date for commencing future annual sessions of the Philippine Legislature, to amend certain sections of Act Numbered Fifteen hundred and eighty-two, known as The Election Law, and for other purposes,' " disagreed to by the Assembly, and agree to the conference requested by the Assembly on the disagreeing votes of the two Houses thereon.

*Ordered*, That Commissioner Araneta be the manager on the part of the Commission, and that the Secretary notify the Assembly accordingly.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, passed without amendment Commission Bill No. 65, entitled "An Act to amend section thirty-seven of Act Numbered Eighty-two, entitled 'The Municipal Code,' by adding at the end of that section a paragraph to be numbered letter (c) fixing the duties of the lieutenants and substitute lieutenants of barrios, the term of their office and the procedure for their suspension or dismissal."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

*Ordered*, That Commission Bill No. 65 be enrolled and printed as an Act.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, passed with amendments, in which the concurrence of the Commission is requested, Commission Bill No. 80, entitled "An Act to provide for the collection and apportionment between the Insular, provincial, and municipal governments of taxes paid by the grantees of franchises, their lessees, successors, or assigns on the gross earnings or receipts from the business covered by the law granting the franchise or any amendment thereof."

The bill, with amendments certified thereon is transmitted herewith.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The amendments are as follows:

Section 1, lines 8, 9, 10, and 11, strike out and substitute as follows:  
"Where the franchise is for the operation of a steam railroad or marine railway, one-fifth to the Insular Government, two-fifths to the province or provinces concerned, and two-fifths to the municipality or municipalities."

The amendments of the Assembly to Commission Bill No. 80 were disagreed to and,

On motion by the President, it was

*Resolved*, That the Assembly be informed that the Commission disagrees to the amendments of the Assembly to Commission Bill Numbered Eighty, entitled "An Act to provide for the collection and apportionment between the Insular, provincial, and municipal governments of taxes paid by the grantees of franchises, their lessees, successors, or assigns, on the gross earnings or receipts from the business covered by the law granting the franchise or any amendment thereof," and asks a conference on the disagreeing votes of the two Houses thereon.

*Ordered*, That Commissioner Branagan be the manager on the part of the Commission, and that the Secretary notify the Assembly thereof.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, passed the following bill (A. B. No.

557), in which it requests the concurrence of the Commission: An Act to insert a new section after section fourteen of The Election Law.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

Assembly Bill No. 557 was read the first time and,

On motion by Commissioner Araneta,

It was laid on the table.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, passed the following resolution (A. J. R. No. 21), in which it requests the concurrence of the Commission: Joint Resolution providing for the appointment of a joint committee to select the Resident Commissioners to the United States.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The resolution is as follows:

Assembly Joint Resolution No. 21. Joint Resolution providing for the appointment of a joint committee to select the Resident Commissioners to the United States.

*Resolved by the Philippine Commission and the Philippine Assembly,* That, notwithstanding any provision to the contrary contained in Joint Resolutions Numbered Two of the First Philippine Legislature and Two of the Second Philippine Legislature, a joint conference committee be appointed, composed of members of each House, not exceeding three for each, to come to an agreement, if possible, regarding the candidates for Resident Commissioners of the Philippine Islands to the United States.

Assembly Joint Resolution No. 21 was read the first time.

By unanimous consent, it was read the second time by title only.

On motion by Commissioner Gilbert, unanimously carried,

The resolution was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon the adoption of the resolution, the roll was called and the resolution was adopted and the title was agreed to.

*Ordered,* That the Secretary notify the Assembly thereof.

The President thereupon appointed Commissioners Gilbert, Sumulong, and the President as members on the part of the Commission of the committee provided for by the joint resolution.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has disagreed to the amendment of the Commission to Assembly Bill No. 553, entitled "An Act appropriating funds for sundry expenses of the University of the Philippines during the fiscal year ending June thirtieth, nineteen hundred and twelve, and for other purposes."

It asks a conference with the Commission on the disagreeing votes of the two Houses thereon, and has appointed as managers at the same on its part Delegates Barretto and Veyra.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

*Resolved*, That the Commission insist on its amendment to Assembly Bill No. 553, entitled "An Act appropriating funds for sundry expenses of the University of the Philippines during the fiscal year ending June thirtieth, nineteen hundred and twelve, and for other purposes," disagreed to by the Assembly, and agree to the conference requested by the Assembly on the disagreeing votes of the two Houses thereon.

*Ordered*, That Commissioners Gilbert and Palma be the managers on the part of the Commission, and that the Secretary notify the Assembly accordingly.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly insists upon its amendment to Commission Bill No. 80, entitled "An Act to provide for the collection and apportionment between the Insular, provincial and municipal governments of taxes paid by the grantees of franchises, their lessors, successors, or assigns, on the gross earnings or receipts from the business covered by the law granting the franchise or any amendment thereof," disagreed to by the Commission, and agrees to the conference asked by the Commission on the disagreeing votes of the two Houses thereon, and has appointed as managers at the same on its part Delegates Kalaw and Guingona.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered referred to the conference committee on Commission Bill No. 80.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, passed the following resolution (A. C. R. No. 6), in which it requests the concurrence of the Commission: Concurrent Resolution providing for the close of the first session of the Second Philippine Legislature, on Friday, February third, nineteen hundred and eleven, at twelve o'clock midnight.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The resolution is as follows:

Assembly Concurrent Resolution No. 6. Concurrent Resolution providing for the close of the first session of the Second Philippine Legislature, on Friday, February third, nineteen hundred and eleven, at twelve o'clock midnight.

*Resolved by the Philippine Assembly, the Philippine Commission concurring,* That the President of the Commission and the Speaker of the Assembly be, as they hereby are, authorized to declare the present session closed *sine die*, each adjourning his respective House to-day, Friday, February third, nineteen hundred and eleven, at twelve o'clock midnight.

Assembly Concurrent resolution No. 6 was read the first time.

By unanimous consent, it was read the second time by title only.

On motion by Commissioner Palma, unanimously carried,

The resolution was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon the adoption of the resolution, the roll was called and the resolution was adopted and the title was agreed to.

*Ordered,* That the Secretary notify the Assembly thereof.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on February 3, 1911, refused to accept the amendments of the Commission to Assembly Bill No. 222, entitled "An Act to amend section ninety-seven of Act Numbered eleven hundred and eighty-nine, entitled 'The Internal Revenue Law of Nineteen hundred and four.'"

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

## CONFERENCE REPORT NO. 21.

The committee of conference on the disagreeing votes of the two Houses on the amendments to Commission Bill No. 80, having met, after full and free conference, have been unable to agree.

FRANK A. BRANAGAN,  
*Manager on the part of the Commission.*  
 TEODORO M. KALAW,  
 TEOPISTO GUINGONA,  
*Managers on the part of the Assembly.*

The report of the conference committee on the disagreeing votes of the two Houses on the amendments of the Assembly to Commission Bill No. 80 was accepted.

## INTRODUCTION AND PASSAGE OF BILL.

Commissioner Gilbert introduced the following bill:

Commission Bill No. 92. An Act amending Act Numbered Two thousand and forty-two, entitled "An Act to provide funds for the travel and subsistence expenses of the delegates of the Philippine Islands to the International Tuberculosis Congress to be held at Rome, Italy, during the present year of nineteen hundred and eleven," by providing that the delegates shall be appointed by the Governor-General.

Commission Bill No. 92 was read the first time.

By unanimous consent, it was read the second time by title only.

On motion by Commissioner Gilbert, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Commission Bill No. 92 was unanimously passed and the title was read and approved.

*Ordered,* That the Secretary notify the Assembly thereof.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, passed the following bill (A. B. No. 556), in which it requests the concurrence of the Commission: An Act to amend Act Numbered Nine hundred and twenty-six by providing to whom the final evidence for perfecting grants of homesteads on the public domain may be submitted.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
 the PRESIDENT OF THE PHILIPPINE COMMISSION.

Assembly Bill No. 556 was read the first time.

By unanimous consent, it was read the second time by title only and referred to the Committee of the Whole.

It was considered in committee and reported to the Commission with the recommendation that it pass.

The report and recommendation of the Committee of the Whole were adopted.

On motion by the President, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 556 was unanimously passed and the title was read and approved.

*Ordered*, That the Secretary notify the Assembly thereof.

#### CONFERENCE REPORT NO. 22.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Commission to Assembly Bill No. 101, entitled "An Act to provide a system for the appropriation of public waters, and for the determination of existing rights thereto; for the public registration of all water rights; for the creation and use of water power; for investigations for and the construction, maintenance, and operation of irrigation systems by the Government of the Philippine Islands; for the repayment of money expended therefor; for the construction, maintenance, and operation of irrigation systems by private persons; for the inspection and regulation of all works pertaining to the use of water; and providing penalties for its violation; and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Commission agree to amend section 2 of the bill so as to read as follows:

"SEC. 2. The power to grant appropriations of public waters is hereby vested in the Secretary of Commerce and Police in accordance with the provisions of this law, upon the recommendation and approval of the irrigation council hereinafter created.

"There is hereby created an Irrigation Council which shall consist of five members as follows: The Secretary of Commerce and Police, who shall be ex officio chairman thereof; the chairman of the Committee on Agriculture of the Philippine Assembly; the Director of Public Works; the chairman of the Committee on Public Works of the Philippine Assembly; and one agriculturist to be appointed by the Governor-General, who shall receive a per diem of fifteen pesos for each session of the council which he actually attends: *Provided*, That the officers already receiving a salary or per diem from the Government shall serve without additional remunera-

tion: *And provided further*, That when the Philippine Assembly is not organized, or is without officers, the persons who held the offices of chairman of the Committee on Agriculture and chairman of the Committee on Public Works at the close of the preceding session shall continue in office as members of the Irrigation Council until their successors are appointed and qualified.

"The Director of Public Works shall have direction and supervision of the investigation for and construction of irrigation systems by the Government of the Philippine Islands and shall perform such duties as are prescribed herein.

"The Chief Irrigation Engineer shall, in addition to the duties and responsibilities stated in his appointment, be charged with those of the superintendent of irrigation as provided in Act Numbered Eighteen hundred and fifty-four."

And that the Assembly concur in the same.

That the Commission agree to amend section 3 of its amendment by placing the present clause lettered (*e*) before the present clause lettered (*d*), relettering the clauses accordingly; and that the Assembly concur in the same.

That the Commission agree to strike out in the third paragraph of section 9 of its amendment the words "upon receipt of the recording fee, which fee shall be three pesos, and be paid by the appropriator;" and that the Assembly concur in the same.

That the Commission agree to substitute for section 13 of its amendment the following:

"SEC. 13. In the event of the appropriators not organizing in accordance with the provisions of the next preceding section, the system shall be temporarily administered under this Act as follows:

"(a) By the municipal council, when the system affects one municipality alone;

"(b) By the provincial board, when it affects two or more municipalities of a province;

"(c) By the Director of Public Works, when it affects two or more provinces.

"The regulations issued for the administration, use, and distribution of waters shall be previously approved by the Irrigation Council and in the preparation of these regulations all the persons interested shall be given a hearing.

"The cost of this service shall be a lien upon the crops, in the first place, and in the second place upon the land of the water users and ditch owners, in accordance with the distribution thereof, as shown by the accounts of the municipal council, the provincial board, or the Director of Public Works, which distribution shall be based upon the quantity of water consumed by each appropriator or ditch owner, in proportion to the total quantity delivered to all: *Provided, however*, That the funds necessary to defray the administration expenses prior to the expiration of



each agricultural year (the period intervening between the beginning of the planting and the completion of the harvesting of the crops), in accordance with the appropriation, shall be advanced by the municipality or the province out of their funds, or by the Director of Public Works, out of the irrigation fund, and shall be reimbursed at the end of each year with interest at the rate of four per centum: *And provided further*, That in the event of the municipalities or provincial board being without funds to cover these expenses the administration of such systems shall be given to the Director of Public Works for such time as the funds advanced to meet said expenses are paid from the Insular Treasury.

"The municipal and provincial treasurers shall, in the performance of their official duties, collect the charges for administration expenses for each year upon the completion of each harvest, acting in this respect as delegates of the Director of Public Works. Such lien shall have preference over all other liens except that for taxes on the land and any mortgage lien in favor of the Philippine Agricultural Bank, and such preferred lien shall not be removed until all charges are paid or the property is sold for payment thereof. Within one year after default of payment on an installment payable on any parcel of land, the municipal president, the provincial governor or the Director of Public Works shall file with the clerk of the Court of First Instance of the district in which the land is situated, a list of all lands upon which default has been made. The clerk of the court shall thereupon publish in the manner provided for the publication of the summons in a civil action, a list of the lands so filed by the Director of Public Works, accompanied by a notice requiring the owners to file an answer thereto within thirty days after the completion of the publication.

"Upon the filing of an answer by the person interested, the action in respect to such person shall proceed to judgment, as provided for other actions by the Code of Civil Procedure. Upon termination of such thirty days, judgment shall be entered against such persons as have not answered, and their lands, or the portion thereof deemed necessary, shall be sold, after ten days' public notice, at public auction by the sheriff to satisfy such preferred lien.

"Any excess over the amount of said lien and the cost of such procedure shall be returned to the interested person, who shall have one year thereafter to redeem his land by payment of the amount of the judgment, and costs with interest at six per centum: *Provided, however*, That in the event of the cost of maintenance being so exceptionally high in any year that it exceeds fifty per centum of the net profits, such exceptional cost shall be distributed in an equitable manner, over two or more years, but not more than five: *And provided further*, That in the cases in which a crop is unharvested at the time of the execution of the lien, the execution shall be levied first on said crop.

"In the preparation of the regulations mentioned in this and the next preceding section, the customs and usages of each locality shall be taken into consideration, and in these regulations one day of the year shall be

fixed for a meeting of all the persons interested for the purpose of preparing an estimate of expenditures for the next succeeding year."

And that the Assembly concur in the same.

That the Commission agree to insert after the word "person," in the first line of section 14 of its amendment, the word "hereafter;" and that the Assembly concur in the same.

That the Commission agree to add after the word "appropriation," at the end of the second paragraph of section 15 of its amendment, the words "and shall besides be published once a week by means of *bandillos* or public criers;" and that the Assembly concur in the same.

That the Commission agree to substitute for section 16 of its amendment, the following:

"SEC. 16. If there is no unappropriated water in the source of supply, the Secretary of Commerce and Police, through the Director of Public Works, shall deny the application in writing, a record thereof being filed in his office, and shall return the application so denied to the applicant, who shall not prosecute any work under his application. If the applicant shall perform any work under his application he shall be guilty of and punished for a misdemeanor.

"If the source of supply be a navigable stream, the application must be referred by the Director of Public Works to the Director of Navigation, who shall return the application with his recommendation thereon.

"If there is unappropriated water in the source of supply named and the appropriation is not detrimental to the public, the Secretary of Commerce and Police, through the Director of Public Works, shall approve the application, indorse such approval upon the application, a record of such approval and indorsement being filed in the office of the Director of Public Works, and shall return the application so indorsed to the applicant, who shall, on receipt thereof, be authorized to take such measures as may be necessary to perfect such appropriation: *Provided, however,* That in case there is an insufficient supply for the total amount of water applied for, the Secretary of Commerce and Police, through the Director of Public Works, may approve an application for a less amount of water."

And that the Assembly concur in the same.

That the Commission agree to strike out in the first paragraph of section 17 of its amendment the words "which plans may be made by the Director of Public Works on the request and at the cost of the applicant," and add at the end of said section the following proviso: "*Provided, however,* That applicants for small appropriations to irrigated land, not in excess of sixteen hectares, shall not be required to submit plans and specifications other than those required in the application;" and that the Assembly concur in the same.

That the Commission agree to strike out in section 18 of its amendment the words "and subject to the same penalty" appearing in line 9, of page 16 of the Commission printed amendment; and that the Assembly concur in the same.

That the Commission agree to add at the end of the first paragraph

of section 22 of its amendment the following proviso: "Provided, however, That the development of less than thirty horsepower shall be exempt from the rental provided in this section;" and that the Assembly concur in the same.

That the Commission agree to strike out the words "seventy-five centavos," in the proviso to the second paragraph of section 22 of its amendment and to insert in lieu thereof the words "one peso;" and that the Assembly concur in the same.

That the Commission agree to strike out in section 25 (e) of its amendment the words "sixty days" and insert in lieu thereof the words "ninety days;" and that the Assembly concur in the same.

That the Commission agree to add at the end of section 25 of its amendment the following: "which shall also be published once a week by *bandillos* or public criers;" and that the Assembly concur in the same.

That the Commission agree to strike out in section 26 of its amendment wherever they occur the words "sixty days" and insert in lieu thereof the words "ninety days;" and also agree to insert in the same section, after the word "recommendation," in line 10 of the printed copy, the words "after hearing the persons interested," and insert after the word "land," in line 16 of the same section the words "or three-fourths of the owners of such land;" and that the Assembly concur in the same.

That the Commission agree to add at the end of section 27 of its amendment the following proviso: "Provided, That, other things being equal, preference shall be given to the occupants of the land in the matter of awarding contracts for the construction;" and that the Assembly concur in the same.

That the Commission agree to add at the end of section 28 of its amendment the following: "Inferior land not included within the designated zone of irrigable lands of an irrigation system shall be entitled to be benefited by the additional supply of water of the said system, under the obligation to pay a proportional share of the administration charges, provided that the rights of the system are not injured thereby, and the necessary concessions may be made for this purpose;" and that the Assembly concur in the same.

That the Commission agree to insert in section 29 of its amendment, following clause (d), the following: "(e) The date on which the official test of the system is to be made in the presence of the persons interested for their satisfaction;" and that the Assembly concur in the same.

That the Commission agree to insert in section 33 of its amendment, after the words "Public Works," in line 11 of page 24, the words "in accordance with the regulations," and to change in line 13 the words "sixty days" to "ninety days;" and that the Assembly concur in the same.

That the Commission agree to insert in section 36 of its amendment, after the words "five years," in line 3, of page 25 of the printed copy, the words "without sufficient reason the Secretary of Commerce and Police will declare such unused water reverted to the public and to be regarded

as unappropriated water," striking out the remainder of said section; and that the Assembly concur in the same.

That the Commission agree to strike out at the end of section 37 the words "Secretary of Commerce and Police" and insert in lieu thereof the words "Irrigation Council;" and that the Assembly concur in the same.

That the Commission agree to strike out the words "sixty days" in line 8 of section forty-two, and insert in lieu thereof the words "ninety days;" and that the Assembly concur in the same.

That the Commission agree to strike out in the first paragraph of section 44, line 6, all that part of said paragraph beginning with the words "and it shall be the duty" to the end thereof; and that the Assembly concur in the same.

That the Commission agree to insert in line 6, of section 45, after the word "or" the word "maliciously," and to add at the end of paragraph one of said section the words "chapter three, title thirteen;" and that the Assembly concur in the same.

That the Commission agree to strike out in line 6, of paragraph 47, the words "or by both such fine and imprisonment;" and that the Assembly concur in the same.

That the Commission agree to strike out in section 48 paragraphs (a) and (b); also to change the lettering of paragraph (c) to paragraph (a), and to strike out in said new paragraph (a) the words "twenty centavos" and insert in lieu thereof the words "ten centavos;" also to change paragraph (d) to paragraph (b); also to change paragraph (e) to paragraph (c); also to change paragraph (f) to paragraph (d), and to strike out in said new paragraph (d) all that follows the word "inspection," in line 19, of page 31 of the printed copy; and that the Assembly concur in the same.

That the Commission agree to strike out section 49; and that the Assembly concur in the same.

That the Commission agree to strike out section 50; and that the Assembly concur in the same.

That the Assembly recede from its disagreement to the amendments of the Commission in all other respects.

W. CAMERON FORBES, *Chairman of the  
Managers on the part of the Commission.*

MÓNICO R. MERCADO,

LEONCIO GRAJO,

JOSÉ FUENTEBELLA,

*Managers on the part of the Assembly.*

The report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Commission to Assembly Bill No. 101 was adopted by the Commission.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has disagreed to the report of the committee of conference

on the disagreeing votes of the two Houses to the amendment of the Commission to Assembly Bill No. 101, entitled "An Act to provide a system for the appropriation of public waters, and for the determination of existing rights thereto; for the public registration of all water rights; for the creation and use of water power; for investigations for and the construction, maintenance, and operation of irrigation systems by the Government of the Philippine Islands; for the repayment of money expended therefor; for the construction, maintenance, and operation of irrigation systems by private persons; for the inspection and regulation of all works pertaining to the use of water; and providing penalties for its violation; and for other purposes."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

CONFERENCE REPORT NO. 23.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Commission to Assembly Bill No. 553, entitled "An Act appropriating funds for sundry expenses of the University of the Philippines during the fiscal year ending June thirtieth, nineteen hundred and twelve, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Assembly bill as amended by the Commission be enacted with the following amounts substituted for those specified in said bill:

"For the salary of the president of the university, fourteen thousand pesos; for the office of the Board of Regents, two thousand pesos; for the College of Agriculture, sixty thousand pesos; for the School of Fine Arts, thirty thousand pesos; for the College of Law, twenty thousand pesos; for the establishment and maintenance of a course in pharmacy, one thousand five hundred pesos; for the College of Veterinary Science, twelve thousand pesos; for the College of Philosophy, Science, and Letters, fifty-two thousand five hundred pesos; for the College of Engineering, thirty-three thousand pesos; making a total of two hundred and twenty-five thousand pesos, the College of Medicine and Surgery being eliminated from the bill, provision therefor having been made in the concurrent appropriation bill."

NEWTON W. GILBERT,  
RAFAEL PALMA,  
*Managers on the part of the Commission.*  
ALBERTO BARRETTO,  
JAIME C. DE VEYRA,  
*Managers on the part of the Assembly.*

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has agreed to the report of the committee of conference on the disagreeing votes of the two Houses to the amendments of the Commission to Assembly Bill No. 553, entitled "An Act appropriating funds for sundry expenses of the University of the Philippines during the fiscal year ending June thirtieth, nineteen hundred and twelve, and for other purposes."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Commission to Assembly Bill No. 553 was adopted.

CONFERENCE REPORT NO. 24.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Commission to Assembly Bill No. 504, entitled "An Act to provide that all elective provincial and municipal offices shall be for four years; to prohibit a second reelection to the same; to change the date of the general elections; to amend Act Numbered Nineteen hundred and twenty-nine, entitled 'An Act to change the date for commencing future annual sessions of the Philippine Legislature;' to amend certain sections of Act Numbered Fifteen hundred and eighty-two, known as The Election Law, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

(1) At the end of section 1 of the bill as amended by the Commission add the following:

"In such event the following provisions of section twenty-nine of Act Numbered Fifteen hundred and eighty-two, to wit, 'no person holding an elective public office, to which such person has been elected, shall present his candidacy, nor shall he be eligible while holding such office, at any municipal, provincial, or Assembly election, except for reelection to the office held by him,' shall not be applicable to such election."

(2) Strike out all of section 2 of the bill as amended by the Commission, and insert in lieu thereof the following:

"SEC. 2. A second reelection to any provincial or municipal office is prohibited, except after four years."

(3) In the third paragraph of section 4 of the bill as amended by the Commission, strike out the words "by and with the consent of the Governor-General."

(4) In that part of section 5 of the bill as amended by the Commission

which relates to Bulacan Province, on page 5 strike out the word "Bocaué" from line 6 and insert the same in line 4.

(5) In section 12 of the bill as amended by the Commission, strike out the words "One of the inspectors shall prepare the ballot of the voter according to his wishes in the presence of the other two inspectors and out of view of any other persons," and insert in lieu thereof the following: "Two of the inspectors, each of whom shall belong to a different political party, shall ascertain the wishes of the voter, and one of them shall prepare the ballot of the voter according to his wishes, in the presence of the other inspector, and out of view of any other person."

(6) That the Assembly recede from its disagreement to all the other amendments of the Commission and agree to the same.

Respectfully submitted.

GREGORIO ARANETA,  
*Manager on the part of the Commission.*  
HERMOGENES REYES,  
MAURICIO ILAGAN,  
*Managers on the part of the Assembly.*

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has agreed to the report of the committee of conference on the disagreeing votes of the two Houses to the amendment of the Commission to Assembly Bill No. 504, entitled "An Act to provide that all elective provincial and municipal offices shall be for four years; to prohibit a second reëlection to the same; to change the date of the general elections; to amend Act Numbered Nineteen hundred and twenty-nine, entitled 'An Act to change the date for commencing future annual sessions of the Philippine Legislature;' to amend certain sections of Act Numbered Fifteen hundred and eighty-two, known as The Election Law, and for other purposes."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report of the Committee of conference on the disagreeing votes of the two Houses on the amendments of the Commission to Assembly Bill No. 504 was adopted.

#### REPORT OF SELECT COMMITTEE.

[Committee Report No. 217.]

MR. PRESIDENT: Your select committee of three, to which was referred on January 30, 1911, Assembly Bill No. 521, entitled "An Act to provide for the establishment of a nautical school in the Philippine Islands," has

examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That consideration of the bill be postponed until the next session of the Legislature.

Respectfully submitted.

C. B. ELLIOTT,  
 NEWTON W. GILBERT,  
 GREGORIO ABANETA,  
*Select Committee.*

To the Honorable,  
 the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

REPORT OF STANDING COMMITTEE.

[Committee Report No. 218.]

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Commerce and Police, to which was referred on February 3, 1911, Assembly Bill No. 532, entitled "An Act amending section two of Act Numbered Thirteen hundred and ninety-four, as amended by section four of Act Numbered Eighteen hundred and sixty-seven, providing for certain reforms in the organization of the Philippines Constabulary," has examined the same and has the honor to report it back to the Commission with the following recommendation, viz:

That the bill be passed.

This Act is intended to give officers promoted from the ranks the benefit of their enlisted service in computing longevity pay, which system is in vogue in the Army and Navy. Officers of the Constabulary were being thus paid until the Attorney-General put a contrary construction on the law. It is to legalize such past payments and to do justice to officers from the ranks that this bill was introduced and made retroactive.

Respectfully submitted.

C. B. ELLIOTT,  
*Committee on Matters Pertaining to the  
 Department of Commerce and Police.*

To the Honorable,  
 the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report was adopted.

Assembly Bill No. 532 was read the second time.

On motion by Commissioner Elliott, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and



Assembly Bill No. 532 was unanimously passed and the title was read and approved.

*Ordered*, That the Secretary notify the Assembly thereof.

## MESSAGES FROM THE ASSEMBLY.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on February 3, 1911, passed without amendment Commission Bill No. 72, entitled "An Act appropriating the sum of sixteen thousand three hundred and eighty-four pesos and thirty-two centavos, out of any funds in the Insular Treasury not otherwise appropriated, to reimburse the appropriation of the Executive Bureau for expenses incident to the visit of the Secretary of War to the Philippine Islands during the year nineteen hundred and ten."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

*Ordered*, That Commission Bill No. 72 be enrolled and printed as an Act.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on February 3, 1911, passed without amendment Commission Bill No. 92, entitled "An Act amending Act Numbered Two thousand and forty-two, entitled 'An Act to provide funds for the travel and subsistence expenses of the delegates of the Philippine Islands to the International Tuberculosis Congress to be held at Rome, Italy, during the present year of nineteen hundred and eleven,' by providing that the delegates shall be appointed by the Governor-General."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

*Ordered*, That Commission Bill No. 92 be enrolled and printed as an Act.

## RECESS.

A short recess was declared by the President to enable the Commission members of the conference committee on the subject of the election of Resident Commissioners to the United States to attend a conference meeting.

## RECONVENED.

Shortly, the Commission reconvened.

## REPORT OF CONFERENCE COMMITTEE ON ELECTION OF RESIDENT COMMISSIONERS.

The Commission members of the committee of conference on the subject of the election of Resident Commissioners reported, through the President, that the committee had been unable to reach an agreement.

The report of the committee was accepted.

## MESSAGES FROM THE ASSEMBLY.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on February 3, 1911, passed the following bill (A. B. No. 554), in which it requests the concurrence of the Commission: An Act appropriating the sum of one hundred thousand pesos for the construction under certain conditions of hospital buildings in the provinces.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Assembly Bill No. 554 was read the first time and laid on the table.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on February 3, 1911, passed the following bill (A. B. No. 454), in which it requests the concurrence of the Commission: An Act creating a committee for the promotion of abacá and other Philippine products, and appropriating, from the funds in the Insular Treasury not otherwise appropriated, the sum of fifty thousand pesos.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Assembly Bill No. 454 was read the first time and laid on the table.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on February 3, 1911, passed without amendment Com-

mission Bill No. 57, entitled "An Act to amend article two of the franchise contained in Act Numbered Fourteen hundred and ninety-seven of the Philippine Commission, entitled 'An Act granting to the Philippine Railway Company a concession to construct railways in the Islands of Panay, Negros, and Cebu, and guaranteeing interest on the first-mortgage bonds thereof, under authority of the Act of Congress approved February sixth, nineteen hundred and five,' by extending its provisions, under certain limitations, to the foreshore and reclaimed land."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

*Ordered*, That Commission Bill No. 57 be enrolled and printed as an Act.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Commission, on February 3, 1911, passed without amendment Commission Bill No. 69, entitled "An Act authorizing the selection of additional teachers to receive the benefits of Act Numbered Nineteen hundred and eighty-four, providing that the classes thereby provided for may be held at other points than the city of Manila, and making an annual appropriation for carrying out the provisions of said Act."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

*Ordered*, That Commission Bill No. 69 be enrolled and printed as an Act.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on February 3, 1911, agreed to the amendment of the Commission to Assembly Concurrent Resolution No. 2, entitled "Concurrent Resolution petitioning the Congress of the United States that it pass an Act amending the Act of July first, nineteen hundred and two, in the sense that the age required in order to vote for the office of Delegate be twenty-one years or over, and authorizing the Philippine Assembly to prescribe the general qualifications of voters in elections for Delegates and to amend those already established."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly insists upon its amendments to Commission Bill No. 63, entitled "An Act to provide for lodging, subsistence, and fees for certain witnesses in criminal cases," disagreed to by the Commission, and agrees to the conference asked by the Commission on the disagreeing votes of the two Houses thereon, and has appointed as managers at the same on its part Delegates Singson, Reyes, and Contreras.

Very respectfully,

RAMÓN DIOKNO,

*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered referred to the conference committee on Commission Bill No. 63.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on February 3, 1911, passed without amendment Commission Bill No. 70, entitled "An Act authorizing the appointment for the fiscal year nineteen hundred and twelve of certain high-school students under the provisions of Act Numbered Nineteen hundred and eighty-three, and appropriating funds for carrying out the purposes of said Act."

Very respectfully,

RAMÓN DIOKNO,

*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

*Ordered,* That Commission Bill No. 70 be enrolled and printed as an Act.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on February 3, 1911, refused to agree to the amendments of the Commission to Assembly Bill No. 391, entitled "An Act providing certain special proceedings for the settlement and adjudication of land titles."

Very respectfully,

RAMÓN DIOKNO,

*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on February 3, 1911, refused to agree to the amendments of the Commission to Assembly Bill No. 481, entitled "An Act prohibiting

the admittance of women and of minors under eighteen years of age into cockpits established in the Philippine Islands."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

FEBRUARY 2, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on February 2, 1911, agreed to the amendments of the Commission to Assembly Bill No. 514, entitled "An Act providing for an appropriation of one million pesos for the construction of schools in the municipalities and barrios of the Philippine Islands under certain conditions."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on February 3, 1911, passed without amendment Commission Bill No. 78, entitled "An Act appropriating the sum of fifty thousand pesos, or so much thereof as may be necessary, to be expended, subject to the approval of the Governor-General, together with an equal amount to be contributed by private persons interested in the development of the Philippine Islands, to advertise in the United States Philippine products and interests, and for other purposes."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

*Ordered,* That Commission Bill No. 78 be enrolled and printed as an Act.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has agreed to the report of the committee of conference on the disagreeing votes of the two Houses to the amendments of the Commission to Assembly bill (A. B. No. 131), entitled "An Act imposing a severer penalty on persons guilty of the theft of work animals, and

amending article five hundred and twenty of the existing Penal Code to that effect."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has agreed to the report of the committee of conference on the disagreeing votes of the two Houses to the amendments of the Commission to Assembly bill (A. B. No. 147), entitled "The Negotiable Instruments Law."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on February 3, 1911, agreed to the amendment of the Commission to Assembly Bill No. 327, entitled "An Act providing for the cancellation, under certain conditions, of the indebtedness contracted by the provincial and municipal Governments with the Insular Treasury under the provisions of section eleven of Act Numbered Fourteen hundred and one, as amended."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on February 3, 1911, agreed to the amendment of the Commission to Assembly Bill No. 444, entitled "An Act amending Act Numbered Nineteen hundred and nine so as to permit municipalities again to change the dates of their local fiestas."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on February 3, 1911, agreed to the amendment of the

Commission to Assembly Bill No. 486, entitled "An Act to amend Act Numbered Thirteen hundred and ninety-six, entitled "The Special Provincial Government Act," providing for the free issue of cedulae to the persons who have paid, or worked out, the tax imposed in section nineteen of said Act, and for the appointment of the third member of the provincial board by the Governor-General under certain circumstances."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly, on February 3, 1911, agreed to the amendment of the Commission to Assembly Bill No. 501, entitled "An Act to amend sections six hundred and eighteen and six hundred and twenty of the Code of Procedure in Civil Actions and Special Proceedings in the Philippine Islands, by safeguarding more efficiently the authenticity of wills."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

CONFERENCE REPORT NO. 25.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Commission to Assembly Bill No. 536, entitled "An Act providing funds for public works and permanent improvements, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Commission recede from all that part of its amendment appearing under the heading "Current expenses."

That the Assembly recede from its disagreement to the first paragraph appearing under the heading "Permanent improvements" in the Commission's amendment.

That the Commission agree to strike out in its amendment under the heading "Bureau of Constabulary" the words "fifty thousand pesos" and insert in lieu thereof "thirty thousand pesos," changing the total under this heading to fifty thousand pesos; and that the Assembly concur in the same.

That the Commission agree to insert under the heading "Bureau of Public Works" in its amendment the following: a proviso at the end of the first paragraph thereof to read as follows: "Provided, That of the sum

appropriated in this section twenty thousand pesos are declared available to be loaned, with the approval of the Governor-General and subject to the conditions prescribed by him, by the Secretary of Commerce and Police, to the provincial board of Rizal, for improvements, sanitation, and public works in the municipality of Antipolo. Said provincial board in the performance of this duty is hereby vested with all the authority and duties conferred upon the committee created by Act Numbered Thirteen hundred and ninety-three, as amended," and change the total of that paragraph to one million five hundred thousand pesos.

That the following paragraphs be inserted:

"For the construction of buildings at Culion, fifty thousand pesos."

"For the repair and construction of the wagon road between Baliuag and San Miguel, Bulacan, including the necessary bridges and culverts, and for the maintenance of grounds, buildings, additional baths, extension of streets, construction of additional bridges and culverts, and additional funds for the sanitarium, all within the zone reserved in Sibul Springs, to be expended by the committee created by Act Numbered Nineteen hundred and eighty-one, fifty thousand pesos."

"For the determination of existing water rights, to be expended by the Director of Public Works, with the approval of the Secretary of Commerce and Police, forty thousand pesos."

And that the Assembly concur in the same.

That the Commission agree to increase the amount for the drilling of artesian wells to five hundred thousand pesos, and that the Assembly concur in the same.

That the Commission agree to insert in the paragraph of its amendment regarding river control, etc., after the word "police," the words "taking into consideration the necessities of the provinces and municipalities;" and that the Assembly concur in the same.

That the Commission add before the total for the Bureau of Public Works in its amendment the following: "The Insular Treasurer is hereby authorized and empowered to advance from time to time to the Bureau of Public Works an amount not exceeding ninety per centum of the amount owing to the Bureau of Public Works by the provinces, and to apply the money received from the provinces in payment of said claims to the repayment of the sum thus advanced the Bureau.

"Employees of the Bureau of Public Works shall be entitled to medicines and medical attendance while engaged on any authorized public works at places where usual medical attendance is not accessible, and the Director of Public Works may, subject to the approval of the Secretary of Commerce and Police, appoint such physicians, at fixed monthly salaries, as may be in his judgment for the best interest of the service, when such medical attendance and supplies can not be furnished by the Bureau of Health or the Bureau of Constabulary," and that the Assembly concur in the same.

That the Commission agree to insert in its amendment under the Bureau



of Navigation, after the words "and for the improvement of the port of Iloilo," the words "and further investigations at the ports of Dagupan, Aparri, and Calbayog," and to insert under this heading the following: "for the construction, repair, and maintenance of lights and buoys, including dwellings for the light keepers, and so forth, as approved by the Light-house Board, subject to the approval of the Secretary of Commerce and Police, two hundred and fifty thousand pesos.

"For the construction and equipment of a shallow draft steel hull for the stern-wheel engine and boiler at present owned by the Bureau for use on the Cagayan River, thirty thousand pesos.

"For the reconstruction of the cutter Corregidor, to be used as a buoy vessel, for the placing and overhauling of buoys and the construction of beacons, fifty thousand pesos."

And that the Assembly concur in the same.

That the Commission agree to substitute for the text appearing in its amendment under the heading "University of the Philippines" the following:

"For the construction of a building for the use of the University of the Philippines, two hundred and fifty thousand pesos; for the construction, for the College of Agriculture at Los Baños, of a stable, eight thousand pesos; irrigation system, fourteen thousand pesos; in all, two hundred and seventy-two thousand pesos."

And that the Assembly concur therein.

That the Commission agree to insert the following: "For the purchase of submarine cable to replace the present cable, two hundred and twenty thousand pesos; for the establishment of new telegraph lines and the repair and maintenance of existing lines, fifty thousand pesos. Total for the Bureau of Posts, two hundred and seventy thousand pesos."

"For Insular school buildings to be allotted by the Secretary of Public Instruction, five hundred thousand pesos."

And that the Assembly concur in the same.

Make resulting changes in totals.

And that the Assembly recede from its disagreement to the amendments of the Commission in all other respects and concur therein.

C. B. ELLIOTT,

JUAN SUMULONG,

*Managers on the part of the Commission.*

JAIME C. DE VEYRA,

ANACLETO DIAZ,

JOSÉ VALLE,

*Managers on the part of the Assembly.*

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly has agreed to the report of the committee of conference

on the disagreeing votes of the two Houses to the amendment of the Commission to Assembly Bill No. 536, entitled "An Act providing funds for public works and permanent improvements, and for other purposes."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

The report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Commission to Assembly Bill No. 536 was adopted.

#### THIRD READING AND PASSAGE OF BILL.

Assembly Bill No. 525. An Act amending section one of Act Numbered Nineteen hundred and eighty-nine, entitled "An Act making appropriations for sundry expenses of the Insular Government for the fiscal year ending June thirtieth, nineteen hundred and eleven, and other designated periods," in the portion relating to the Philippine Assembly.

On motion by Commissioner Branagan, unanimously carried,

The bill was considered urgent under the provisions of Rule XIV, Rules of the Commission, and read the third time by title only.

The question then being upon its passage, the roll was called and Assembly Bill No. 525 was passed and the title was read and approved.

*Ordered,* That the Secretary request the concurrence of the Assembly in the amendments of the Commission.

#### CONFERENCE REPORTS—FAILURE TO AGREE.

The committees of conference on the disagreeing votes of the two Houses on the following bills reported failure to agree:

Assembly Bill No. 518. An Act to appropriate the sum of fifty thousand pesos for the relief of sufferers from public calamities.

Assembly Bill No. 549. An Act making a special appropriation of one hundred thousand pesos for the relief of the sufferers from the eruption of Taal Volcano, and for other purposes.

Assembly Bill No. 523. An Act making appropriations for sundry expenses of the Insular Government for the fiscal year ending June thirtieth, nineteen hundred and twelve, and other designated periods.

Commission Bill No. 63. An Act to provide for lodging, subsistence, and fees for certain witnesses in criminal cases.

The reports were accepted.

## RESIDENT COMMISSIONERS.

On motion by the President,

The Commission then went into Committee of the Whole for the purpose of designating for the term beginning March 4, 1911, one of the Resident Commissioners to the United States provided for by the Act of Congress of July 1, 1902, as amended by the Act of Congress of June 18, 1910.

After some time spent in Committee of the Whole, the committee rose and, through the President, reported that Benito Legarda had been designated.

*Ordered*, That the Secretary notify the Assembly thereof.

## MESSAGES FROM THE ASSEMBLY.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have the honor to inclose herewith for the information of your honorable body a resolution adopted by the Assembly on February 3, 1911.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

The resolution is as follows:

*Be it resolved*, That in view of the persistence of the Commission in proposing the Honorable Benito Legarda for Resident Commissioner and it being impossible for the Assembly to concur in this nomination, the Assembly believes that if it were again to nominate the Honorable Manuel L. Quezon and reject Señor Legarda, as would be its unanimous action, no result would be attained thereby; and for this reason, and considering, likewise, that the Legislature is about to close its present session, be it

*Resolved, further*, That the election of Resident Commissioners be hereby declared to have failed, under the procedure outlined in Joint Resolution Numbered Two of the First Legislature and Numbered Two of the Second Legislature.

Ordered filed.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, laid on the table Commission Bill No. 26, entitled "An Act to amend Act Numbered Six hundred and sixty-six, entitled 'An Act defining property in trade-marks and in trade-names and providing for the protection of the same, defining unfair competition and providing remedies against the same, providing registration for trade-marks and trade-names, and defining the effect to be given to registra-

tion under the Spanish royal decree of eighteen hundred and eighty-eight relating to the registration of trade-marks, and the effect to be given to registration under this Act,' by providing for the publication of applications for registration of trade-marks and trade-names and for the filing of opposition to such registration by persons considering themselves damaged thereby, and forbidding the importation of certain merchandise, and for other purposes."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, laid on the table Commission Bill No 27, entitled "An Act making it unlawful, without authority from the Director of Navigation, to establish, erect, or maintain in the navigable waters of the Philippine Islands, any light as an aid to navigation or any other aid to navigation similar to any of those maintained by the Bureau of Navigation, and providing a penalty therefor."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, laid on the table Commission Bill No. 34, entitled "An Act repealing sections seven hundred and fifty-five, seven hundred and fifty-six, seven hundred and fifty-seven, and seven hundred and sixty of Act Numbered One hundred and ninety, and restoring such provisions of the Civil Code as may have been amended or repealed by said sections to full force and effect."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, laid on the table Commission Bill No. 36, entitled "An Act to amend Act Numbered Fifty-two, entitled 'An Act providing for examinations of banking institutions in the Philippine Islands, and for reports by their officers,' as amended by Act Numbered

Eight hundred and thirty-nine, by providing for the examination of banks every twelve months, and for other purposes."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, laid on the table Commission Bill No. 37, entitled "An Act to amend section thirty-six of Act Numbered Eleven hundred and eighty-nine, entitled 'The Internal Revenue Law of Nineteen hundred and four,' by exempting from the payment of internal-revenue taxes articles purchased and delivered for actual use or issue by the Army or Navy of the United States."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, laid on the table Commission Bill No. 43, entitled "An Act to amend section eleven of Act Numbered Nineteen hundred and eighty, entitled 'An Act to provide for the creation of a commissioned and enlisted service within the Bureau of Navigation, the creation of a pension fund in connection therewith, and for the punishment of offenses against good order and discipline within such service,' by authorizing the Secretary of Commerce and Police, with the approval of the Governor-General, to designate any commissioned officer to act as summary court officer."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, laid on the table Commission Bill No. 44, entitled "An Act to amend section two of Act Numbered Nineteen hundred and fifty-two, entitled 'An Act to provide for the establishment of the Province of Batanes; to amend paragraph seven of section sixty-eight of Act Numbered Eleven hundred and eight-nine in certain particulars; to authorize the provincial board of the Province of Batanes,

with the approval of the Governor-General, to extend the time for the payment without penalty of taxes and licenses; to amend section five of Act Numbered Fifteen hundred and eighty-two, entitled "The Election Law," by increasing the number of Delegates to the Philippine Assembly to eighty-one, and for other purposes,' by providing for a provincial fiscal for the Province of Batanes."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, laid on the table Commission Bill No. 54, entitled "An Act to amend section three hundred and forty-four of Act Numbered Three hundred and fifty-five, known as the Philippine Customs Administrative Act, as amended, by making it the duty of the prosecuting attorney for the city of Manila to prosecute violations of the customs laws."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, laid on the table Commission Bill No. 55, entitled "An Act to amend Act Numbered Three hundred and fifty-five, known as the Philippine Customs Administrative Act, by including vessels within the provisions of sections three hundred and twenty-two and three hundred and twenty-three of said Act."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, laid on the table Commission Bill No. 58, entitled "An Act to amend section seven of Act Numbered Five hundred and thirty, entitled 'An Act defining the jurisdiction of the civil and of the military authorities over lands reserved by the President of the United States for military purposes,' by providing for the manner of

making arrests and serving subpoenas on military reservations, or in camps or barracks.”

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, laid on the table Commission Bill No. 60, entitled “An Act defining habitual criminals and providing additional punishment for the same.”

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, laid on the table Commission Bill No. 61, entitled “An Act amending articles fifty-six, fifty-seven, one hundred and six, two hundred and fifty, two hundred and fifty-two, three hundred, three hundred and one, three hundred and three, and three hundred and sixteen of the Penal Code, by making certain changes in the penalties.”

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, laid on the table Commission Bill No. 64, entitled “An Act amending Act Numbered Nineteen hundred and forty-four, entitled ‘An Act authorizing the Governor-General to specify by executive order the kinds of native wines or liquors which shall be subject to the prohibitions contained in sections nine and twenty-four of Act Numbered Fifty-nine, entitled “The Manila Liquor Licenses Act,” Act Numbered Thirteen hundred and two, entitled “An Act prohibiting the sale, gift, or other disposal, in the Province of Cavite, to soldiers of the United States Army and sailors and enlisted men of the United States Navy and Marine Corps, of any of the so-called native wines or liquors,” and Act Numbered Thirteen hundred and sixty-nine, entitled “An Act prohibiting the sale, gift, or other disposal, in the Province of Zambales,

to soldiers of the United States Army and sailors and enlisted men of the United States Navy and Marine Corps, of any of the so-called native wines or liquors,"' by defining the words 'native wines or liquors,' and for other purposes."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, laid on the table Commission Bill No. 67, entitled "An Act to amend section ninety-one of Act Numbered Eleven hundred and eighty-nine, as amended, entitled 'The Internal Revenue Law of Nineteen hundred and four,' by increasing the percentage of alcohol that wine may contain and still be subject to the lower tax rate per gauge liter."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, laid on the table Commission Bill No. 74, entitled "An Act amending Act Numbered Eight hundred and seventeen entitled 'An Act declaring that the presence of locusts in various provinces of the Islands so threatens the food supply for the coming year as to present a public emergency requiring radical action, and authorizing and providing for the appointment of a board in each province with full powers to call upon all able-bodied inhabitants thereof to take united action to suppress the pest, and for other purposes,' by changing the method of appointment of the locust boards, and by defining the relation of the Bureau of Agriculture to the locust boards and appropriating a sum of money for the purposes of said Act, and for other purposes."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, laid on the table Commission Bill



No. 75, entitled "An Act to prevent the introduction into the Philippine Islands of dangerous communicable animal diseases, to prevent the spread of such diseases within the Philippine Islands, to define the duties of officials charged with the control of such diseases, appropriating funds for the enforcement of this Act, and for other purposes."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, laid on the table Commission Bill No. 76, entitled "An Act providing for the proof and acknowledgment of instruments without the Islands."

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, laid on the table Commission Bill No. 81, entitled "An Act to correct an error in Act Numbered Nineteen hundred and ten, entitled 'An Act amending sections twenty-two, twenty-six, thirty-one, and thirty-two of Act Numbered Seventeen hundred and sixty-one, referred to as The Opium Act, by providing for the disposition of all taxes, fines, and all other moneys collected under this Act, increasing the penalties for the violation of sections thirty-one and thirty-two, repealing section twenty-seven, and for other purposes.'"

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, laid on the table Commission Bill No. 83, entitled "An Act providing, in the event of the granting of authority therefor by the Congress of the United States, for the issue of bonds of the Government of the Philippine Islands to the amount of two million

five hundred thousand dollars, gold coin of the United States of the present standard value, for the purpose of providing funds for certain public works and permanent improvements for the development of the Philippine Islands, repealing certain portions of Acts Numbered Nineteen hundred and fifty-four and Nineteen hundred and eighty-eight, and making appropriations out of the funds resulting from the sale of bonds, and for other purposes."

Very respectfully,

RAMÓN DIOKNO,

*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, laid on the table Commission Bill No. 88, entitled "An Act prohibiting slavery, involuntary servitude, peonage, or the sale of human beings in the Philippine Islands and providing punishment therefor."

Very respectfully,

RAMÓN DIOKNO,

*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, laid on the table Commission Bill No. 91, entitled "An Act establishing and defining the legal rate of interest, and declaring the effect of usury upon contracts, and for other purposes."

Very respectfully,

RAMÓN DIOKNO,

*Secretary, Philippine Assembly.*

To the Honorable,

the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, laid on the table Commission Bill No. 59, entitled "An Act amending Act Numbered Sixteen hundred and ninety-seven, entitled 'An Act authorizing the appointment of commissioners to make official investigations and fixing their powers; for the payment of witness fees; and for the punishment of perjury in official investigations,' by changing the punishment for perjury, and by punish-

ing persons who endeavor to procure or incite other persons to commit perjury.”

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the Assembly on February 3, 1911, laid on the table Commission Bill No. 73, entitled “An Act to provide for the survey and classification of Philippine soils, to regulate the sale of commercial fertilizers, feed stuffs, and insecticides, to prevent the importation and spread of plant pests and diseases, and for other purposes.”

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

FEBRUARY 3, 1911.

MR. PRESIDENT: I have been directed to inform your honorable body that the amendment of the Commission on Assembly bill (A. B. No. 525) entitled “An Act amending section one of Act Numbered Nineteen hundred and eighty-nine, entitled ‘An Act making appropriations for sundry expenses of the Insular Government for the fiscal year ending June thirtieth, nineteen hundred and eleven, and other designated periods,’ in the portion relating to the Philippine Assembly,” has been laid on the table of the Speaker.

Very respectfully,

RAMÓN DIOKNO,  
*Secretary, Philippine Assembly.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

Ordered filed.

On motion by Commissioner Gilbert,

The Commission expressed its satisfaction with the work of the Acting Secretary of the Commission during this session of the Legislature.

At 11 o'clock and 50 minutes postmeridian,

A committee of three from the Assembly, composed of Delegates Guanko, Luna, and Valle, were admitted to the Session Chamber

and stated that, in accordance with the following resolution of the Assembly, viz:

**Assembly Resolution No. 95.** Resolution providing for the appointment of a committee of three to notify the Chief Executive of the adjournment of the first session of the Second Philippine Legislature.

*Resolved*, That a committee of three be appointed by the Chair to join a similar committee appointed by the Commission, in order to notify the Chief Executive that the two Houses have completed the business of the present session and are ready to adjourn, unless the Chief Executive should have some communication to send them,

they were ready to unite with a committee of the Commission to announce to the Chief Executive that, in accordance with Concurrent Resolution No. 3 of the Second Philippine Legislature, the Legislature would be ready to adjourn at 12 o'clock midnight unless the Chief Executive had some further communication to make to it.

Whereupon, on motion by Commissioner Gilbert, it was,

*Resolved*, That the President appoint a committee of three to unite with the committee of the Assembly in notifying the Chief Executive that, in accordance with Concurrent Resolution No. 3 of the Second Philippine Legislature, the Legislature would adjourn at 12 o'clock midnight unless the Chief Executive had some further communication to make to it.

The President then appointed Commissioners Araneta, Palma, and Elliott as such committee, and the Commission suspended its proceedings while the committee waited upon the Governor-General and delivered the message of the Legislature.

#### READING OF JOURNAL.

The Journal of Friday, February 3, 1911, was approved.

#### ADJOURNMENT SINE DIE OF THE COMMISSION AS A CHAMBER OF THE PHILIPPINE LEGISLATURE.

The hour of midnight having arrived, pursuant to Concurrent Resolution No. 3 of the Second Philippine Legislature, the President declared the Commission as a chamber of the Philippine Legislature adjourned *sine die*.

ADJOURNMENT OF THE COMMISSION ACTING WITHIN ITS EXCLUSIVE  
LEGISLATIVE JURISDICTION OVER ALL THAT PART OF THE  
PHILIPPINE ISLANDS INHABITED BY MOROS OR  
OTHER NON-CHRISTIAN TRIBES.

Thereupon, on motion by Commissioner Branagan,

The Commission acting within its exclusive legislative jurisdiction over all that part of the Philippine Islands inhabited by Moros or other non-Christian tribes adjourned to meet at the call of the President.

Attest:

GEO. C. SCHWEICKERT, *Acting Secretary.*

Approved:

W. CAMERON FORBES, *President.*



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**MEMBERS AND STANDING COMMITTEES**  
**OF THE**  
**PHILIPPINE COMMISSION**

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## Second Philippine Legislature.

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MEMBERS OF THE PHILIPPINE COMMISSION DURING  
THE PERIOD COVERED BY THIS JOURNAL,  
VIZ, JANUARY 1, 1910, TO FEBRUARY  
3, 1911.

[Authorized membership, 9.]

Honorable W. CAMERON FORBES, Governor-General, *ex officio*  
President.

Honorable NEWTON W. GILBERT, Vice-Governor and Secretary of  
Public Instruction.

Honorable DEAN C. WORCESTER, Secretary of the Interior (Ab-  
sent from the Islands on official business from November 7, 1910.)

Honorable JOSE R. DE LUZURIAGA, (On leave from March 1,  
1910, to January 31, 1911.)

Honorable GREGORIO ARANETA, Secretary of Finance and Jus-  
tice.

Honorable RAFAEL PALMA.

Honorable JUAN SUMULONG. (On leave from March 1, 1910, to  
October 22, 1910.)

Honorable FRANK A. BRANAGAN.

Honorable CHARLES B. ELLIOTT, Secretary of Commerce and  
Police. (From February 14, 1910.)

Secretary of the Commission, WILLIAM H. DONOVAN (on leave  
from May 25, 1910, GEORGE C. SCHWEICKERT acting).

### STANDING COMMITTEES OF THE COMMISSION.

[As constituted March 30, 1910. For personnel prior to said date, see pp. 709, 710  
of Journal for Second Session, First Legislature.]

*Committee on Matters Pertaining to Bureaus under the Exec-  
utive control of the Governor-General.*—The President of the Com-  
mission.

*Committee on Matters Pertaining to the Department of the Interior.*—The Commissioner holding the position of Secretary of the Interior.

*Committee on Matters Pertaining to the Department of Commerce and Police.*—The Commissioner holding the position of Secretary of Commerce and Police.

*Committee on Matters Pertaining to the Department of Finance and Justice.*—The Commissioner holding the position of Secretary of Finance and Justice.

*Committee on Matters Pertaining to the Department of Public Instruction.*—The Commissioner holding the position of Secretary of Public Instruction.

*Committee on Appropriations.*—The Commissioner holding the position of Secretary of Finance and Justice, chairman; Commissioner Worcester; Commissioner Luzuriaga; Commissioner Branagan.

*Committee on Rules.*—Commissioner Gilbert, chairman; Commissioner Elliott; Commissioner Palma; Commissioner Sumulong.

*Committee on Municipal and Provincial Governments.*—Commissioner Luzuriaga, chairman; Commissioner Palma; Commissioner Elliott; Commissioner Sumulong.

*Committee on Taxation and Revenue.*—Commissioner Branagan, chairman; Commissioner Araneta; Commissioner Gilbert; Commissioner Palma.

*Committee on Non-Christian Tribes.*—Commissioner Worcester, chairman; Commissioner Luzuriaga; Commissioner Sumulong; Commissioner Branagan.

*Committee on Affairs Pertaining to the Moro Province.*—Commissioner Branagan, chairman; Commissioner Palma; Commissioner Elliott.

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**CERTAIN PROCEEDINGS OF THE PHILIPPINE COM-  
MISSION IN EXECUTIVE SESSION DURING THE  
PERIOD FROM THE BEGINNING OF THE  
SECOND LEGISLATURE, JANUARY 1,  
1910, TO THE TERMINATION OF  
THE FIRST SESSION, FEB-  
RUARY 3, 1911.**

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## Philippine Commission.

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IN EXECUTIVE SESSION FROM JANUARY 1, 1910, TO  
FEBRUARY 3, 1911.

Statement with reference to bills, resolutions, and reports of the Commission, Acts of the legislative council of the Moro Province considered in executive session by the Commission from January 1, 1910, to March 27, 1910, and April 20, 1910, to October 16, 1910, and appointments confirmed by the Commission during the period from January 1, 1910, to February 3, 1911, inclusive.

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When the Legislature is not in session, action taken by the Commission within its exclusive general legislative jurisdiction over all that part of the Philippine Islands inhabited by Moros or other non-Christian tribes is recorded in the Executive Journal, and as this journal is not printed, the following information is taken therefrom and given here in order to afford in the printed journal a continuous record of all bills, resolutions, committee reports and acts of the legislative council of the Moro Province considered by the Commission from the close of the period covered by the journal for the second session of the First Legislature to and including February 3, 1911. The numerical series of Commission bills, joint, concurrent, and house resolutions, and committee reports, begin anew with each Legislature. There is also given in this statement a list of appointments confirmed by the Commission from January 1, 1910, to February 3, 1911, inclusive.

The following table shows the numbers of Commission bills,

resolutions, and reports presented during each session and during recesses of the Second Philippine Legislature:

	First recess, January 1, 1910, to March 27, 1910, inclusive.	Special session, March 28, 1910, to April 19, 1910, inclusive.	Second recess, April 20, 1910, to October 16, 1910, inclusive.	First session, October 17, 1910, to February 3, 1911, inclusive.
Commission bills.....	Numbers. 1-2	Numbers. 8-10	Numbers. 11-20	Numbers. 21-92
Commission joint resolutions.....	None.	None.	None.	1
Commission concurrent resolutions.....	None.	None.	None.	1-2
House resolutions.....	1-9	10-19	20-42	43-59
Committee reports.....	1-6	7-25	26-37	38-218
Conference reports.....	None.	1-6	None.	7-25

The following are the bills, resolutions, reports, and acts of the legislative council of the Moro Province, by titles or subjects, presented to the Commission during the periods from January 1, 1910, to March 27, 1910, and April 20, 1910, to October 16, 1910, inclusive, with information of the action taken thereon:

#### BILLS.

##### January 1, 1910, to March 27, 1910, inclusive.

*No. 118.* An Act repealing Act Numbered One hundred and ten of the Moro Province, entitled "An Act providing for the establishment of a provincial board of health for the Moro Province, and for district and municipal boards of health;" and creating the position of district health officer for the Moro Province and providing for the establishment of district and municipal boards of health.

January 14, 1910. Reported by the Committee on Matters Pertaining to the Department of Finance and Justice and report adopted.<sup>1</sup>

*No. 1.* An Act transferring the sum of one thousand one hundred and twelve pesos and seventy-nine centavos from the school fund of the city of Baguio to the general fund of said city.

January 13, 1910. Introduced by the President, read the first and second times, considered in Committee of the Whole, read the third time and passed. (See Act No. 1969.)

*No. 2.* An Act legalizing, ratifying, and confirming all Acts passed by the legislative council of the Moro Province and heretofore approved by the Philippine Commission amending or repealing or inconsistent with any Act of the Philippine Commission and all taxes collected and action taken and things done under the provisions of any of such acts of the legislative council of the Moro Province prior to the enactment of this law.

<sup>1</sup>See p. 773; for previous action see p. 714, Journal, second session, First Legislature.

January 14, 1910. Introduced by the Committee on Matters Pertaining to the Department of Finance and Justice, read three times, and passed. (See Act No. 1970.)

(Nos. 3 to 6, see History of Bills, *post*, pp. 843, 844.)

April 20, 1910, to October 16, 1910, inclusive.

No. 7. An Act providing a fixed compensation for the justice of the peace for the municipality of Dapitan in lieu of all fees, and for other purposes.

June 28, 1910. Reported by the Committee on Affairs Pertaining to the Moro Province with the recommendation that it be indefinitely postponed, and report adopted.<sup>1</sup>

(Nos. 8 to 10 introduced and disposed of in special session; see History of Bills, *post*, pp. 844, 845.)

No. 11. An Act granting a franchise to the Zamboanga Electric Power and Water Company to install, operate, and maintain an electric light, power, and water supply system in the municipality of Zamboanga, Moro Province, Philippine Islands.

June 7, 1910. Introduced by Commissioner Elliott, read the first time, and referred to the Committee on Matters Pertaining to the Department of Commerce and Police.

July 20, 1910. Reported with amendments, report adopted, bill read the second time, further amended in Committee of the Whole, and ordered on file for third reading.

July 23, 1910. Read the third time, further amended, passed, and title amended. (See Act No. 1995.)

No. 12. An Act making applicable to that part of the Philippine Islands inhabited by Moros or other non-Christian tribes certain Acts of the Second Philippine Legislature, and legalizing, confirming, and ratifying the collection of taxes and all other action taken in said territory under the provisions of any of said Acts.

June 7, 1910. Introduced by Commissioner Elliott, read the first and second times, considered in Committee of the Whole, and ordered on file for third reading.

June 8, 1910. Read the third time and passed. (See Act No. 1993.)

No. 13. An Act making appropriations for sundry expenses of the provincial government of Agusan, Nueva Vizcaya, and the Mountain Province for the period ending June thirtieth, nineteen hundred and eleven, and thereafter.

June 8, 1910. Introduced by the Committee on Non-Christian tribes, read the first and second times, amended in Committee of the Whole, read the third time, passed, and title amended. (See Act No. 1992.)

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<sup>1</sup> For report, see *post*, p. 775; for previous action see *ante*, pp. 68, 69.

*No. 14.* An Act to provide for the granting of a franchise for the use of the waters of the Agno River, at or near the township of Itogon, subprovince of Benguet, Mountain Province, for the generation of power for the maintenance of an electric light, heat, and power supply system and the supply of such light, heat, and power in and to the city of Baguio and the township of Itogon, subprovince of Benguet, Mountain Province.

June 8, 1910. Introduced by Commissioner Elliott, read the first time, and referred to the Committee on Matters Pertaining to the Department of Commerce and Police.<sup>1</sup>

*No. 15.* An Act making appropriations for public works and permanent improvements in the Provinces of Agusan and Nueva Vizcaya and the Mountain Province and for Insular improvements in the Moro Province.

June 9, 1910. Introduced by the Committee on Appropriations, read the first and second times, amended in Committee of the Whole, read the third time, passed, and title amended. (See Act No. 1994.)

*No. 16.* An Act appropriating the sum of ten thousand pesos for the establishment and maintenance of a national park in the municipality of Dapitan, Moro Province, in memory of Doctor José Rizal.

September 8, 1910. Introduced by Commissioner Palma, read the first and second times, amended in Committee of the Whole, and ordered on file for third reading.

September 23, 1910. Read the third time, further amended, passed, and title amended. (See Act No. 1997.)

*No. 17.* An Act providing for the admission of students from Nueva Vizcaya, Agusan, the Mountain Province, and the Moro Province to the classes for the instruction and training of male and female nurses, as provided in Act Numbered One thousand nine hundred and seventy-five.

September 8, 1910. Introduced by Commissioner Worcester, read the first and second times, amended in Committee of the Whole, read the third time, passed, and title amended. (See Act No. 1996.)

*No. 18.* An Act making appropriation for sundry expenses of the Insular Government in the city of Baguio, Mountain Province, for the period ending June thirtieth, nineteen hundred and eleven, and thereafter.

September 23, 1910. Introduced by Commissioner Elliott, read the first and second times, amended in Committee of the Whole, read the third time, and passed. (See Act No. 1998.)

*No. 19.* An Act making appropriation for public works and permanent improvements in the city of Baguio, Mountain Province.

September 23, 1910. Introduced by Commissioner Elliott, read the first and second times, amended in Committee of the Whole, read the third time, and passed. (See Act No. 1999.)

<sup>1</sup> For subsequent action see pp. 287-293, 297, 298.



No. 20. An Act to repeal Act Numbered Six of the Philippine Commission, and all Acts or parts of Acts amendatory thereof.

October 4, 1910. Introduced by Commissioner Gilbert, read the first and second times, amended in Committee of the Whole, read the third time, and passed. (See Act No. 2000.)

RESOLUTIONS.

January 1, 1910, to March 28, 1910, inclusive.

No. 1. Extending the provisions of Chapter VI of Act Numbered Nine hundred and twenty-six, "The Public Land Act," as amended, to the entire Mountain Province.

January 8, 1910. Introduced by Commissioner Worcester and adopted.

No. 2. Revoking the acceptance of the resignation of John S. Leech as Director of Printing, declaring that his services with the Philippine Government should be considered as continuous, that his leave of absence should be readjusted with the allowance of all privileges extended by law for continuous service, and that he should refund the commutation of transportation to the United States received in connection with his resignation.

January 14, 1910. Introduced by the President and adopted.

No. 3. Appointing Geronimo Santiago private secretary to Commissioner Sumulong.

February 3, 1910. Introduced by Commissioner Sumulong and adopted.

No. 4. Amending the preamble of resolution of September 16, 1909, authorizing the sale of parts of business section B, Baguio town site, by including therein certain lots omitted from the original resolution.

February 3, 1910. Introduced by Commissioner Worcester and adopted.

No. 5. Approving the offer of the Secretary of Public Instruction to advance to William F. Leatzow, of Washington, District of Columbia, transportation for himself and family to the Philippine Islands, in view of the acceptance by Mr. Leatzow of appointment as proof reader in the Bureau of Printing.

February 3, 1910. Introduced by Commissioner Gilbert and adopted.

No. 6. Appointing Harry S. Ross private secretary to Commissioner Elliott.

February 15, 1910. Introduced by Commissioner Elliott and adopted.

No. 7. Providing for the distribution of a volume entitled "Philippine Commission Legislative Procedure."

February 15, 1910. Introduced by Commissioner Gilbert and adopted.

No. 8. Authorizing the appointment of a justice of the peace for the barrio of San José, Corregidor Island, municipality of Cavite, Province of Cavite, with jurisdiction over the entire territory included within the Fort Mills Military Reservation.

February 28, 1910. Introduced by the President and adopted.

*No. 9.* Directing the Committee on Rules to prepare and report to the Commission a revision of the membership of the standing committees of the Commission.

February 28, 1910. Introduced by Commissioner Gilbert and adopted.

**April 20, 1910, to October 16, 1910, inclusive.**

*No. 20.* Setting aside and reserving a parcel of land in the Baguio town site as a public park and recreation ground.

April 25, 1910. Introduced by Commissioner Worcester and adopted.

*No. 21.* Reserving a tract of land in the Baguio town site for naval purposes.

April 25, 1910. Introduced by the President and adopted.

*No. 22.* Authorizing and directing the Governor-General to execute in the name of the Philippine Government a renewal for a period of five years, from the first day of March, nineteen hundred and eleven, to the first day of March, nineteen hundred and sixteen, of the lease held by Charles M. Jenkins for the Baguio Sanitarium (now Hotel Pines) upon the same terms and conditions in the present lease, with the exception that a higher rate may be charged, the approval of the Secretary of Commerce and Police being first had, for specially furnished and equipped rooms, and for Australian or other large saddle horses.

April 25, 1910. Introduced by the President and adopted.

*No. 23.* Directing the Secretary to refer to Commissioner Elliott one copy of each Act passed by the Legislature at its recent special session with a view to the preparation by Commissioner Elliott of a bill for submission to the Commission at its next meeting, making applicable to all that part of the Philippine Islands inhabited by Moros or other non-Christian tribes such of said Acts as in his judgment should also be in force in said territory.

April 25, 1910. Introduced by Commissioner Gilbert and adopted.

*No. 24.* Expressing the deep regret and profound sorrow of the Commission on hearing of the death of Honorable Manuel G. Gavieres, late Delegate to the Philippine Assembly from the Province of Surigao, directing the Secretary to communicate the resolution to the widow and family of the deceased and to the Philippine Assembly at the opening of its next session, and adjourning the Commission as a mark of respect to the memory of the deceased.

June 7, 1910. Introduced by the President and unanimously adopted.

*No. 25.* Authorizing the Secretary of Commerce and Police to appoint by telegraph inspecting firms or individuals as may to him seem necessary, for the purpose of inspecting in England and the United States material for the Manila Railroad Company.

June 8, 1910. Introduced by Commissioner Elliott and adopted.

No. 26. Recommending to the Governor-General that he direct that Mr. D. R. Williams, formerly judge of the Court of Land Registration, be allowed reimbursement for his actual and necessary traveling expenses from Manila to San Francisco whenever he shall present to the Insular Auditor a statement of such expense supported by proper vouchers.

June 14, 1910. Introduced by Commissioner Elliott and adopted.

No. 27. Amending resolution of the Commission Numbered One hundred and seventeen, dated July twenty-eight, nineteen hundred and nine, approving a plan for partial subdivision of Malabang town site, district of Lanao, Moro Province, by providing that lot numbered ten, block eleven, of said subdivision be reserved for municipal purposes for public buildings.

June 28, 1910. Introduced by the Committee on Affairs Pertaining to the Moro Province and adopted.

No. 28. Reserving a town site at Zamboanga, Moro Province.

June 28, 1910. Introduced by the President (for Commissioner Worcester) and adopted.

No. 29. Reserving a town site at Bontoc, township of Bontoc, Mountain Province.

June 28, 1910. Introduced by the President (for Commissioner Worcester) and adopted.

No. 30. Appointing George L. Logan acting Secretary of the Commission.

June 28, 1910. Introduced by the President and adopted.

No. 31. Reducing the bond given by the Philippine Railway Company to guarantee the construction of its line in the Philippine Islands from three hundred thousand dollars to one hundred thousand dollars, in view of the completion of its line on the Island of Cebu and substantial completion of its line on the Island of Panay.

June 29, 1910. Introduced by the Committee on Matters Pertaining to the Department of Commerce and Police, and adopted.

No. 32. Providing for the appointment of a justice of the peace and an auxiliary justice of the peace at the United States Naval Reservation, Olongapo, Zambales, with jurisdiction over the entire territory included within said reservation.

July 23, 1911. Introduced by Commissioner Araneta and adopted.

No. 33. Providing for the issuance of guaranty bonds for the Manila Railroad Company issued against construction of its southern lines.

August 13, 1910. Introduced by Commissioner Elliott and adopted.

No. 34. With reference to the collection of taxes on certain property owned by the Methodist Church in Baguio.

August 13, 1910. Introduced by Commissioner Elliott and referred to the Committee on Matters pertaining to the Department of Commerce and Police.

No. 35. Amending resolution Numbered One hundred and eighteen, adopted August nine, nineteen hundred and nine, approving a plan of partial subdivision of Cotabato town site, Moro Province, by reserving lot number three, block number five, of said partial subdivision for the use of the Moro Province for public-school purposes.

September 3, 1910. Introduced by the Committee on Affairs Pertaining to the Moro Province and adopted.

No. 36. Reserving a town site at Butuan, Province of Agusan.

September 3, 1910. Introduced by Commissioner Worcester and adopted.

No. 37. Providing for a district health officer in each of the Provinces of Cebu and Oriental Negros.

September 3, 1911. Introduced by Commissioner Worcester and adopted.

No. 38. Requesting the Secretary of War to lay before Congress the matter of granting a pension to the widow of Lieutenant Edward Y. Miller, Twenty-ninth United States Infantry, late governor of Palawan, in view of his long and faithful service to the Government.

September 23, 1910. Introduced by the President and unanimously adopted.

No. 39. Recommending to the Governor-General the appointment, for a period of two years, of Juan A. Zalvidea as one of the twenty-five students-at-large, who may be appointed for special instruction in the United States under Act numbered Eight hundred and fifty-four.

September 23, 1910. Introduced by Commissioner Gilbert and laid on the table.

No. 40. Appointing George C. Schweickert Acting Secretary of the Commission.

September 23, 1910. Introduced by the President and adopted.

No. 41. Expressing the deep regret and profound sorrow of the Commission on hearing of the death of the Honorable Teófilo Castillejos, late Delegate to the Philippine Assembly from the Province of Batanes, directing the Secretary to communicate the resolution to the family of the deceased and to the Philippine Assembly at the opening of the next session, and adjourning the Commission as a mark of respect to the memory of the deceased.

September 23, 1910. Introduced by the President and adopted.

No. 42. Providing for the appointment of a new committee on parks and park reservations, city of Manila.

October 4, 1910. Introduced by Commissioner Gilbert and adopted.

## COMMITTEE REPORTS.

January 1, 1910, to March 27, 1910, inclusive.

## No. 1.

MR. PRESIDENT: The Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred the papers relative to the question of whether the acts of the legislative council of the Moro Province which amend or repeal Acts or portions of Acts of the Philippine Commission in their application to the Moro Province are invalid, with instructions to prepare and submit to the Commission a bill for the approval, ratification, and confirmation of such acts if in the opinion of the committee the same is necessary, has examined the same and has the honor to report to the Commission with the following recommendation, viz:

(1) That the accompanying bill, entitled "An Act legalizing, ratifying, and confirming all acts passed by the legislative council of the Moro Province and heretofore approved by the Philippine Commission, amending or repealing or inconsistent with any Act of the Philippine Commission, and all taxes collected and action taken and things done under the provisions of any of such acts of the legislative council of the Moro Province prior to the enactment of this law," be passed.

(2) That the legislative council of the Moro Province be notified that the Philippine Commission has no authority to delegate to said council the power to amend or repeal the Acts of the Commission in so far as the same are applicable to the Moro Province, and that therefore any acts to this effect passed by the legislative council of the Moro Province are null and void; and that said council be advised that in future when it desires any Act of the Philippine Commission amended or repealed in its application to the Moro Province, or in case said council deems it advisable to pass an act inconsistent with some Act of the Philippine Commission, it should make its recommendation to the Philippine Commission in order that this body may enact the legislation required.

(3) That to the end of avoiding approval by the Philippine Commission of any act of the legislative council of the Moro Province amending or repealing or inconsistent with any Act of the Philippine Commission, a standing committee be appointed to pass upon the legality of laws enacted by the legislative council of the Moro Province before the same are submitted to the Philippine Commission for approval.

The undersigned, as Attorney-General, in an opinion rendered May 28, 1908, upon this question, after careful consideration and thorough discussion, held that it was beyond the power of the Philippine Commission to delegate to the legislative council of the Moro Province its power to modify, amend, or repeal Acts of the Philippine Commission in their application to the Moro Province, and that any legislation attempted by the legislative

council of the Moro Province under its supposed power to modify, amend, or repeal the Acts of the Commission was null and void.<sup>1</sup>

The attorney for the Moro Province in a memorandum for the governor of that province contends that the Philippine Commission can delegate to the legislative council of the Moro Province the power to amend or repeal the laws of the Commission, and that therefore laws enacted by the Moro council in the exercise of such delegated power are valid.

The argument of the attorney for the Moro Province in support of his opinion may be briefly stated as follows: That legislative bodies have the power to delegate their legislative functions, even without an express authorization, in the absence of any prohibition. That the Philippine Commission is clearly and expressly empowered by Congress to create administrative divisions, or provincial governments, to exercise such powers of government within the territories under their jurisdiction as the Commission may see fit to confer upon them, and to delegate its legislative power to the governments thus created, the exercise of these delegated powers to be subject at every step to review by the central authority.

In support of this contention he quotes from paragraph 4 of the instructions of President McKinley, which state: "They [the Commission] should in general be enjoined, after making themselves familiar with the conditions and needs of the country, to devote their attention in the first instance to the establishment of municipal governments. \* \* \* The next subject in order of importance should be the organization of government in the larger administrative divisions, corresponding to counties, departments, or provinces, in which the common interests of many or several municipalities falling within the same tribal lines, or the same natural geographical limits, may best be subserved by common administration." The attorney for the Moro Province then contends that the extent and character of the powers of government which the Commission may vest in these administrative divisions or provincial governments is set forth in the penultimate sentence of the seventh paragraph, which says: "In the constitution of department or provincial governments they [the Commission] will give especial attention to the existing government of the Island of Negros, constituted with the approval of the people of that Island, under the order of the Military Governor of July 22, 1899, and after verifying, so far as may be practicable, the reports of the successful working of that government, they will be guided by the experience thus acquired, so far as it may be applicable to the conditions existing in other portions of the Philippines." He then takes up the constitution of the government of the Island of Negros, and, basing his argument on the fact that the advisory council of that province was empowered by article 8 of said general orders to discharge "all the ordinary duties of a legislature," and with the approval of the Military Governor to organize municipalities, to levy taxes for the support of the government, to establish inferior courts of justice, and to organize a free

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<sup>1</sup> Journal, first and special sessions, First Legislature, pp. 248-253, and Volume IV, Opinions Attorney-General, pp. 472-480.

public-school system, reaches the conclusion that it is within the competence and authority of the Commission to delegate its legislative power to the extent that it may create under its superior authority and control departmental, provincial, or administrative divisions of government substantially autonomous in their form.

As to this conclusion of the attorney for the Moro Province there is no doubt whatever; but the question is whether the authority of the Commission to delegate its legislative power to the council of the Moro Province involves the authority to delegate to said council the power to amend or repeal the laws of the Commission. In support of the affirmative of this question the attorney for the Moro Province contends that in general the courts hold that all matters of general concern must be reserved to the central legislature and all matters of purely local concern may be properly confided to the local administration. (*In re Municipal Suffrage to Women*, 23 L. R. A., 113.) This doctrine, however, does not support the conclusion that the council of the Moro Province has the power to repeal the laws of the Commission. Congress has granted to the Philippine Legislature the power to legislate on matters pertaining to these Islands. Yet from this fact it can not be deduced that the Legislature has the power to repeal Acts of Congress applicable to these Islands. Municipal councils are authorized to pass municipal ordinances, but it does not follow that municipal councils may pass ordinances of local application which are contrary to the general laws.

The attorney for the Moro Province also invokes the doctrine of local option, and to this effect cites Sutherland on Statutory Construction, as follows: "It is common for the legislature to pass general laws applicable to the whole State, with the provision that they shall operate only in such localities as shall adopt them by popular vote or otherwise. Such provisions for the operation of the Act are valid and do not constitute a delegation of legislative power." No reasoning, however, is required to see that the rule laid down in the foregoing citation is quite different from one that would give an inferior legislature the power to amend or repeal the laws of a superior legislature from which it receives its powers.

Local option has reference to a specific law which the legislature itself considers inadvisable to apply generally throughout the territory under its jurisdiction and which is only to be made applicable to such localities as may wish to adopt it. The Legislature has exercised its judgment on the question of the applicability of the law, and as a general rule the right of local option is conferred only in matters of local importance; while the power to amend or repeal laws of the Commission, or to enact laws inconsistent with the laws of the Commission by the legislative council of the Moro Province, does not refer to a specific law, but to all Acts of the Philippine Commission, of general as well as of local character; so that the discretion of whether or not a law is to be applied to the Moro Province has been exercised not by the Commission but by the legislative council of the Moro Province. By virtue of this power the legislative council of the Moro Province might make inoperative in the Moro Province any Act

of the Commission which it did not wish to accept. The right of local option does not reach to such lengths; it means only that a given law shall not be applied to a community without its consent, the legislature having already considered that it should not so be applied without such consent.

In arriving at a decision of this question we have as a guide the instructions given by President McKinley to the Commission. He referred to the constitution of the Island of Negros, approved by order of the Military Governor of these Islands on July 22, 1899, as a model to be followed by the Commission in delegating powers to departmental governments. According to these instructions, the Commission may create departmental governments and delegate legislative powers thereto, but to no greater extent than those granted to the legislature of the Island of Negros. And judging by the powers conferred upon the legislature of the Island of Negros, the said legislature was not empowered to repeal general laws promulgated by the Military Governor of these Islands under his legislative powers in time of war. Article 8 of said general orders provides that the advisory council is empowered to discharge "all the ordinary duties of a legislature." This is undoubtedly a delegation of legislative power, but such power to discharge "all the ordinary duties of a legislature" does not include the power to repeal acts of the legislative power which makes such delegation. To the Philippine Legislature, it may be said, has been delegated by Congress the power to discharge "all the ordinary duties of a legislature," but it would be venturesome to contend that such delegation gives it the power to repeal Acts of Congress.

If, therefore, the legislature of the Island of Negros was not empowered to repeal laws promulgated by the Military Governor of these Islands, from whom it received its power, and the Commission may not confer upon the legislative council of the Moro Province greater powers than those conferred upon the legislature of the Island of Negros, it is plain that the Commission has no power to delegate to the Moro Province the right to amend or repeal laws of the Commission.

In the opinion of the Attorney-General above referred to it was held that in order to legalize acts passed by the legislative council of the Moro Province amending or repealing any act of the Philippine Commission, the Philippine Commission itself must enact such laws. This opinion is based on the principle laid down in agency that the acts of an agent done without authority from his principal are null and can not be ratified by the principal if the principal could not delegate to his agent the power to perform such acts.

However, after careful examination of the question, I find no decision which prohibits a legislature from ratifying the acts done by an inferior legislature without authority from the superior legislature in a case where the power exercised by the inferior legislature could not have been delegated by the superior body. On the other hand, in the case of *United States vs. Hinsen* (206 U. S., p. 382), it is held: "That the power of ratification as to matters within their authority may be exercised by Congress, State



governments, or municipal corporations, is also elementary." The only condition required is that the act sought to be ratified shall be within the authority of the ratifying legislature. It being undeniable that it is within the authority of the Commission to amend or repeal its own Acts, there can be no question that it has the power to ratify laws enacted in this sense by the legislative council of the Moro Province. For this reason I do not think it necessary for the Commission itself to enact laws passed by the legislature council of the Moro Province amending or repealing Acts of the Commission, and that the legalization of such laws will be accomplished by the passage of the accompanying bill, which is herewith submitted for consideration by the Commission.

Respectfully submitted.

GREGORIO ARANETA,  
*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

January 14, 1910. Report submitted and adopted, and a copy ordered furnished the legislative council of the Moro Province.<sup>1</sup>

No. 2.

MR. PRESIDENT: Your Committee on Matters Pertaining to the Department of Finance and Justice, to which was referred on September 29, 1909, Commission Bill No. 118, entitled "An Act repealing Act Numbered One hundred and ten of the Moro Province, entitled 'An Act providing for the establishment of a provincial board of health for the Moro Province, and for district and municipal boards of health,' and creating the position of district health officer for the Moro Province and providing for the establishment of district and municipal boards of health," together with certain papers with reference thereto, for report on the legal questions raised by the authorities of the Moro Province, has examined the same and has the honor to report to the Commission as follows:

The authorities of the Moro Province contend that Commission Bill No. 118 is in contravention of the power conferred on the legislative council of the Moro Province by Act No. 787, creating the province.

Commission Bill No. 118 was introduced by the President on June 15, 1909, in the absence of Commissioner Worcester, who prepared it, the principal reason for its introduction being that Act No. 230 of the legislative council of the Moro Province, entitled "An Act providing for the reestablishment of a provincial board of health for the Moro Province and of district and municipal boards of health," was considered invalid for the reason that it repealed Act No. 1487 of the Philippine Commission in so far as said Act was inconsistent with its provisions.

In the opinion of your committee there is no provision in Act No. 787

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<sup>1</sup> For action on Commission Bill No. 2, see pp. 762, 763.

of the Philippine Commission, creating the Moro Province, from which it may be inferred that the Commission divested itself of the power to legislate for the Moro Province. Therefore, even should we concede that under Act No. 787 the legislative council of the Moro Province had power to enact laws amending or repealing the Acts of the Commission, it is unquestionable that the power to legislate for that province remains with the Commission, and there is nothing which would legally prevent the Commission from enacting Commission Bill No. 118.

In another report of your committee submitted to the Commission under even date on the general question as to whether the Commission has or has not authority to delegate to the legislative council of the Moro Province the power to amend or repeal the Acts of the Commission, the undersigned held that the Commission has no such power, and that the laws of the legislative council of the Moro Province amending or repealing Acts of the Philippine Commission are null and void.<sup>1</sup>

Respectfully submitted.

GREGORIO ARANETA,  
*Committee on Matters Pertaining to the  
Department of Finance and Justice.*

To the Honorable,  
the PRESIDENT OF THE PHILIPPINE COMMISSION.

January 14, 1910. Submitted and adopted, and a copy ordered furnished to the legislative council of the Moro Province.

No. 3. Report of the Committee on Matters Pertaining to the Department of Finance and Justice on Act No. 208 of the legislative council of the Moro Province, entitled "An Act making sundry additional appropriations for the service of the Moro Province for the fiscal year nineteen hundred and eight, and for other purposes."

January 14, 1910. Submitted; recommending approval of Act Numbered 208 of the legislative council of the Moro Province, and report adopted.<sup>2</sup>

No. 4. Report of the Committee on Laws of the Moro Province on Act No. 245 of the legislative council of the Moro Province, entitled "An Act making appropriations for sundry additional expenses of the government of the Moro Province for the fiscal year ending June thirtieth, nineteen hundred and ten."

February 28, 1910. Submitted; recommending approval of Act No. 245 of the legislative council of the Moro Province, and laid on the table.<sup>3</sup>

No. 5. Report of the Committee on Laws of the Moro Province on Act No. 244 of the legislative council of the Moro Province, entitled "An Act

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<sup>1</sup> *Ante*, pp. 769-773.

<sup>2</sup> For action on acts of legislative council see pp. 778, 779.

<sup>3</sup> *Post*, p. 779, under "Acts of the legislative council."

providing a fixed compensation for the justice of the peace for the municipality of Dapitan in lieu of all fees."

February 28, 1910. Submitted; recommending that Act No. 244 of the legislative council of the Moro Province be disapproved, and report adopted.<sup>1</sup>

No. 6. Report of the Committee on Provincial and Municipal Governments on the petition of certain persons of the municipality of Dapitan, requesting the separation thereof from the Moro Province and its annexation to the Province of Misamis.

March 26, 1910. Submitted; recommending that the petition be not taken into consideration, and adopted.

**April 20, 1910, to October 16, 1910, inclusive.**

No. 26. Report of Commissioner Elliott, as a select committee of one, on the application of D. R. Williams, formerly a judge of the Court of Land Registration, that he be allowed transportation from Manila to San Francisco.<sup>2</sup>

June 14, 1910. Submitted; with the recommendation that the request be granted, and adopted.

No. 27. Report of the Committee on Matters Pertaining to the Department of Commerce and Police on resolution No. 434 of the provincial board of Pangasinan, adopted March 21, 1910, recommending an appropriation of ₱500,000 from Insular funds for the purpose of improving the port of Dagupan.

June 28, 1910. Submitted; with the recommendation that the request be not granted, and adopted.

No. 28. Report of the Committee on Affairs Pertaining to the Moro Province on Commission Bill No. 7, providing a fixed compensation for the justice of the peace of Dapitan in lieu of all fees.

June 28, 1910. Submitted; recommending that further consideration of the bill be indefinitely postponed, and adopted.

No. 29. Report of the Committee on Affairs Pertaining to the Moro Province on the recommendation of the governor of the Moro Province that Commission Resolution No. 117, adopted July 28, 1909, be amended so as to permit the construction of the new municipal building on the site reserved by said resolution for park purposes.

June 28, 1910. Submitted; with the recommendation that the request be granted, and adopted.<sup>3</sup>

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<sup>1</sup> For action on acts of legislative council see pp. 778, 779.

<sup>2</sup> See Resolution No. 26, p. 767.

<sup>3</sup> See Resolution No. 27, p. 767.

*No. 30.* Report of the Committee on Matters Pertaining to the Department of Commerce and Police on the request of the Philippine Railway Company for a reduction from \$300,000 to \$100,000 of the bond executed by the Philippine Railway Company in connection with a concessionary contract covering the construction of its lines on the Islands of Panay, Cebu, and Negros.

June 29, 1910. Submitted; with the recommendation that the request be granted, and adopted.<sup>1</sup>

*No. 31.* Report of the Committee on Matters Pertaining to the Department of Commerce and Police on Commission Bill No. 11, granting a franchise to the Zamboanga Electric Power and Water Company to install, operate, and maintain an electric light, power, and water supply system in Zamboanga.

July 20, 1910. Submitted; recommending passage with amendments, and adopted.<sup>2</sup>

*No. 32.* Report of the Committee on Affairs Pertaining to the Moro Province on Act No. 249 of the legislative council of the Moro Province, providing for the imposition and collection of a non-Christian cedula or registration tax.

July 23, 1910. Submitted; recommending approval, and adopted.<sup>2</sup>

*No. 33.* Report of the Committee on Affairs Pertaining to the Moro Province on Act No. 250 of the legislative council of the Moro Province, making appropriations for sundry additional expenses of the government of the Moro Province for the fiscal year ending June 30, 1910.

July 23, 1910. Submitted; recommending approval, and adopted.<sup>2</sup>

*No. 34.* Report of the Committee on Affairs Pertaining to the Moro Province on Act No. 251 of the legislative council of the Moro Province, renewing certain appropriations in Acts Nos. 240 and 241 until such time as the regular appropriations for the fiscal year 1911 shall have been made.

July 23, 1910. Submitted; recommending approval, and adopted.<sup>2</sup>

*No. 35.* Report of the Committee on Affairs Pertaining to the Moro Province on the request of the governor of the Moro Province that Commission Resolution No. 118, adopted August 9, 1909, be amended so as to reserve lot No. 3, block No. 5, Cotabato town site, for provincial public-school service instead of for public civil purposes.

September 3, 1910. Submitted; recommending that the request be granted, and adopted. (See Resolution No. 35, p. 768.)

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<sup>1</sup>See resolution No. 31, p. 767.

<sup>2</sup>For action on acts of the legislative council of the Moro Province see pp. 778, 779.

No. 36. Report signed by Commissioner Palma, as chairman of a select committee of two, consisting of Commissioners Palma and Sumulong, appointed to take up with the Attorney-General the preparation of such papers as might be necessary to transfer to the Government such property rights as the surviving heirs of Doctor José Rizal might have in the property located in Dapitan, Moro Province, proposed to be reserved as a public park, and to secure the execution of the necessary papers by said persons.

September 8, 1910. Submitted; with the information that the Attorney-General had submitted to the committee letters from three of the heirs stating their willingness to cede gratuitously to the Government their rights to the land in question, but that as to the one-half of the property belonging to their mother, they desired the Government to pay therefor a reasonable price, in view of her advanced age and destitute condition; and that the Attorney-General desired to know what price the Government cared to pay for the half of the land belonging to Doctor Rizal's mother. On this point the committee requested the instructions of the Commission. The committee also submitted a bill<sup>1</sup> appropriating the sum of ₱10,000 for the payment of expenses incident to the reservation, construction, and maintenance of the park.

Commissioner Palma then stated that he had received a letter from Señora Saturnina Rizal de Hidalgo, one of the sisters of Doctor Rizal, in which she offered to pay the portion which would be due her mother for her share in said property and cede said share gratuitously to the Government.

In view of the changed conditions as to the procedure to be followed in the acquirement by the Government of the mother's portion of the estate by reason of the offer of Señora Saturnina Rizal de Hidalgo, the report was accepted with respect to the recommitment of the papers to the Attorney-General for further action in effecting the transfer of the property to the Government, and with respect to the introduction of the bill accompanying the report.

No. 37. Report of the Committee on Matters Pertaining to the Department of Commerce and Police on the estimate for appropriations submitted by the Bureau of Public Works for the construction, care, and maintenance of buildings, grounds, and works of the Insular Government at Baguio, Mountain Province, for the fiscal year 1911.

September 23, 1910. Submitted; recommending passage of two bills, one making appropriation for sundry expenses<sup>2</sup> and the other making appropriation for public works and permanent improvements<sup>3</sup> and report adopted.

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<sup>1</sup> Commission Bill No. 16, see p. 764.

<sup>2</sup> Commission Bill No. 18, see p. 764.

<sup>3</sup> Commission Bill No. 19, see p. 764.

## ACTS OF THE LEGISLATIVE COUNCIL OF THE MORO PROVINCE.

January 1, 1910, to March 27, 1910.

No. 173. An act providing for the payment of extra compensation to officers or soldiers of the United States Army and to officers of the Philippines Constabulary in the service of the Moro Province.

August 27, 1906. Passed by the legislative council of the Moro Province.  
January 14, 1910. Approved by the Commission.

No. 208. An act making sundry additional appropriations for the service of the Moro Province for the fiscal year nineteen hundred and eight, and for other purposes.

May 21, 1908. Passed by the legislative council of the Moro Province.

September 14, 1908. Referred to the Committee on Matters Pertaining to the Department of Finance and Justice, for report and recommendation.

January 14, 1910. Reported favorably, report adopted, and act approved.

No. 244. An act to provide a fixed compensation for the justice of the peace for the municipality of Dapitan in lieu of all fees.

December 28, 1909. Passed by the legislative council of the Moro Province.

January 14, 1910. Ordered by the Commission that it be referred to the committee to be appointed by the President of the Commission to pass on all acts of the legislative council of the Moro Province before their submission to the Commission for approval.

(NOTE.—This committee was appointed by the President on February 28, 1910, and consists of Commissioners Branagan, Palma, and Elliott. All acts of the legislative council of the Moro Province are immediately upon receipt referred, by the Secretary of the Commission, to this committee for report and recommendation before submission to the Commission. The title of this committee is "The Committee on Affairs Pertaining to the Moro Province," and it reports upon the authority of the legislative council to enact the law, the form and substance of the law, and the advisability of approval by the Commission.)

February 28, 1910. Reported by the committee with the recommendation that it be disapproved. The committee found that the act was inconsistent with section 5 of Act No. 1627 of the Commission, relating to justices of the peace, and its enactment therefore beyond the jurisdiction of the legislative council. It was suggested that, when the council deems it advisable to pass an act inconsistent with some Act of the Commission, it should make its recommendation to the Commission in order that that body might enact the legislation required. The report was adopted and Act No. 244 was recommitted to the Committee on Affairs Pertaining to the Moro Province, with instructions to make report and recommendation as to the legislation on the subject which should be enacted by the Commission.

April 14, 1910. Commission Bill No. 7, entitled "An Act to provide a fixed compensation for the justice of the peace for the municipality of Dapitan in lieu of all fees, and for other purposes," submitted by the Committee on Affairs Pertaining to the Moro Province.<sup>1</sup>

No. 245. An act making appropriations for sundry additional expenses of the government of the Moro Province for the fiscal year ending June 30, 1910.

January 5, 1910. Passed by the legislative council of the Moro Province.

February 28, 1910. The Committee on Moro Laws reported that its enactment was within the authority of the legislative council of the Moro Province. The Commission then ordered that the Committee in future should be known as "The Committee on Affairs Pertaining to the Moro Province," and should report not only on the authority of the legislative council of the Moro Province to enact a proposed law, but should also report on the form and substance of such law and upon the question of the advisability of its approval by the Commission. Act No. 245 was thereupon recommitted to the committee.

April 12, 1910. Reported and approved.

**April 20, 1910, to October 16, 1910, inclusive.**

No. 249. An act to amend Act Numbered Two hundred and nineteen of the legislative council, entitled "An act repealing Act Numbered Five entitled 'An act to provide for the imposition and collection of a cedula tax' and all acts or parts of acts amendatory thereof, and providing for the imposition and collection of a non-Christian cedula or registration tax, and for other purposes."

May 3, 1910. Passed by the legislative council of the Moro Province.

July 23, 1910. Reported favorably by the Committee on Affairs Pertaining to the Moro Province, and approved.

No. 250. An act making appropriations for sundry additional expenses of the government of the Moro Province for the fiscal year ending June thirtieth, nineteen hundred and ten.

July 5, 1910. Passed by the legislative council of the Moro Province.

July 23, 1910. Reported favorably by the Committee on Affairs Pertaining to the Moro Province, and approved.

No. 251. An act renewing certain appropriations in Acts Numbered Two hundred and forty and Two hundred and forty-one until such time as the regular appropriations for the fiscal year nineteen hundred and eleven shall have been made.

July 7, 1910. Passed by the legislative council of the Moro Province.

July 23, 1910. Reported favorably by the Committee on Affairs Pertaining to the Moro Province, and approved.

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<sup>1</sup> For action on C. B. 7, see pp. 68, 69, 763, 775.

CONFIRMATIONS OF APPOINTMENTS AND  
PROMOTIONS.

January 1, 1910, to February 3, 1911.

SATURDAY, JANUARY 8, 1910.

Ellis Cromwell to be Collector of Internal Revenue, at a salary of ₱12,000 per annum, as provided in Act No. 1955, the appointment to be effective as of December 21, 1909, vice John S. Hord, resigned; pursuant to the provisions of Act No. 1407.

William J. Rohde to be member of the Code Committee, the appointment to be effective as of December 20, 1909; pursuant to the provisions of Act No. 1941.

Francisco Ortigas to be member of the Code Committee, the appointment to be effective on March 1, 1910; pursuant to the provisions of Act No. 1941.

José M. Unson to be treasurer for the Province of Zambales, vice José Villegas, transferred to the Province of La Union; pursuant to the provisions of section 5 of Act No. 83, Act No. 211, and Act No. 1581, as amended by Act No. 1716.

Edwin B. Keesey to be treasurer for the Province of Surigao, vice J. H. Graves, transferred to provincial treasury service, unassigned; pursuant to the provisions of section 5 of Act No. 83, Act No. 127, and Act No. 1581, as amended by Act No. 1716.

Ricardo Costa to be auxiliary justice of the peace for the municipality of Indang, Province of Cavite, Sixth Judicial District, vice Francisco Ocampo, who declined the appointment; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Julian Cabacan to be auxiliary justice of the peace for the municipality of Allen, Province of Samar, Twelfth Judicial District, vice Roman Vacunava, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Ciriaco Manipul to be auxiliary justice of the peace for the municipality of Badajoz, Province of Capiz, Fifteenth Judicial District, vice Eduardo Moreno, who declined the appointment; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Leopoldo Roño to be justice of the peace for the municipality of Oquendo, Province of Samar, Twelfth Judicial District, vice Potenciano Hernandez, who declined the appointment; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Ponciano Mancol to be auxiliary justice of the peace for the municipality of Oquendo, Province of Samar, Twelfth Judicial District, vice Florencio Raz, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Silvestre Legaspi to be auxiliary justice of the peace for the municipality of Kawit, Province of Cavite, Sixth Judicial District, vice Tomas Vales,



resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Brigido Borja to be auxiliary justice of the peace for the municipality of Wright, Province of Samar, Twelfth Judicial District, vice Cecilio Zison, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Benito Runes to be auxiliary justice of the peace for the municipality of Caba, Province of La Union, Mountain Judicial District, vice Fabian Bautista, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Luis Sobremonte to be justice of the peace for the municipality of Oras, Province of Samar, Twelfth Judicial District, vice Francisco Nofies, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Juan Albino to be auxiliary justice of the peace for the municipality of Liloan, Province of Leyte, Twelfth Judicial District, vice Vicente Villanueva, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Feliciano Iñigo to be justice of the peace for the municipality of Davao, Moro Province, Fourteenth Judicial District, vice Prudencio Chicote, resigned; pursuant to the provisions of section 27 of Act No. 787, as amended by Acts Nos. 1164, 1283, 1450, and 1627.

J. L. Burchfield to be auxiliary justice of the peace for the municipality of Davao, Moro Province, Fourteenth Judicial District, vice Ricardo Pelayo, resigned; pursuant to the provisions of section 27 of Act No. 787, as amended by Acts Nos. 1164, 1283, 1450, and 1627.

Antero Soriano to be justice of the peace for the municipality of Santa Cruz de Malabon, Province of Cavite, Sixth Judicial District; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

José del Rosario y Arcega to be auxiliary justice of the peace for the municipality of Santa Cruz de Malabon, Province of Cavite, Sixth Judicial District; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Vicente Tabamo to be justice of the peace for the municipality of Tarlac, Province of Tarlac, Fourth Judicial District, vice Pedro de Torres, appointed justice of the peace of Batangas, Batangas, pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Teodoro Buyco to be justice of the peace for the municipality of Arevalo, Province of Iloilo, Ninth Judicial District, vice Gil Avanceña, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Honorato Avanceña to be auxiliary justice of the peace for the municipality of Arevalo, Province of Iloilo, Ninth Judicial District, vice Teodoro Buyco, nominated justice of the peace; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Pedro Abanador to be justice of the peace for the municipality of Bañangiga, Province of Samar, Twelfth Judicial District, vice Pedro Duran, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Zacarias de la Cruz to be auxiliary justice of the peace for the municipality of Guiuan, Province of Samar, Twelfth Judicial District, vice Marcos Ayllon, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Ricardo Carranceja to be justice of the peace for the municipality of Daet, Province of Ambos Camarines, Eighth Judicial District, vice Ignacio Fernandez, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Jacob Turla to be justice of the peace for the municipality of Catubig, Province of Samar, Twelfth Judicial District, vice Juan Alburan, removed; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

José Alarás to be auxiliary justice of the peace for the municipality of Catubig, Province of Samar, Twelfth Judicial District, vice Probo Plagata, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Clemente Alcantara to be auxiliary justice of the peace for the municipality of Gasan, Province of Tayabas, Seventh Judicial District, vice José de Leon, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Juan M. Taccad to be justice of the peace for the municipality of Tumauini, Province of Isabela, First Judicial District, vice Ramon Paquirigan, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Anastasio Aviñon to be auxiliary justice of the peace for the municipality of Santa Margarita, Province of Samar, Twelfth Judicial District, vice Simeon Manongtong, who declined the appointment; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

#### FRIDAY, JANUARY 14, 1910.

Antonio Froylan to be auxiliary justice of the peace for the municipality of Calbiga, Province of Samar, Twelfth Judicial District, vice Pablo Figueroa who declined the appointment; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1540 and 1627.

Manuel Martinez to be auxiliary justice of the peace for the municipality of Gamu, Province of Isabela, First Judicial District, vice Pedro Marques, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Francisco Gafud to be justice of the peace for the municipality of Cauayan, Province of Isabela, First Judicial District, vice Andres Agcaoili,

resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Juan Valino to be justice of the peace for the municipality of Talavera, Province of Nueva Ecija, Fourth Judicial District, vice Petronilo Reyes, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

#### THURSDAY, FEBRUARY 3, 1910.

Clarence G. Wrentmore to be Chief Irrigation Engineer, at a salary of ₱12,000 per annum, vice James W. Beardsley, resigned.

Warwick Greene to be Assistant Director of Public Works, at a salary of ₱9,000 per annum, vice Clarence G. Wrentmore, nominated Chief Irrigation Engineer; pursuant to the provisions of section 13 (a) of Act No. 1407 and Act No. 1955.

Catalino Lavadia to be treasurer for the Province of Nueva Ecija, vice Charles G. Stark, transferred to the Province of Bulacan; pursuant to the provisions of section 5 of Act No. 83, Act No. 139, and Act No. 1581, as amended by Act No. 1716.

Wenceslao Trinidad to be treasurer for the Province of Isabela, vice Catalino Lavadia, nominated to the same position in the Province of Nueva Ecija; pursuant to the provisions of section 5 of Act No. 83, Act No. 210, and Act No. 1581, as amended by Act No. 1716.

Elmer A. Eckman to be mayor for the city of Baguio, subprovince of Benguet, Mountain Province, the appointment to be effective on February 1, 1910; pursuant to the provisions of section 3 of Act No. 1963.

Leon Tomines to be auxiliary justice of the peace for the municipality of Santo Niño, Province of Samar, Twelfth Judicial District, vice Margarito de la Cruz, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Pio Colon Abenis to be auxiliary justice of the peace for the municipality of Borongan, Province of Samar, Twelfth Judicial District, vice Cecilio Abella, who declined the appointment; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Paulino Federiz to be auxiliary justice of the peace for the municipality of Iriga, Province of Ambos Camarines, Eighth Judicial District, vice Julio A. Naldo, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Gregorio Tolosa to be auxiliary justice of the peace for the municipality of Caibiran, Province of Leyte, Twelfth Judicial District, vice Teodorico F. Fenis, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Manuel Bandal to be auxiliary justice of the peace for the municipality of Capul, Province of Samar, Twelfth Judicial District, vice Manuel Bandal, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Marcelino Basa to be auxiliary justice of the peace for the municipality of Noveleta, Province of Cavite, Sixth Judicial District, vice Faustino Odvina, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Hugo B. Kudera to be justice of the peace for the municipality of Inopacan, Province of Leyte, Twelfth Judicial District, vice Espiridion Suarez, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Jose Samus to be justice of the peace for the municipality of San Pablo, Province of Isabela, First Judicial District; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Angel Cammayo to be auxiliary justice of the peace for the municipality of San Pablo, Province of Isabela, First Judicial District; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Feliciano Urra to be justice of the peace for the municipality of Nagcarlan, Province of La Laguna, Sixth Judicial District, vice Pedro Suez, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Pio Meñas to be justice of the peace for the municipality of Libacao, Province of Capiz, Fifteenth Judicial District, vice Cesareo Navarreta, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Tiburcio K. Soriano to be justice of the peace for the municipality of Misamis, Province of Misamis, Thirteenth Judicial District, vice Florentino Macan, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Andres Paciente to be auxiliary justice of the peace for the municipality of Misamis, Province of Misamis, Thirteenth Judicial District, vice Tiburcio K. Soriano, nominated justice of the peace; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Mariano Dioso to be justice of the peace for the municipality of Culasi, Province of Antique, Tenth Judicial District, vice Ramon L. Parcon, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Gaudencio Arsenas to be justice of the peace for the municipality of Bantayan, Province of Cebu, Eleventh Judicial District, vice Fortunato Villaceran, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Antonio Lao to be justice of the peace for the municipality of Danao, Province of Cebu, Eleventh Judicial District, vice Agustin Tito, removed; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Urbano Leonardo to be justice of the peace for the municipality of Casiguran, Province of Tayabas, Seventh Judicial District, vice Pedro

Liuanag, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Maximo Mariano to be justice of the peace for the municipality of Abulug, Province of Cagayan, First Judicial District, vice Juan Sagguilig, deceased; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Pablo Mejía to be justice of the peace for the municipality of San Manuel, Province of Pangasinan, Third Judicial District, vice Lamberto M. Guzman, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Pablo Japzon to be auxiliary justice of the peace for the municipality of Gandara, Province of Samar, Twelfth Judicial District, vice Anselmo Guantic, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

José Millora to be justice of the peace for the municipality of Infanta, Province of Pangasinan, Third Judicial District, vice Antonio Martinez, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Juan Abalos to be auxiliary justice of the peace for the municipality of San Fabian, Province of Pangasinan, Third Judicial District, vice José V. Sison, appointed justice of the peace; pursuant to the provisions of section 76 of Act No. 136 as amended by Acts Nos. 1450 and 1627.

Vicente de la Llana to be justice of the peace for the municipality of Candelaria, Province of Zambales, Third Judicial District; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

José de Castro to be justice of the peace for the municipality of Castillejos, Province of Zambales, Third Judicial District; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Gerino Alvarez to be auxiliary justice of the peace for the municipality of San Marcelino, Province of Zambales, Third Judicial District, vice Aniceto Beltran, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Felix Madayag to be justice of the peace for the municipality of Lezo, Province of Capiz, Fifteenth Judicial District; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Felix Quimpo, to be auxiliary justice of the peace for the municipality of Lezo, Province of Capiz, Fifteenth Judicial District; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Pedro Caro to be auxiliary justice of the peace for the municipality of Guinobatan, Province of Albay, Eighth Judicial District, vice Cirilo Jaucian, jr., resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Felipe Cebrenos to be auxiliary justice of the peace for the municipality of Taft, Province of Samar, Twelfth Judicial District, vice Joaquin Adigue, appointed justice of the peace; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Angel Custodio Crisólogo to be justice of the peace for the municipality of Dolores, Province of Samar, Twelfth Judicial District, vice Damiano Pomasen, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Inocencio Hilvano to be justice of the peace for the municipality of Santa Rita, Province of Samar, Twelfth Judicial District, vice Patricio Ampatin, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Rufo Mondragón to be auxiliary justice of the peace for the municipality of Santa Rita, Province of Samar, Twelfth Judicial District, vice Hilarión Agos, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Pablo J. Soriano to be auxiliary justice of the peace for the municipality of Catbalogan, Province of Samar, Twelfth Judicial District, vice Victor Celis, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Pablo Prudenciado to be auxiliary justice of the peace for the municipality of Almagro, Province of Samar, Twelfth Judicial District, vice Gregorio de la Bajan, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Pedro Gundan to be auxiliary justice of the peace for the municipality of Mauanan, Province of Cagayan, First Judicial District, vice Domingo Bosi, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Policarpo Gonzales to be justice of the peace for the municipality of Guiuan, Province of Samar, Twelfth Judicial District, vice Basilio Vazquez, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Calixto de Luna to be justice of the peace for the municipality of Pasuquin, Province of Ilocos Norte, Second Judicial District, vice Gregorio Salmon, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Norberto Marquez to be auxiliary justice of the peace for the municipality of Naguilian, Province of Isabela, First Judicial District, vice Antonio Patriarca, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Eusebio Tijaba to be auxiliary justice of the peace for the municipality of Bato, Province of Albay, Eighth Judicial District, vice Pedro E. Chavez, appointed justice of the peace; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

TUESDAY, FEBRUARY 15, 1910.

Manuel Araullo to be president of the Code Committee; pursuant to the provisions of Act No. 1941.

Eusebio Jayme to be justice of the peace for the municipality of Buenavista, Province of Iloilo, Ninth Judicial District, vice Gonzalo Hofleña, deceased; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Feliciano Tamor to be auxiliary justice of the peace for the municipality of Tarangnan, Province of Samar, Twelfth Judicial District, vice Evaristo Bordallo, deceased; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Santiago Figueroa to be justice of the peace for the municipality of Villareal, Province of Samar, Twelfth Judicial District, vice Julian R. Gelera, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Francisco de Guzman to be justice of the peace for the municipality of Catanauan, Province of Tayabas, Seventh Judicial District, vice Pablo Medina, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Hilario Catan to be auxiliary justice of the peace for the municipality of Catanauan, Province of Tayabas, Seventh Judicial District, vice Francisco de Guzman, nominated justice of the peace; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Doroteo Vives to be justice of the peace for the municipality of Solsona, Province of Ilocos Norte, Second Judicial District; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Juan Agustín to be auxiliary justice of the peace for the municipality of Solsona, Province of Ilocos Norte, Second Judicial District; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Mauricio Lucero to be justice of the peace for the municipality of Janiuay, Province of Iloilo, Ninth Judicial District, vice Agustin Pronoble, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Rufino Armado to be auxiliary justice of the peace for the municipality of Janiuay, Province of Iloilo, Ninth Judicial District, vice Mauricio Lucero, nominated justice of the peace; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Gelacio Macaranas to be justice of the peace for the municipality of Santo Tomas, Province of Pangasinan, Third Judicial District, vice Prisco Florenciano, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Esteban Ebron to be auxiliary justice of the peace for the municipality of Candelaria, Province of Zambales, Third Judicial District; pursuant

to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Santiago Manzano to be auxiliary justice of the peace for the municipality of Castillejos, Province of Zambales, Third Judicial District; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Domingo Doloroso to be justice of the peace for the municipality of Palauig, Province of Zambales, Third Judicial District; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Marcelino Gregorio Rosal to be auxiliary justice of the peace for the municipality of Palauig, Province of Zambales, Third Judicial District; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

#### MONDAY, FEBRUARY 28, 1910.

John T. Nance, Captain, Second Cavalry, United States Army, to be provincial secretary of the Moro Province, effective upon qualification, vice Charles B. Hagadorn, captain, Twenty-third Infantry, United States Army, relieved; pursuant to the provisions of section 4 of Act No. 787, as amended by Acts Nos. 1283 and 1673.

John W. Ferrier to be Insular Special Deputy Collector of Customs, effective February 12, 1910, with salary at the rate of ₱6,000 per annum, from February 12, 1910, to August 11, 1910, and ₱7,200 per annum, from August 12, 1910, on, vice Hartford Beaumont resigned; pursuant to the provisions of section 20 of Act No. 1407 and Act No. 1955.

Andres Herrera to be auxiliary justice of the peace for the municipality of Malabon, Province of Rizal, Fifth Judicial District, vice Cipriano Rivera, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Anastacio Casuga to be auxiliary justice of the peace for the municipality of San Fernando, Province of La Union, Mountain Judicial District, vice Sabino Gaerlan, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1267.

Licerio Acedillo to be auxiliary justice of the peace for the municipality of Sulat, Province of Samar, Twelfth Judicial District, vice Simeón Operario, appointed justice of the peace; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Luciano Legaspi to be justice of the peace for the municipality of Biliran, Province of Leyte, Twelfth Judicial District; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Mariano Trani to be auxiliary justice of the peace for the municipality of Biliran, Province of Leyte, Twelfth Judicial District; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.



Nemesio Almario to be justice of the peace for the municipality of Hinundayan, Province of Leyte, Twelfth Judicial District; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Vicente Clímaco to be auxiliary justice of the peace for the municipality of Hinundayan, Province of Leyte, Twelfth Judicial District; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Antonio Veyra to be justice of the peace for the municipality of San Miguel, Province of Leyte, Twelfth Judicial District; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

José Quero to be auxiliary justice of the peace for the municipality of San Miguel, Province of Leyte, Twelfth Judicial District; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Tomas C. Soto to be justice of the peace for the municipality of Villaba, Province of Leyte, Twelfth Judicial District; pursuant to the provisions of section 67 of Act No. 136 as amended by Acts Nos. 1450 and 1627.

Carmelino Rubillos to be auxiliary justice of the peace for the municipality of Villaba, Province of Leyte, Twelfth Judicial District; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Gabriel Maramag to be justice of the peace for the municipality of Ilagan, Province of Isabela, First Judicial District, vice Domingo Cabangan, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Mariano Villanueva to be justice of the peace for the municipality of Baliangaw, Province of Misamis, Thirteenth Judicial District; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Vicente Torres to be auxiliary justice of the peace for the municipality of Baliangaw, Province of Misamis, Thirteenth Judicial District; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Ciriaco Arcenio to be justice of the peace for the municipality of Salcedo, Province of Samar, Twelfth Judicial District, vice Ruperto Ouano, who declined the appointment; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Alejandro Bangug to be auxiliary justice of the peace for the municipality of Cabagan Nuevo, Province of Isabela, First Judicial District, vice Vicente Amugauan, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Adriano Rodriguez to be auxiliary justice of the peace for the municipality of Zamboanga, Moro Province, Fourteenth Judicial District, vice Pedro Francisco, resigned; pursuant to the provisions of section 27 of Act No. 787, as amended by Acts Nos. 1164, 1283, 1450, and 1627.

FRIDAY, MARCH 4, 1910.

Estanislao Yusay to be judge of the Court of First Instance for the city of Manila, vice Manuel Araullo, appointed president, Code Committee; pursuant to the provisions of section 1 of Act No. 1955 and section 49 of Act No. 136, as amended by section 1 of Act No. 396.

Simplicio del Rosario to be judge of the Court of First Instance for the Fifth Judicial District, vice Estanislao Yusay, nominated judge of the court of First Instance for the city of Manila; pursuant to the provisions of section 48 of Act No. 136, Act No. 140, as amended, and section 1 of Act No. 1955.

Charles H. Smith to be judge of the Court of Land Registration, vice Simplicio del Rosario, nominated judge of the Court of First Instance for the Fifth Judicial District; pursuant to the provisions of section 1 of Act No. 1955 and section 3 of Act No. 496, as amended by Act No. 1875.

John S. Powell to be judge of the Court of First Instance for the Eighth Judicial District, vice Grant T. Trent, appointed associate justice, Supreme Court; pursuant to the provisions of section 48 of Act No. 136, Act No. 140, as amended, and section 1 of Act No. 1955.

Mariano Cui to be judge of the Court of First Instance for the Seventh Judicial District, vice John S. Powell, nominated judge of the Court of First Instance for the Eighth Judicial District; pursuant to the provisions of section 48 of Act No. 136, Act No. 140, as amended, and section 1 of Act No. 1955.

Ramon Avanceña to be judge of the Court of First Instance for the Twelfth Judicial District, vice Mariano Cui, nominated judge of the Court of First Instance for the Seventh Judicial District; pursuant to the provisions of section 48 of Act No. 136, Act No. 140, as amended, and section 1 of Act No. 1955.

Vicente Nepomuceno to be judge of the Court of First Instance for the Thirteenth Judicial District, vice Ramon Avanceña, nominated judge of the Court of First Instance for the Twelfth Judicial District; pursuant to the provisions of section 48 of Act No. 136, Act No. 140, as amended, and section 1 of Act No. 1955.

Francisco Santamaria to be judge of the Court of First Instance at large, vice Vicente Nepomuceno, nominated judge of the Court of First Instance for the Thirteenth Judicial District; pursuant to the provisions of section 1 of Act No. 1955 and section 3 of Act No. 396.

George N. Hurd to be judge of the Court of First Instance at large, vice Charles H. Smith, nominated judge of the Court of Land Registration; pursuant to the provisions of section 1 of Act No. 1955 and section 3 of Act No. 396.

Charles A. Low to be judge of the Court of First Instance at large, to fill the vacancy caused by the appointment of Mariano Cui as judge of the Court of First Instance for the Twelfth Judicial District; pursuant to the provisions of section 1 of Act No. 1955 and section 3 of Act No. 396.

Pedro Concepción to be associate judge of the Court of Land Registration, at a salary of ₱8,000 per annum, as provided in Act No. 1955; pursuant to the provisions of section 3 of Act No. 496, as amended by Act No. 1875.

Carter D. Johnston to be judge of the municipal court, city of Manila, at a salary of ₱7,000 per annum, as provided in the appropriation of the city of Manila for the fiscal year ending June 30, 1910, approved by the Governor-General on August 10, 1909, vice Charles A. Low, nominated judge of the Court of First Instance at large; pursuant to the provisions of section 40 of Act No. 183, as amended by section 2 of Act No. 612.

José M. Quintero to be fiscal for the Provinces of Cavite and Bataan, vice Francisco Santamaria, nominated judge of the Court of First Instance at large; pursuant to the provisions of section 5 of Act No. 83, Act No. 1701, as amended, and Executive Order No. 45, series of 1907, as amended by Executive Order No. 112, series of 1909.

Bartolome Revilla to be justice of the peace for the city of Manila, at a salary of ₱3,000 per annum, as provided in the appropriation of the city of Manila for the fiscal year ending June 30, 1910, approved by the Governor-General on August 10, 1909, vice José M. Quintero, nominated fiscal for the Provinces of Cavite and Bataan; pursuant to the provisions of section 44 of Act No. 183, as amended by Act No. 1546 and Act No. 1627.

Julio Ruiz transferred as district health officer from the Province of Sorsogon to the Province of Bohol, at a salary of ₱2,400 per annum, vice Rafael Villa-Franca, transferred to the Provinces of Rizal, Cavite, and Bataan; pursuant to the provisions of Acts Nos. 1487 and 1955.

Rafael Villa-Franca transferred as district health officer from the Province of Bohol to the Provinces of Rizal, Cavite, and Bataan, at a salary of ₱2,800, vice Buenaventura Toribio, whose nomination has been canceled by the Commission; pursuant to the provisions of Acts Nos. 1487 and 1955.

Peter J. Vanden Broeck to be treasurer for the Province of Bohol, vice George E. Schilling, resigned; pursuant to the provisions of section 5 of Act No. 83, Act No. 117, and Act No. 1581, as amended by Act No. 1716.

Pedro Alde to be justice of the peace for the municipality of Llorente, Province of Samar, Twelfth Judicial District, vice Doroteo Bocar, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Anastasio Paglinawan to be justice of the peace for the municipality of Guinayangan, Province of Tayabas, Seventh Judicial District, vice Felix Tolentino, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Pedro Meimban to be justice of the peace for the municipality of Rosales, Province of Pangasinan, Third Judicial District, vice Tomas Canonizado, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Frederick T. Winters to be justice of the peace for Lamitan, Island of Basilan, Moro Province, Fourteenth Judicial District, vice J. M. Brown, whose appointment has been canceled; pursuant to the provisions of section 27 of Act No. 787, as amended by Acts Nos. 1164, 1283, 1450, and 1627.

Gregorio L. Romero to be justice of the peace for the municipality of Carranglan, Province of Nueva Ecija, Fourth Judicial District, vice Leon Buenconsejo, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

José Aquitania to be justice of the peace for the municipality of Rosario, Province of La Union, Mountain Judicial District, vice Cesario Garcia, deceased; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Fruto Oliver to be justice of the peace for the municipality of Dolores, Province of Ilocos Sur, Second Judicial District, vice Pedro Crisologo 2.o., resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Martin Palisoc to be auxiliary justice of the peace for the municipality of Urbiztondo, Province of Pangasinan, Third Judicial District, vice Mariano Macaraeg, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Victoriano Constantino to be auxiliary justice of the peace for the municipality of Zaragoza, Province of Nueva Ecija, Fourth Judicial District, vice David A. Nieves, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Narciso Espiritusanto to be auxiliary justice of the peace for the municipality of San Juan de Guimba, Province of Nueva Ecija, Fourth Judicial District, vice Santiago Cudal, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Domingo Efren to be auxiliary justice of the peace for the municipality of Burauen, Province of Leyte, Twelfth Judicial District, vice José Avelino, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Quirico Alarcon to be auxiliary justice of the peace for the municipality of Caramoan, Province of Ambos Camarines, Eighth Judicial District, vice Felix Hernandez, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

#### SATURDAY, MARCH 26, 1910.

Robert S. Van Valkenburg to be treasurer for the Province of La Laguna, vice Harry S. Hodgson, resigned; pursuant to the provisions of section 5 of Act No. 83, Act No. 424 and Act No. 1581, as amended by Act No. 1716.

Miguel Unson to be treasurer for the Province of Sorsogon, vice Robert S. Van Valkenburg, nominated treasurer for the Province of La Laguna; pursuant to the provisions of section 5 of Act No. 83, Act No. 124 and Act No. 1581, as amended by Act No. 1716.

Paul Nelson to be justice of the peace for the barrio of San José, Corregidor Island, municipality of Cavite, Province of Cavite, Sixth Judicial District; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627 and of resolution of the Philippine Commission dated February 28, 1910.

Venancio Igay to be auxiliary justice of the peace for the municipality of Valderrama, Province of Antique, Tenth Judicial District, vice Juan Vitudio, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Antonio Catral to be auxiliary justice of the peace for the municipality of Alcala, Province of Cagayan, First Judicial District, vice Emilio Gannaban, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Felipe Pasis to be justice of the peace for the municipality of Claveria, Province of Cagayan, First Judicial District, vice Saturnino Dacuyeyu, removed; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Pedro Leño to be auxiliary justice of the peace for the municipality of Claveria, Province of Cagayan, First Judicial District, vice Felipe Pasis, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Juan Bautista to be auxiliary justice of the peace for the municipality of Gattaran, Province of Cagayan, First Judicial District, vice Constantino Lasam, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Pedro Marallag to be justice of the peace for the municipality of Peña Blanca, Province of Cagayan, First Judicial District, vice Segismundo Perez, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Agustin Baliuag to be auxiliary justice of the peace for the municipality of Piat, Province of Cagayan, First Judicial District, vice Tomas Pacion, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Pio Tacan to be auxiliary justice of the peace for the municipality of Jimenez, Province of Misamis, Thirteenth Judicial District, vice Isidro Adorable, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Benito Natividad to be justice of the peace for the municipality of Nueva Caceres, Province of Ambos Camarines, Eighth Judicial District, vice Tomas Flordeliza, appointed provincial fiscal for Ambos Camarines; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Santiago Valenciano to be auxiliary justice of the peace for the municipality of Nueva Caceres, Province of Ambos Camarines, Eighth Judicial District, vice Benito Natividad, nominated justice of the peace; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Juan O. Veñegas to be auxiliary justice of the peace for the municipality of Sibalom, Province of Antique, Tenth Judicial District, vice Domingo Marfil, who declined the appointment; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Perfecto Iqueña to be auxiliary justice of the peace for the municipality of Sagay, Province of Occidental Negros, Tenth Judicial District, vice Juan Tupas, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Justo Camero to be justice of the peace for the municipality of Anda, Province of Pangasinan, Third Judicial District, vice Engracio Peña, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Mariano Mapalad to be justice of the peace for the municipality of Castilla, Province of Sorsogon, Fifteenth Judicial District, vice Pantaleon Romero, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Nemesio Cueto to be justice of the peace for the township of Sablayan, Province of Mindoro, Seventh Judicial District, vice Juan Daño, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Camilo Diaz to be auxiliary justice of the peace for the municipality of Aringay, Province of La Union, Mountain Judicial District, vice Nicolas Madarang, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Leoncio Real to be justice of the peace for the municipality of Santa Maria, Province of La Laguna, Sixth Judicial District; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Victoriano Sequera to be auxiliary justice of the peace for the municipality of Santa Maria, Province of La Laguna, Sixth Judicial District; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Angel Talavera to be auxiliary justice of the peace for the municipality of Santa Cruz, Province of Ilocos Sur, Second Judicial District, vice Esteban Paredes, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Antonio Maxino to be justice of the peace for the municipality of Unisan, Province of Tayabas, Seventh Judicial District, vice Vicente Tolentino, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Cipriano Manalo to be auxiliary justice of the peace for the municipality of Alitagtag, Batangas, Seventh Judicial District; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Vicente Corpus to be justice of the peace for the municipality of Famy, Province of La Laguna, Sixth Judicial District; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Liborio Valmonte to be auxiliary justice of the peace for the municipality of Famy, Province of La Laguna, Sixth Judicial District; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Apolinario Callao to be auxiliary justice of the peace for the municipality of Pozorrubio, Province of Pangasinan, Third Judicial District, vice Juan A. Peña, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

**MONDAY, MARCH 28, 1910.**

Domingo Francisco to be auxiliary justice of the peace for the municipality of Ilagan, Province of Isabela, First Judicial District, vice Enrique Dayag, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

**TUESDAY, MARCH 29, 1910.**

John S. Powell to be judge of the Court of First Instance for the Ninth Judicial District, the appointment to be effective April 7, 1910, vice James Ross, resigned; pursuant to the provisions of section 48 of Act No. 136, Act No. 140, as amended, and section 1 of Act No. 1955.

Percy M. Moir to be judge of the Court of First Instance for the Eighth Judicial District, the appointment to be effective April 7, 1910, vice John S. Powell, nominated judge of the Court of First Instance for the Ninth Judicial District; pursuant to the provisions of section 48 of Act No. 136, Act No. 140, as amended, and section 1 of Act No. 1955.

Catalino Josue to be justice of the peace for the municipality of Mogpog, Province of Tayabas, Seventh Judicial District; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Tranquilino Santiago to be auxiliary justice of the peace for the municipality of Mogpog, Province of Tayabas, Seventh Judicial District; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

**THURSDAY, MARCH 31, 1910.**

José Vallarta to be auxiliary justice of the peace for the municipality of Talavera, Province of Nueva Ecija, Fourth Judicial District, vice Juan Valino, appointed justice of the peace; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

**FRIDAY, APRIL 1, 1910.**

Flaviano C. Foz to be justice of the peace for the municipality of Dingras, Province of Ilocos Norte, Second Judicial District, vice Epifanio Madamba, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

**MONDAY, APRIL 4, 1910.**

Manuel Llora to be temporary district health officer for the Province of Leyte, at a salary of ₱3,000 per annum, the appointment to be effective upon qualification; pursuant to the provisions of section 2 of Act No. 1487, and of Resolution No. 13 of the Philippine Commission dated April 1, 1910.

G. I. Cullen to be district health officer for the Province of Samar, at a salary of ₱3,000 per annum, the appointment to be effective upon qualification; pursuant to the provisions of section 2 of Act No. 1487, and of Resolution No. 13 of the Philippine Commission dated April 1, 1910.

Baltazar Luciano to be auxiliary justice of the peace for the municipality of Candaba, Province of Pampanga, Fourth Judicial District, vice Isabelo Galang, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Lorenzo Inocencio to be justice of the peace for the municipality of Sapián, Province of Capiz, Fifteenth Judicial District, vice Laureano de la Rosa, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Teodoro Ermita to be auxiliary justice of the peace for the municipality of Licab, Province of Nueva Ecija, Fourth Judicial District, vice Juan San-siatco, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

**THURSDAY, APRIL 7, 1910.**

Henry Steere to be Deputy Collector of Internal Revenue, at a salary of ₱7,500 per annum, as provided by Act No. 1955, vice Ellis Cromwell, appointed Collector of Internal Revenue; pursuant to the provisions of section 21 (a) of Act No. 1407.

Richard Campbell to be judge of the Court of First Instance for the Mountain Judicial District, the appointment to be effective upon qualification, vice Percy M. Moir, appointed judge of the Court of First Instance for the Eighth Judicial District; pursuant to the provisions of section 4 of Act No. 867 and section 1 of Act No. 1955.

Richard M. Corwine to be treasurer for the Moro Province, vice Fred A. Thompson; pursuant to the provisions of section 4 of Act No. 787, as amended by Acts Nos. 1283 and 1673.

**THURSDAY, APRIL 14, 1910.**

Jovito Yusay, assistant attorney, Bureau of Justice, promoted from a salary of ₱5,500 per annum to that of ₱6,000 per annum, the promotion to be effective on April 16, 1910, pursuant to the provisions of Acts Nos. 1407 and 1955.

Antonio Villa-Real to be assistant attorney, Bureau of Justice, at a salary of ₱3,600 per annum, the appointment to be effective on April 16, 1910; pursuant to the provisions of Acts Nos. 1407 and 1955.



Luis Torres, assistant attorney, Bureau of Justice, promoted from a salary of ₱3,200 per annum to that of ₱3,600 per annum, the promotion to be effective on April 16, 1910; pursuant to the provisions of Acts Nos. 1407 and 1955.

Felicisimo Feria, assistant attorney, Bureau of Justice, promoted from a salary of ₱3,600 per annum to that of ₱4,000 per annum, the promotion to be effective on April 16, 1910; pursuant to the provisions of Acts Nos. 1407 and 1955.

George A. Malcolm, assistant attorney, Bureau of Justice, promoted from a salary of ₱3,600 per annum to that of ₱5,000 per annum, the promotion to be effective on April 16, 1910; pursuant to the provisions of Acts Nos. 1407 and 1955.

Isaac Adams, assistant attorney, Bureau of Justice, promoted from a salary of ₱4,500 per annum to that of ₱5,500 per annum, the promotion to be effective on April 16, 1910, pursuant to the provisions of Acts Nos. 1407 and 1955.

Juan Medina, assistant attorney, Bureau of Justice, promoted from a salary of ₱4,000 per annum to that of ₱4,500 per annum, the promotion to be effective on April 16, 1910; pursuant to the provisions of Acts Nos. 1407 and 1955.

Marcelino M. Dimaano to be justice of the peace for the municipality of Lumban, Province of La Laguna, Sixth Judicial District, vice Fausto Baduria, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Manuel Almario to be auxiliary justice of the peace for the municipality of Lumban, Province of La Laguna, Sixth Judicial District, vice Marcelino M. Dimaano, nominated justice of the peace; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Emilio Layug to be auxiliary justice of the peace for the municipality of Tarlac, Province of Tarlac, Fourth Judicial District, vice Vicente Tabamo, appointed justice of the peace; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Claudio Sales to be auxiliary justice of the peace for the municipality of Tayabas, Province of Tayabas, Seventh Judicial District, vice Lucio Zafranco, not qualified; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Pedro Pica to be auxiliary justice of the peace for the municipality of Calauag, Province of Tayabas, Seventh Judicial District, vice Mariano Novales, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Damian O. Magtibay to be auxiliary justice of the peace for the municipality of Candelaria, Province of Tayabas, Seventh Judicial District, vice Manuel Virrey, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Crispin Deles to be auxiliary justice of the peace for the municipality of Barotac Nuevo, Province of Iloilo, Ninth Judicial District, vice Hilarion

Biron, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Jesus I. de Veyra to be justice of the peace for the municipality of Osmoc, Province of Leyte, Twelfth Judicial District, vice Nicolas Torres, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Simeon Chavarria to be auxiliary justice of the peace for the township of Pinamalayan, Province of Mindoro, Seventh Judicial District, vice Vidal Pastorfide, who declined the appointment; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Agripino Infante to be justice of the peace for the municipality of Laoang, Province of Samar, Twelfth Judicial District, vice Apolinar Moncada, who declined the appointment; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Juan Bordador to be auxiliary justice of the peace for the municipality of Meycauayan, Province of Bulacan, Fifth Judicial District, vice Manuel Tanghal, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Vicente Zabala to be justice of the peace for the municipality of Tarangnan, Province of Samar, Twelfth Judicial District, vice Gaudencio Zeta, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Pedro Guiñares to be justice of the peace for the municipality of San Francisco, Province of Cebu, Eleventh Judicial District, vice Donato Lucernas, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Lino Arquillano to be auxiliary justice of the peace for the municipality of San Francisco, Province of Cebu, Eleventh Judicial District, vice Mateo Tampus, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Andres Zarsoso to be auxiliary justice of the peace for the municipality of Malinao, Province of Albay, Eighth Judicial District, vice Maximino Chaves, removed; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Luciano Servando to be justice of the peace for the township of Mamburao, Province of Mindoro, Seventh Judicial District; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Joaquin Sanchez to be auxiliary justice of the peace for the municipality of Mauanan, Province of Cagayan, First Judicial District, vice Pedro Gundan, who declined the appointment; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Crisostomo C. Javier to be auxiliary justice of the peace for the municipality of Culasi, Province of Antique, Tenth Judicial District, vice Simeon Alojipan, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Buenaventura Marty to be justice of the peace for the municipality of

Santa Cruz, Province of Zambales, Third Judicial District, vice Silverio Maravilla, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Tomas Remigio to be auxiliary justice of the peace for the municipality of Lucena, Province of Tayabas, Seventh Judicial District, vice Fabian H. Diaz, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Venancio Virgenes to be auxiliary justice of the peace for the municipality of Polo, Province of Bulacan, Fifth Judicial District, vice Crispiniano Agustines, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Pablo Francia to be justice of the peace for the municipality of San Felipe, Province of Zambales, Third Judicial District, vice Roman Florezca, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Estanislao Tameta to be auxiliary justice of the peace for the township of Lubang, Province of Mindoro, Seventh Judicial District, vice Celestino Malabanan, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Aurelio Nava to be justice of the peace for the municipality of Gumaca, Province of Tayabas, Seventh Judicial District, vice Pedro Victoria, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Limbanio Calderon y Bueno to be auxiliary justice of the peace for the municipality of Bauan, Batangas, Seventh Judicial District, vice Leon Contreras, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

#### MONDAY, APRIL 25, 1910.

Carlos A. Imperial to be assistant attorney, Bureau of Justice, at a salary of ₱4,000 per annum, effective May 1, 1910, pursuant to the provisions of Acts Nos. 1407 and 1955.

Captain C. E. Heartt, Philippines Constabulary, to be justice of the peace for the municipality of Cotabato, Moro Province, Fourteenth Judicial District, vice Dalmacio Papa, resigned; pursuant to the provisions of section 27, Act No. 787, as amended by Acts Nos. 1164, 1283, 1450, and 1627.

Marcelino Sarmiento to be auxiliary justice of the peace for the municipality of Norzagaray, Province of Bulacan, Fifth Judicial District, vice Mariano Palad, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Jose Borja to be auxiliary justice of the peace for the municipality of Surigao, Province of Surigao, Thirteenth Judicial District, vice Francisco Rivera y Cepada, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Ramon Gorres to be justice of the peace for the municipality of Jiniganan, Province of Occidental Negros, Tenth Judicial District, vice Justo Nonato, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

MONDAY, JUNE 6, 1910.

Warwick Greene to be Director of Public Works, at a salary of ₱15,000 per annum, the appointment to be effective on July 1, 1910, vice James F. Case, resigned; pursuant to the provisions of section 13 (a) of Act No. 1407 and Act No. 1989.

Agapito Correa to be auxiliary justice of the peace for the municipality of Pitogo, Province of Tayabas, Seventh Judicial District, vice Rufino Villaseñor, appointed justice of the peace; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Lucio Yulo to be auxiliary justice of the peace for the municipality of Bago, Province of Occidental Negros, Tenth Judicial District, vice Pedro Varela, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Eriberto Loreto to be auxiliary justice of the peace for the municipality of Baybay, Province of Leyte, Twelfth Judicial District, vice Vicente Veloso, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Vicente Agudo to be auxiliary justice of the peace for the municipality of Cauayan, Province of Isabela, First Judicial District, vice Pantaleon Alindayu, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Benito Runes to be justice of the peace for the municipality of Caba, Province of La Union, Mountain Judicial District, vice Pedro Y. Maglaya, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Valentin Maglaya to be auxiliary justice of the peace for the municipality of Caba, Province of La Union, Mountain Judicial District, vice Benito Runes, nominated justice of the peace; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Jesus V. Lagdameo to be auxiliary justice of the peace for the municipality of Guinayangan, Province of Tayabas, Seventh Judicial District, vice Anastasio Paglinawan, appointed justice of the peace; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Aproniano Torres to be justice of the peace for the municipality of Pilar, Province of Cebu, Eleventh Judicial District, vice Hugo Torres, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

José Romey to be auxiliary justice of the peace for the municipality of Alabat, Province of Tayabas, Seventh Judicial District, vice Sisenando David, who declined the appointment; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Aurelio Zambrano to be justice of the peace for the municipality of Buenavista, Province of Iloilo, Ninth Judicial District, vice Eusebio Jayme, deceased; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Juan Dagandan to be justice of the peace for the municipality of Leyte,

Province of Leyte, Twelfth Judicial District, vice himself, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Toribio Urquiza to be auxiliary justice of the peace for the municipality of Hinunangan, Province of Leyte, Twelfth Judicial District, vice Isidoro Togonon, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Clyde B. Ely to be justice of the peace for the barrio of San José, Corregidor Island, municipality of Cavite, Province of Cavite, Sixth Judicial District, vice Paul Nelson, resigned, pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627, and of Resolution of the Philippine Commission, dated February 28, 1910.

Laurente Aviles to be auxiliary justice of the peace for the municipality of Pilar, Province of Cebu, Eleventh Judicial District, vice Miguel Borinaga, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Vicente Segovia to be auxiliary justice of the peace for the municipality of Ormoc, Province of Leyte, Twelfth Judicial District, vice Ricardo Irasorza, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Vicente Tumanut to be justice of the peace for the municipality of Santiago, Province of Isabela, First Judicial District; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Faustino Rustia to be auxiliary justice of the peace for the municipality of Cladyo, Province of Isabela, First Judicial District; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Jordan Mangadap to be justice of the peace for the municipality of Echague, Province of Isabela, First Judicial District, vice Vicente Tumanut, nominated justice of the peace of Santiago; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

**TUESDAY, JUNE 7, 1910.**

Florentino Avis to be justice of the peace for the municipality of Mi-laor, Province of Ambos Camarines, Eighth Judicial District, vice Pedro Anacleto, deceased; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Fabiano P. Reyes to be auxiliary justice of the peace for the municipality of Binangonan, Province of Rizal, Fifth Judicial District, vice Narciso G. Bautista, deceased; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Esteban Lumin to be justice of the peace for the municipality of Tagbilaran, Province of Bohol, Eleventh Judicial District, vice Servando Matiga, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Bailon Ga to be justice of the peace for the municipality of Dinagat, Province of Surigao, Thirteenth Judicial District, vice Candido Lemos, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Esteban Enao to be auxiliary justice of the peace for the municipality of Dinagat, Province of Surigao, Thirteenth Judicial District, vice Marcelo Edillor, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Gaudencio Albayda to be justice of the peace for the municipality of Ilog, Province of Occidental Negros, Tenth Judicial District, vice Andres Paglomutan, removed; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Francisco Oñate to be justice of the peace for the municipality of Sanchez Mira, Province of Cagayan, First Judicial District, vice Catalino Pulido, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Claro Joven to be justice of the peace for the municipality of Santa Lucia, Province of Ilocos Sur, Second Judicial District, vice Eduardo Pimentel, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Pio Balmaceda to be auxiliary justice of the peace for the municipality of Tayum, Province of Ilocos Sur, Second Judicial District, vice Nazario Bugtong, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Agaton Taba to be auxiliary justice of the peace for the municipality of Casiguran, Province of Tayabas, Seventh Judicial District, vice Gumerindo Moreno, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Francisco Lalisan to be justice of the peace for the municipality of Talacogon, Province of Agusan, Thirteenth Judicial District, vice Casiano Flores, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Gregorio Rocero to be justice of the peace for the municipality of Placer, Province of Sorsogon, Fifteenth Judicial District, vice Pedro Manlangit, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Elias Estabillo to be justice of the peace for the municipality of Gattaran, Province of Cagayan, First Judicial District, vice Felix Fonte, deceased; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Pedro Morales to be justice of the peace for the municipality of Mulanay, Province of Tayabas, Seventh Judicial District, vice Alejandro Tesalona, deceased; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Nicolas Roces to be justice of the peace for the municipality of Dinglo, Province of Iloilo, Ninth Judicial District, vice Luis C. Dayot, resigned;

pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Tomas Gutierrez to be justice of the peace for the municipality of Dolores, Province of Tayabas, Seventh Judicial District; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Geminiano Amatorio to be auxiliary justice of the peace for the municipality of Dolores, Province of Tayabas, Seventh Judicial District; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Marciano Saldaña to be justice of the peace for the municipality of Samal, Province of Bataan, Sixth Judicial District, vice Jose Joson, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Hermenegildo Talastas to be auxiliary justice of the peace for the municipality of Samal, Province of Bataan, Sixth Judicial District, vice Crispulo R. Consunji, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Nicolas Prado to be auxiliary justice of the peace for the municipality of Buruanga, Province of Capiz, Fifteenth Judicial District, vice Pablo Magbanua, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Pacifico Liongson to be auxiliary justice of the peace for the municipality of Hermosa, Province of Bataan, Sixth Judicial District, vice Atanacio de los Santos, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Nicomedes de Gracia to be justice of the peace for the municipality of Alitagtag, Province of Batangas, Seventh Judicial District; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Felix Estella to be auxiliary justice of the peace for the municipality of Masinloc, Province of Zambales, Third Judicial District, vice Pastor Eviota Ela, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Mariano Soria to be auxiliary justice of the peace for the municipality of Basud, Province of Ambos Camarines, Eighth Judicial District, vice Gregorio Villamora, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Eugenio Gacutan to be justice of the peace for the municipality of Solana, Province of Cagayan, First Judicial District, vice Juan Lasam, removed; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

John T. Schang to be justice of the peace for the municipality of Larena, Province of Oriental Negros, Eleventh Judicial District, vice Harry Lee Brown, removed; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Roman Salvador to be justice of the peace for the municipality of Dinalupihan, Province of Bataan, Sixth Judicial District, vice Jose Tiangco, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Eugenio D. Estanislao to be auxiliary justice of the peace for the municipality of Dinalupihan, Province of Bataan, Sixth Judicial District, vice Roman Salvador, nominated justice of the peace; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Pedro Maravilla to be justice of the peace for the municipality of Saravia, Province of Occidental Negros, Tenth Judicial District, vice Santiago Jayme Reyes, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Emilio Gregorios to be auxiliary justice of the peace for the municipality of Saravia, Province of Occidental Negros, Tenth Judicial District, vice Zeferino Villanueva, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Clark G. Whitehorn to be justice of the peace for Sindangan, Zamboanga District, Moro Province, Fourteenth Judicial District; pursuant to the provisions of section 27 of Act No. 787, as amended by Acts Nos. 1164, 1283, 1450, and 1627.

Fructuoso Avilo to be auxiliary justice of the peace for the municipality of Arevalo, Province of Iloilo, Ninth Judicial District, vice Honorato Avanceña, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

#### WEDNESDAY, JUNE 8, 1910.

William C. Bryant to be governor of the Province of Nueva Vizcaya, at a salary of ₱4,800 per annum, effective as of this date; pursuant to the provisions of section 3 of Act No. 1396 and Act No. 1883.

#### THURSDAY, JUNE 9, 1910.

Clarence W. Hubbell to be Assistant to the Director of Public Works, at a salary of ₱6,000 per annum, effective June 6, 1910; pursuant to the provisions of section 13 (a) of Act No. 1407 and Act No. 1955.

#### TUESDAY, JUNE 14, 1910.

M. L. Stewart to be Director of Prisons, the appointment to be effective on July 1, 1910, vice George N. Wolfe, resigned; pursuant to the provisions of Acts Nos. 1407 and 1989.

Lafayette A. Dorrington to be Assistant Director of Prisons, the appointment to be effective on July 1, 1910, vice M. L. Stewart, nominated Director of Prisons; pursuant to the provisions of Acts Nos. 1407 and 1989.



TUESDAY, JUNE 28, 1910.

J. B. Early to be lieutenant-governor for the subprovince of Bontoc, Mountain Province, at a salary of ₱3,200 per annum, with quarters, vice John H. Evans, appointed acting governor of Palawan; pursuant to the provisions of section 2 (f) of Act No. 1876 and Act No. 1883.

Fisher H. Nesmith to be assistant attorney, Bureau of Justice, at a salary of ₱4,500 per annum, the appointment to be effective as of June 20, 1910; pursuant to the provisions of Acts Nos. 1407 and 1955.

Ponciano Reyes to be fiscal for the Province of Capiz, vice Marciano Borrromeo, resigned; pursuant to the provisions of section 5 of Act No. 83, section 2 of Act No. 1701, as amended by section 2 of Act No. 1716, and Executive Order No. 43, series of 1907, as amended by Executive Order No. 111, series of 1909.

Fructuoso Soro to be justice of the peace for the municipality of Parang, Moro Province, Fourteenth Judicial District, vice E. W. Bugbee, resigned; pursuant to the provisions of section 27 of Act No. 787, as amended by Acts Nos. 1164, 1283, 1450, and 1627.

Juan Mejía to be justice of the peace for the municipality of San Nicolas, Province of Pangasinan, Third Judicial District, vice Albino R. de Cellis, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Domingo Quilang to be justice of the peace for the municipality of Tagle, Province of Isabela, First Judicial District, vice Pedro Samson, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Jose Janio to be auxiliary justice of the peace for the municipality of Tagle, Province of Isabela, First Judicial District, vice Domingo Quilang, nominated justice of the peace; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Pedro de la Peña to be auxiliary justice of the peace for the municipality of Palanan, Province of Isabela, First Judicial District, vice Raymundo Palogau, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Rufino Armado to be justice of the peace for the municipality of Janiuay, Province of Iloilo, Ninth Judicial District, vice Mauricio Lucero, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Roberto Abordo to be auxiliary justice of the peace for the municipality of Janiuay, Province of Iloilo, Ninth Judicial District, vice Rufino Armado, nominated justice of the peace, pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Vicente Casten to be auxiliary justice of the peace for the municipality of Santa Barbara, Province of Iloilo, Ninth Judicial District, vice Ubaldo Robles, who declined the appointment; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Esteban Mendoza to be justice of the peace for the municipality of Lagonoy, Province of Ambos Camarines, Eighth Judicial District, vice Pedro Esmeralda, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Leon Reyes to be justice of the peace for the municipality of Capas, Province of Tarlac, Fourth Judicial District, vice Agripino Atienza, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Antonio Atienza to be auxiliary justice of the peace for the municipality of San Jose, Province of Batangas, Seventh Judicial District, vice Bernardo Ona, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

APPOINTMENT CANCELED.

Clarence W. Hubbell, as Assistant to the Director of Public Works, erroneously submitted to the Philippine Commission on June 8, 1910, and confirmed by said body on June 9, 1910.

SATURDAY, JULY 23, 1910.

Anastacio Ver to be candidate and Luis Ramos and Aurelio Corcuera to be alternates for admission to the United States Military Academy at West Point, with the class to enter March 1, 1911; pursuant to the provisions of Act of Congress of the United States of May 28, 1908.

Winthrop W. Simms to be captain and light-house inspector, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

H. C. Anderson to be captain, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

M. Cameron to be captain, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

Hugo H. Borin to be captain, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

Edward Kitts to be captain, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

Thomas A. Hillgrove to be captain, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

Peter Olsen to be captain, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

Werner Tornroth to be captain, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

Herman Leube to be captain, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

William De C. Wetherell to be captain, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

Henry C. Reissar to be captain, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

John Hennings to be captain, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

Nicolas T. Ventorini to be captain, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

I. V. Chapman to be captain, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

George W. Watkins to be captain, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

William Gordon to be captain, Bureau of Navigation, the appointment to be effective as of June 8, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

R. H. Robson to be master mechanic with relative rank of captain, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

M. Harrison to be first lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

Charles E. Goodhue to be first lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

J. Miclo to be first lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

Charles Clark to be first lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

William Mayne to be first lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

H. H. Burditt to be first lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

L. E. Burns to be first lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

George Anderson to be first lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

Louis M. Jensen to be first lieutenant, Bureau of Navigation, the appointment to be effective as of June 15, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

John F. Rutledge to be chief engineer with relative rank of first lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

Charles Wills to be chief engineer with relative rank of first lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

Wm. J. Sawyer to be chief engineer with relative rank of first lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

Fred B. Shekell to be chief engineer with relative rank of first lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

John Bowes to be chief engineer with relative rank of first lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

Osborn H. Paddison to be chief engineer with relative rank of first lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

Dennis W. Murphy to be chief engineer with relative rank of first lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

Charles E. Membert to be chief engineer with relative rank of first lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

C. F. Clark to be chief engineer with relative rank of first lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

E. Lendhardt to be chief engineer with relative rank of first lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

J. White to be second lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

Betram Rigoulot to be second lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

Dwight A. Smith to be second lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

Harry Beeks to be second lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

E. Fitzgerald to be second lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

Francisco Such to be second lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

Juan J. Goiri to be second lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

George F. Wells to be second lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

M. A. Sweeney to be second lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

L. P. de Leon to be passed assistant engineer with relative rank of second lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

A. Orozco to be passed assistant engineer with relative rank of second lieutenant, Bureau of Navigation; the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

W. H. Scollan to be passed assistant engineer with relative rank of second lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

A. J. Hammond to be passed assistant engineer with relative rank of second lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

J. Moreno to be passed assistant engineer with relative rank of second lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

Joaquin Bas to be passed assistant engineer with relative rank of second lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

R. Rickards to be passed assistant engineer with relative rank of second lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

A. M. Bayot to be passed assistant engineer with relative rank of second lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

A. E. Deyo to be passed assistant engineer with relative rank of second lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

G. Lasarte to be passed assistant engineer with relative rank of second lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

Augusto Suzara to be passed assistant engineer with relative rank of second lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

P. O'Neil to be passed assistant engineer with relative rank of second lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

Amando Suzara to be passed assistant engineer with relative rank of second lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

L. Florentino to be passed assistant engineer with relative rank of second lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

F. Tamayo to be passed assistant engineer with relative rank of second lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

Bernardo Antonio to be auxiliary justice of the peace for the municipality of Calolbon, Province of Albay, Eighth Judicial District, vice Pastor Arcilla, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Ambrosio Santos to be justice of the peace for the municipality of Hagonoy, Province of Bulacan, Fifth Judicial District, vice Domingo Tomacruz, removed; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Marcelo Estrella to be auxiliary justice of the peace for the municipality of Hagonoy, Province of Bulacan, Fifth Judicial District, vice Buenaventura Nazario, removed; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Bernardo Villareal to be auxiliary justice of the peace for the municipality of Mambusao, Province of Capiz, Fifteenth Judicial District, vice Potenciano P. Lopez, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Hermogenes Monroy to be justice of the peace for the municipality of Navotas, Province of Rizal, Fifth Judicial District, vice Olimpio Benjamin, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Vernon L. Whitney, lieutenant, Philippines Constabulary, to be justice of the peace for Dansalan, Moro Province, Thirteenth Judicial District, vice Howard McAuslin, resigned; pursuant to the provisions of section 27 of Act No. 787, as amended by Acts Nos. 1164, 1283, 1450, and 1627.

José Ma. Victorino to be justice of the peace for the municipality of Palo, Province of Leyte, Twelfth Judicial District, vice Pedro Kierulf, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Calixto Bangayan to be auxiliary justice of the peace for the municipality of San Manuel, Province of Pangasinan, Third Judicial District, vice Francisco Bermudez, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Doroteo E. Ijares to be auxiliary justice of the peace for the municipality of Bay, Province of La Laguna, Sixth Judicial District; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Camilo Andallo to be auxiliary justice of the peace for the municipality of Jalajala, Province of Rizal, Fifth Judicial District, vice Felix Billeos, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Macario Sanchez to be auxiliary justice of the peace for the municipality of Pandan, Province of Albay, Eighth Judicial District, vice Aquilino Alberto, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Apolonio Ramirez to be justice of the peace for the municipality of Bangar, Province of La Union, Mountain Judicial District, vice Tomas de la Peña, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Juan E. Perez to be auxiliary justice of the peace for the municipality of Santa Cruz, Province of La Laguna, Sixth Judicial District, vice Numeriano Bonifacio, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Mariano Marañon to be auxiliary justice of the peace for the municipality of San Felipe, Province of Zambales, Third Judicial District, vice Pablo Francia, appointed justice of the peace; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Buenaventura Ocampo to be auxiliary justice of the peace for the municipality of Cavite, Province of Cavite, Sixth Judicial District, vice Pedro Fragante, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Deogracias Belmonte to be justice of the peace for the municipality of Calolbon, Province of Albay, Eighth Judicial District, vice Mariano Solano, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Dalmacio Francisco to be justice of the peace for Caraga, Moro Province, Fourteenth Judicial District, the appointment to be effective on August 1, 1910, vice Paterno Reyes, resigned; pursuant to the provisions of section 27 of Act No. 787, as amended by Acts Nos. 1164, 1283, 1450, and 1627.

Timoteo Moreno Brodeth to be justice of the peace for the municipality of Sara, Province of Iloilo, Ninth Judicial District, vice Pacifico Escamilan, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Filomeno J. Javellana to be auxiliary justice of the peace for the municipality of Libacao, Province of Capiz, Fifteenth Judicial District, vice Julio Perez, removed; pursuant to the provisions of section 76, of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Mariano Mendoza to be justice of the peace for the municipality of Bocaue, Province of Bulacan, Fifth Judicial District, vice Bonifacio Morales, removed; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Narciso Villar to be justice of the peace for the municipality of Paracale, Province of Ambos Camarines, Eighth Judicial District, vice Felipe Marasigan, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Paulino Musenabre to be auxiliary justice of the peace for the municipality of Placer, Province of Surigao, Thirteenth Judicial District, vice Policarpio del Carmen, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Norberto Quebral to be auxiliary justice of the peace for the municipality of San Jacinto, Province of Pangasinan, Third Judicial District, vice Silvestre Callao, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Apolinar Gutierrez to be justice of the peace for the municipality of Santa Cruz, Province of Zambales, Third Judicial District, vice Buenaventura Marty, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

#### SATURDAY, AUGUST 13, 1910.

George M. Egan to be provincial governor and teacher of the Province of Batanes, at a salary of ₱4,000 per annum, the appointment to be effective on his assumption of the duties of the office, vice José Gimenez, relieved; pursuant to the provisions of section 4 of Act No. 1952 and of an order of the Governor-General dated August 12, 1910.

Cayetano Lukban to be fiscal for the Provinces of Cagayan and Isabela, effective upon his assumption of the duties of the position, vice Emilio



Araneta, resigned; pursuant to the provisions of section 5 of Act No. 83, section 3 of Act No. 1701, as amended, and Executive Order No. 48, series of 1907.

A. E. Deyo to be chief engineer with relative rank of first lieutenant, Bureau of Navigation, the appointment to be effective as of July 5, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

R. Parrilla to be passed assistant engineer with relative rank of second lieutenant, Bureau of Navigation, the appointment to be effective as of July 16, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

M. del Pan to be passed assistant engineer with relative rank of second lieutenant, Bureau of Navigation, the appointment to be effective as of July 18, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

L. C. Drewson to be first lieutenant, Bureau of Navigation, the appointment to be effective as of June 26, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

F. J. Albrecht to be first lieutenant, Bureau of Navigation, the appointment to be effective as of July 7, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

A. Lozber to be second lieutenant, Bureau of Navigation, the appointment to be effective as of July 8, 1910; pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

H. A. Arnold to be first lieutenant, Bureau of Navigation, the appointment to be effective as of July 8, 1910, pursuant to the provisions of paragraph 2, section 1 of Act No. 1980.

Montano Castillo to be justice of the peace for the municipality of Balungao, Province of Pangasinan, Third Judicial District, vice Simplicio Sansano, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Juan Castillo to be auxiliary justice of the peace for the municipality of La Paz, Province of Tarlac, Fourth Judicial District, vice Melecio Rames, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Lieutenant O. P. Hazzard, United States Army, to be justice of the peace for the municipality of Malabang, Moro Province, Fourteenth Judicial District, vice Lieutenant J. A. Marmon, Twenty-fifth Infantry, United States Army, resigned; pursuant to the provisions of section 27 of Act No. 787, as amended by Acts Nos. 1164, 1283, 1450, and 1627.

Norberto Lucero to be justice of the peace for the municipality of Tarangnan, Province of Samar, Twelfth Judicial District, vice Vicente Zababa, who declined the appointment; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Francisco D. Dinsay to be justice of the peace for the municipality of Guindulman, Province of Bohol, Eleventh Judicial District, vice Severino Ranario, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Apolinario Alayra to be auxiliary justice of the peace for the municipality of Sapián, Province of Capiz, Fifteenth Judicial District, vice Marcelo Obordo, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Monico Andres to be justice of the peace for the municipality of Bangui, Province of Ilocos Norte, Second Judicial District, vice Tito Lopez, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

José Esmilla to be auxiliary justice of the peace for the municipality of Lilio, Province of La Laguna, Sixth Judicial District, vice Victoriano Camello, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Sisenando Barraca to be justice of the peace for the municipality of Nabas, Province of Capiz, Fifteenth Judicial District, vice Arcadio L. Ybabao, removed; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Gregorio Alvar to be auxiliary justice of the peace for the municipality of Caraga, Moro Province, Fourteenth Judicial District; pursuant to the provisions of section 27 of Act No. 787, as amended by Acts Nos. 1164, 1283, 1450, and 1627.

Filomeno Hernanda to be justice of the peace for the municipality of Jetafe, Province of Bohol, Eleventh Judicial District, vice Anacleto Fuentes, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Valeriano Daria to be auxiliary justice of the peace for the municipality of Jetafe, Province of Bohol, Eleventh Judicial District, vice Maximo Torreón, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Daniel Acol to be auxiliary justice of the peace for the municipality of Sulat, Province of Samar, Twelfth Judicial District, vice Licerio Ace-dillo, who declined the appointment; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Guillermo de los Reyes to be auxiliary justice of the peace for the municipality of Tacloban, Province of Leyte, Twelfth Judicial District, vice Casiano L. Trinchera, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

First Lieutenant Maurice A. Shearer, United States Marine Corps, to be justice of the peace for the United States naval reservation, Olongapo, Zambales, Third Judicial District; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627, and Resolution No. 32 of the Philippine Commission, adopted July 23, 1910.

Raymundo Villas to be auxiliary justice of the peace for the municipality of Jamindan, Province of Capiz, Fifteenth Judicial District, vice Catalino Lumaque, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Calixto Llamas to be auxiliary justice of the peace for the municipality

of Carigara, Province of Leyte, Twelfth Judicial District, vice Pedro Ronquillo, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Casimiro Sancho to be justice of the peace for the municipality of Tinambac, Province of Ambos Camarines, Eighth Judicial District, vice José Robles, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Francisco Tordilla to be auxiliary justice of the peace, for the municipality of Tinambac, Province of Ambos Camarines, Eighth Judicial District, vice Casimiro Sancho, nominated justice of the peace; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Basilio Santo Domingo to be justice of the peace for the municipality of Pulanduta, Province of Sorsogon, Fifteenth Judicial District, vice Atanacio R. de Jesus, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Felix Victorioso to be auxiliary justice of the peace for the municipality of Kawayan, Province of Leyte, Twelfth Judicial District, vice Pablo Dapiton, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Andres Perez to be auxiliary justice of the peace for the municipality of Tanauan, Province of Leyte, Twelfth Judicial District, vice Santiago de Veyra, who declined the appointment; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

#### APPOINTMENTS CANCELED.

Amando Suzara as passed assistant engineer with relative rank of second lieutenant, Bureau of Navigation, confirmed by the Commission on July 23, 1910, his resignation having been presented prior to confirmation by the Commission of his nomination.

P. O'Neil as passed assistant engineer with relative rank of second lieutenant, Bureau of Navigation, confirmed by the Commission on July 23, 1910, he not being a citizen of the United States or of the Philippine Islands and not having taken the oath of allegiance to the United States.

J. White as second lieutenant, Bureau of Navigation, confirmed by the Commission on July 23, 1910, he having deserted from the Bureau of Navigation prior to the confirmation by the Commission of his nomination.

#### SATURDAY, SEPTEMBER 3, 1910.

Daniel P. Lorenzo to be auxiliary justice of the peace for the municipality of Zaragoza, Province of Nueva Ecija, Fourth Judicial District, vice Victoriano Constantino, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Vicente Mansueto to be justice of the peace for the municipality of Medellin, Province of Cebú, Eleventh Judicial District, vice Vicente Montecclaros, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Agustin Cabatingan to be auxiliary justice of the peace for the municipality of Medellin, Province of Cebu, Eleventh Judicial District, vice Vicente Mansueto, nominated justice of the peace; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Ceferino Tabiliran to be auxiliary justice of the peace for Lubungan, Moro Province, Thirteenth Judicial District, vice Vicente Clarete, resigned; pursuant to the provisions of section 27 of Act No. 787, as amended by Acts Nos. 1164, 1283, 1450, and 1627.

Cipriano Bernido to be justice of the peace for the municipality of Anda, Province of Bohol, Eleventh Judicial District, vice Pablo Castro, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Raymundo Verceles to be auxiliary justice of the peace for the municipality of Binalonan, Province of Pangasinan, Third Judicial District, vice Florentino Villarin, deceased; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Higino Angustia to be justice of the peace for the municipality of Mandaon, Province of Sorsogon, Fifteenth Judicial District, vice Luis Francisco, removed; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Francisco Paredes to be justice of the peace for the municipality of Bacarra, Province of Ilocos Norte, Second Judicial District, vice Marcelo Dacuyey, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Lorenzo Castro to be auxiliary justice of the peace for the municipality of Bacarra, Province of Ilocos Norte, Second Judicial District, vice Francisco Paredes, nominated justice of the peace; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Antonio Sousa to be auxiliary justice of the peace for the municipality of Cotabato, Moro Province, Fourteenth Judicial District, vice Jose Heras, resigned; pursuant to the provisions of section 27 of Act No. 787, as amended by Acts Nos. 1164, 1283, 1450, and 1627.

Captain John A. Paegelow, Philippine Scouts, to be justice of the peace for Margosa Tubig, Moro Province, Fourteenth Judicial District, vice Captain Robert Dickson, Philippine Scouts, resigned; pursuant to the provisions of section 27 of Act No. 787, as amended by Acts Nos. 1164, 1283, 1450, and 1627.

Crispulo Martinez to be auxiliary justice of the peace for the township of Calapan, Province of Mindoro, Seventh Judicial District, vice Antonio L. Luna, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Perpetuo Joya Admana to be justice of the peace for the municipality of Batangas, Province of Batangas, Seventh Judicial District, vice Pedro de Torres, deceased; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Esteban Gonzalez to be justice of the peace for the municipality of

Mariveles, Province of Bataan, Sixth Judicial District, vice Florentino Mendoza, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Enrique Rodriguez to be auxiliary justice of the peace for the municipality of Mariveles, Province of Bataan, Sixth Judicial District, vice Valentin J. Nuñez, who declined the appointment; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Juan Ricacho to be justice of the peace for the municipality of Carigara, Province of Leyte, Twelfth Judicial District, vice Agustin Bañez, removed; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Atilano Ramirez to be justice of the peace for the municipality of Mobo, Province of Sorsogon, Fifteenth Judicial District, vice Agapito Duran, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Raymundo Esquillo to be auxiliary justice of the peace for the municipality of Mobo, Province of Sorsogon, Fifteenth Judicial District, vice Atilano Ramirez, nominated justice of the peace; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Bernardo Dagala to be auxiliary justice of the peace for the municipality of Navotas, Province of Rizal, Fifth Judicial District, vice Hermogenes Monroy, appointed justice of the peace; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Julian Trinidad to be justice of the peace for the municipality of Baler, Province of Tayabas, Seventh Judicial District, vice Lino Angara, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Juan Mayuga to be auxiliary justice of the peace for the municipality of Taal, Province of Batangas, Seventh Judicial District, vice Peregrino Cabrera, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Gerardo Apostol to be auxiliary justice of the peace for the municipality of San Isidro, Province of Leyte, Twelfth Judicial District, vice Pascual Veloso Noel, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Clemente Merida to be auxiliary justice of the peace for the municipality of Tarangnan, Province of Samar, Twelfth Judicial District, vice Feliciano Tamor, who declined the appointment; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Juan Mabug-at to be justice of the peace for the municipality of Cadiz, Province of Occidental Negros, Tenth Judicial District, vice Enrique Gustilo, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Patricio Gayacao to be auxiliary justice of the peace for the municipality of Binalbagan, Province of Occidental Negros, Tenth Judicial District, vice Pantaleon Tonogbanua, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Antonio Lagasca to be justice of the peace for the municipality of Bugasong, Province of Antique, Tenth Judicial District, vice Juan Santarromana, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Patricio Santos to be auxiliary justice of the peace for the municipality of Dimasalang, Province of Sorsogon, Fifteenth Judicial District, vice Teodorico Castroverde, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Antonio Bernal to be auxiliary justice of the peace for the municipality of Santa Rita, Province of Samar, Twelfth Judicial District, vice Rufo Mondragon, who declined the appointment; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Mamerto Ilagan to be justice of the peace for the municipality of Santa Rita, Province of Samar, Twelfth Judicial District, vice Inocencio Hilvano, who declined the appointment; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Nicolas Gallegos to be auxiliary justice of the peace for the municipality of Baler, Province of Tayabas, Seventh Judicial District, vice Cipriano Valenzuela, who declined the appointment; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Pio Estebaya to be justice of the peace for the municipality of Bulusan, Province of Sorsogon, Fifteenth Judicial District, vice Bernardo P. Fuster, removed; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Ulpiano Aurelio to be justice of the peace for the municipality of Binalbagan, Province of Occidental Negros, Tenth Judicial District, vice Jose Robles, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

#### THURSDAY, SEPTEMBER 8, 1910.

Thomas Atkins Street to be member of the Code Committee, vice William J. Rohde, resigned; pursuant to the provisions of Act No. 1941.

Hugh Minturn to be secretary of the Board of Rate Regulation, at a salary of ₱2,000 per annum, the appointment to be effective upon qualification, vice Warwick Greene, appointed Director of Public Works; pursuant to the provisions of Act No. 1779.

Arlington Pond to be district health officer for the Province of Cebu, at a salary of ₱5,000 per annum; pursuant to the provisions of section 2 of Act No. 1487, section 1 of Act No. 1989, and of Resolution No. 37 of the Philippine Commission, dated September 3, 1910.

Julio Ruiz to be district health officer for the Province of Oriental Negros, at a salary of ₱2,400 per annum; pursuant to the provisions of section 2 of Act No. 1487, section 1 of Act No. 1989, and of Resolution No. 37 of the Philippine Commission, dated September 3, 1910.

A. V. Dalrymple to be lieutenant-governor of the subprovince of Amurayan, Mountain Province, at a salary of ₱2,800 per annum, the appointment to be effective upon qualification, vice J. C. Early, appointed

lieutenant-governor of the subprovince of Bontoc, Mountain Province; pursuant to the provisions of Act No. 1876.

Rufino Ayaso to be auxiliary justice of the peace for the municipality of Barugo, Province of Leyte, Twelfth Judicial District, vice Lorenzo Afable, deceased; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Clarencio Calagos to be justice of the peace for the municipality of Santa Margarita, Province of Samar, Twelfth Judicial District, vice Nicolas E. Rojas, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Macario Lagado to be auxiliary justice of the peace for the municipality of Jaro, Province of Leyte, Twelfth Judicial District, vice Francisco Lastrilla y Zalazar, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Felipe Zuñiga to be justice of the peace for the municipality of Almagro, Province of Samar, Twelfth Judicial District, vice Pablo Borrromeo, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Braulio Tomamac to be auxiliary justice of the peace for the municipality of Almagro, Province of Samar, Twelfth Judicial District, vice Pablo Prudenciado, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Severo Hernando to be justice of the peace for the municipality of Laoag, Province of Ilocos Norte, Second Judicial District, vice David Flor, removed; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

#### FRIDAY, SEPTEMBER 23, 1910.

Potenciano Malvar to be governor for the Province of La Laguna, His Excellency having refused to confirm the election of Domingo Ordoveza, to said office, the appointment to be effective on October 1, 1910; pursuant to the provisions of section 25 of Act No. 1582, as amended by section 3 of Act No. 1726.

Carl Rydell to be captain, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of section 1 of Act No. 1980.

George Anderson to be captain, Bureau of Navigation, the appointment to be effective as of July 1, 1910; pursuant to the provisions of section 1 of Act No. 1980.

William H. Scollan to be first lieutenant and chief engineer, Bureau of Navigation, the appointment to be effective as of August 22, 1910; pursuant to the provisions of section 1 of Act No. 1980.

Frank Martin to be first lieutenant and chief engineer, Bureau of Navigation, the appointment to be effective as of September 8, 1910; pursuant to the provisions of section 1 of Act No. 1980.

E. H. Kirwan to be first lieutenant, Bureau of Navigation, the appointment to be effective as of June 22, 1910; pursuant to the provisions of section 1 of Act No. 1980.

Hugo C. Petersen to be first lieutenant, Bureau of Navigation, the appointment to be effective as of June 22, 1910; pursuant to the provisions of section 1 of Act No. 1980.

C. A. Peters to be first lieutenant, Bureau of Navigation, the appointment to be effective as of June 22, 1910; pursuant to the provisions of section 1 of Act No. 1980.

F. E. Cross to be first lieutenant, Bureau of Navigation, the appointment to be effective as of June 22, 1910; pursuant to the provisions of section 1 of Act No. 1980.

Robert McL. Allen to be first lieutenant, Bureau of Navigation, the appointment to be effective as of July 25, 1910; pursuant to the provisions of section 1 of Act No. 1980.

Lester W. Carpenter to be first lieutenant, Bureau of Navigation, the appointment to be effective as of July 25, 1910; pursuant to the provisions of section 1 of Act No. 1980.

E. C. Roberts to be first lieutenant, Bureau of Navigation, the appointment to be effective as of August 12, 1910; pursuant to the provisions of section 1 of Act No. 1980.

Olaf Blenckstone to be first lieutenant, Bureau of Navigation, the appointment to be effective as of August 16, 1910; pursuant to the provisions of section 1 of Act No. 1980.

Vicente Cañizeras to be second lieutenant and passed assistant engineer, Bureau of Navigation, the appointment to be effective as of August 16, 1910; pursuant to the provisions of section 1 of Act No. 1980.

W. D. Latimer to be second lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910; pursuant to the provisions of section 1 of Act No. 1980.

Owen F. Fisher to be second lieutenant, Bureau of Navigation, the appointment to be effective as of September 8, 1910; pursuant to the provisions of section 1 of Act No. 1980.

Pedro Alvarez to be third lieutenant and assistant engineer, Bureau of Navigation, the appointment to be effective as of July 20, 1910; pursuant to the provisions of section 1 of Act No. 1980.

Benigno Delgado to be auxiliary justice of the peace for the municipality of Palompon, Province of Leyte, Twelfth Judicial District, vice Leonardo C. Esmero, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Ricardo Villafior to be auxiliary justice of the peace for the municipality of Leyte, Province of Leyte, Twelfth Judicial District, vice Felix Garganera, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Pedro Montano to be justice of the peace for the municipality of Santa Cruz de Malabon, Province of Cavite, Sixth Judicial District, vice Antero



Soriano, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Leon Chaves to be auxiliary justice of the peace for the municipality of Cagayan, Province of Misamis, Thirteenth Judicial District, vice Clementino Chaves, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Bonifacio Balading to be auxiliary justice of the peace for the municipality of Palapag, Province of Samar, Twelfth Judicial District, vice Leonardo Calvo, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Serapio Encarnación to be auxiliary justice of the peace for the municipality of San José de Buenavista, Province of Antique, Tenth Judicial District, vice Cayo S. Masa, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Esteban Arradaza to be auxiliary justice of the peace for the municipality of Ormoc, Province of Leyte, Twelfth Judicial District, vice Vicente Segovia, not qualified; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Filomeno Demetrio to be auxiliary justice of the peace for the municipality of Macrohon, Province of Leyte, Twelfth Judicial District, vice Francisco M. Kuizon, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Isidro Borgoña to be justice of the peace for the municipality of Bangued, Province of Ilocos Sur, Second Judicial District, vice Mariano Torrijos, deceased; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Gabriel Alba to be auxiliary justice of the peace for the United States naval reservation, Olongapo, Zambales, Third Judicial District; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627, and of Resolution No. 32 of the Philippine Commission, adopted July 23, 1910.

Bonifacio Villanueva to be justice of the peace for the municipality of Mauban, Province of Tayabas, Seventh Judicial District, vice Pablo Lechuga, removed; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Domingo Zalazar to be auxiliary justice of the peace for the municipality of Lucban, Province of Tayabas, Seventh Judicial District, vice Gemiliano Abuyan, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Numeriano Villalobos to be justice of the peace for the municipality of Jaro, Province of Iloilo, Ninth Judicial District, vice Arsenio Jimenez, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Santiago Munieza to be justice of the peace for the municipality of Cabatuan, Province of Iloilo, Ninth Judicial District, vice Bernardino Olivares, deceased; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

**TUESDAY, OCTOBER 4, 1910.**

Gerrard T. January to be first lieutenant, Bureau of Navigation, the appointment to be effective as of September 20, 1910; pursuant to the provisions of section 1 of Act No. 1980.

Robert E. Bisset to be first lieutenant and chief engineer, Bureau of Navigation, the appointment to be effective as of September 19, 1910; pursuant to the provisions of section 1 of Act No. 1980.

Jose Robles to be auxiliary justice of the peace for the municipality of Isabela, Province of Occidental Negros, Tenth Judicial District, vice Mauricio Alunan, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Celestino Aragon to be auxiliary justice of the peace for the municipality of Capas, Province of Tarlac, Fourth Judicial District, vice Francisco Yalung, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Sotero Hinolan to be auxiliary justice of the peace for the municipality of Jaro, Province of Iloilo, Ninth Judicial District, vice Numeriano Villalobos, nominated justice of the peace; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

**TUESDAY, OCTOBER 11, 1910.**

Charles Klein to be first lieutenant and chief engineer, Bureau of Navigation, the appointment to be effective as of October 1, 1910; pursuant to the provisions of section 1 of Act No. 1980.

Ramon G. Tolentino to be justice of the peace for the municipality of Magsingal, Province of Ilocos Sur, Second Judicial District, vice Leon Guerrero, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Marcelino Rivero to be justice of the peace for the municipality of Agno, Province of Pangasinan, Third Judicial District, vice Tomas N. Evangelista, deceased; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Isidro Gonzaga Madrazo to be justice of the peace for the municipality of Jaro, Province of Leyte, Twelfth Judicial District, vice Luis T. Lopez, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Charles W. Elliott, second lieutenant, United States Army, to be justice of the peace for Dansalan, Moro Province, Thirteenth Judicial District, vice Lieutenant Vernon L. Whitney, Philippines Constabulary, not qualified; pursuant to the provisions of section 27 of Act No. 787, as amended by Acts Nos. 1164, 1283, 1450 and 1627.

Domingo Adoro to be justice of the peace for the municipality of Laoang, Province of Samar, Twelfth Judicial District, vice Agripino Infante, who declined the appointment; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Julian Calzado to be justice of the peace for the municipality of Balayan, Province of Batangas, Seventh Judicial District, vice Perpetuo Joya Admana, appointed justice of the peace of Batangas; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Engracio Peñalosa to be justice of the peace for the municipality of Luisiana, Province of La Laguna, Sixth Judicial District, vice Primitivo Estrellado, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Aurelio Hernandez to be auxiliary justice of the peace for the municipality of Ibaan, Province of Batangas, Seventh Judicial District, vice Domingo Arellano, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Francisco Yrañela to be auxiliary justice of the peace for the municipality of Villareal, Province of Samar, Twelfth Judicial District, vice Francisco J. Japson, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Francisco R. Ponce to be auxiliary justice of the peace for the municipality of Subic, Province of Zambales, Third Judicial District, vice Meliton Galope, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Mario Ramos to be auxiliary justice of the peace for the municipality of Balayan, Province of Batangas, Seventh Judicial District, vice Julian Calzado, nominated justice of the peace; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Gaudencio Javier to be auxiliary justice of the peace for the municipality of Sogod, Province of Leyte, Twelfth Judicial District, vice Elisea Fernandez, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Maximo Pelito to be auxiliary justice of the peace for the municipality of Allen, Province of Samar, Twelfth Judicial District, vice Julian Cabacang, who declined the appointment; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Cirilo Sacristan to be auxiliary justice of the peace for the municipality of Laoang, Province of Samar, Twelfth Judicial District, vice Domingo Adoro, nominated justice of the peace; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Andres Catanjal, district health officer of the Province of Tarlac, promoted from a salary of ₱2,400 per annum to that of ₱2,600 per annum, effective as of October 1, 1910; pursuant to the provisions of Acts Nos. 1487 and 1989.

#### CANCELLATION OF APPOINTMENT.

L. E. Burns, as first lieutenant, Bureau of Navigation, confirmed by the Commission on July 23, 1910, Mr. Burns having failed to qualify for said office.

MONDAY, OCTOBER 17, 1910.

Theodore Flor to be first lieutenant and chief engineer, Bureau of Navigation, the appointment to be effective as of October 10, 1910; pursuant to the provisions of section 1 of Act No. 1980.

Adolph Christiansen to be second lieutenant, Bureau of Navigation, the appointment to be effective as of June 1, 1910, pursuant to the provisions of section 1 of Act No. 1980.

Ben Ericksen to be second lieutenant, Bureau of Navigation, the appointment to be effective as of October 10, 1910; pursuant to the provisions of section 1 of Act No. 1980.

Antonio Pantoja to be third lieutenant and assistant engineer, Bureau of Navigation, the appointment to be effective as of August 10, 1910; pursuant to the provisions of section 1 of Act No. 1980.

Leon Espiritu to be justice of the peace for the municipality of Balaoan, Province of La Union, Mountain Judicial District, vice Pedro Obillo, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Vicente Ungson to be justice of the peace for the municipality of Santo Tomas, Province of La Union, Mountain Judicial District, vice Nicanor Sison, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Gregorio de Lustino to be justice of the peace for the municipality of Cabangan, Province of Zambales, Third Judicial District, vice Benito M. Rivera, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Ludovico L. Morales to be justice of the peace for the municipality of Gapan, Province of Nueva Ecija, Fourth Judicial District, vice Saturnino Arcadio, deceased; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Potenciano Luno to be auxiliary justice of the peace for the municipality of Gapan, Province of Nueva Ecija, Fourth Judicial District, vice Ludovico L. Morales, nominated justice of the peace; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Petronilo Cuntapay to be auxiliary justice of the peace for the municipality of Gattaran, Province of Cagayan, First Judicial District, vice Juan Bautista, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Gregorio Sagmaquen to be auxiliary justice of the peace for the municipality of Bacnotan, Province of La Union, Mountain Judicial District, vice Tirso Dacanay, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Antonio Pabia to be auxiliary justice of the peace for the municipality of Rosario, Province of La Union, Mountain Judicial District, vice Atanasio Aquitania, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Anastacio de Castro to be auxiliary justice of the peace for the municipality of Bangar, Province of La Union, Mountain Judicial District, vice Miguel Olba, who declined the appointment; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Paulino Flores to be auxiliary justice of the peace for the municipality of San Fernando, Province of La Union, Mountain Judicial District, vice Anastacio Gasuga, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Juan Sarmiento to be auxiliary justice of the peace for Tagudin, Mountain Province, Mountain Judicial District, vice Primitivo Mina, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

#### WEDNESDAY, NOVEMBER 2, 1910.

Carter D. Johnston to be judge of the Court of First Instance of the First Judicial District, vice Richard Campbell, appointed judge of the Court of First Instance for the Mountain Judicial District; pursuant to the provisions of section 48 of Act No. 136, and section 6 of Act No. 867, and section 1 of Act No. 1708.

Manuel Camus to be judge of the municipal court of the city of Manila, vice Carter D. Johnston, nominated judge of the Court of First Instance for the First Judicial District; pursuant to the provisions of section 2 of Act No. 612.

Isaac Adams to be city attorney for the city of Manila, vice Modesto Reyes, resigned; pursuant to the provisions of Act No. 183, as amended by Act No. 267.

W. H. Bishop to be prosecuting attorney for the city of Manila, vice L. M. Southworth, resigned; pursuant to the provisions of Act No. 183, as amended by Act No. 267.

#### WEDNESDAY, NOVEMBER 9, 1910.

Louis C. Drewson to be captain (junior grade), Bureau of Navigation, the appointment to be effective as of October 1, 1910; pursuant to the provisions of section 1 of Act No. 1980.

Augustus Short to be chief engineer with rank of first lieutenant, Bureau of Navigation, the appointment to be effective as of October 23, 1910; pursuant to the provisions of section 1 of Act No. 1980.

Justo Kamus y Convento to be justice of the peace for the municipality of Rosario, Province of Batangas, Seventh Judicial District, vice Vicente Reyes, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Mauro Obrique to be justice of the peace for the municipality of Bu-ruanga, Province of Capiz, Fifteenth Judicial District, vice Mateo Fernandez, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Juan Cañon to be auxiliary justice of the peace for the municipality of Malitbog, Province of Leyte, Twelfth Judicial District, vice Agustin Escaña, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

**THURSDAY, NOVEMBER 10, 1910.**

Mortimer B. Owens to be second lieutenant, Bureau of Navigation, the appointment to be effective as of November 4, 1910; pursuant to the provisions of section 1 of Act No. 1980.

Roque Suzara to be second lieutenant and passed assistant engineer, Bureau of Navigation, the appointment to be effective as of October 5, 1910; pursuant to the provisions of section 1 of Act No. 1980.

**TUESDAY, NOVEMBER 22, 1910.**

Bernard J. Aiken to be chief engineer with rank of first lieutenant, Bureau of Navigation, the appointment to be effective as of August 7, 1910; pursuant to the provisions of section 1 of Act No. 1980.

Bernardo Ona, to be justice of the peace for the municipality of San José, Province of Batangas, Seventh Judicial District, vice Maximo Luna, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Juan Díaz to be justice of the peace for the municipality of Sinait, Province of Ilocos Sur, Second Judicial District, vice Adriano Agdeppa, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Maximino Quintos to be justice of the peace for the municipality of Pilar, Province of Sorsogon, Fifteenth Judicial District, vice George Reyes, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Engracio Peña to be justice of the peace for the municipality of Bolinao, Province of Pangasinan, Third Judicial District, vice Rosendo Villanueva, removed; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Bienvenido Blanco to be justice of the peace for the settlement of Prosperidad, Province of Agusan, Thirteenth Judicial District; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627, and of Resolution No. 48 of the Philippine Commission, current series.

Manuel Rabino to be justice of the peace for the municipality of Mandao, Province of Sorsogon, Fifteenth Judicial District, vice Higinio Angustia, who declined the appointment; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Gil Flordeliza to be justice of the peace for the municipality of San Fernando, Province of Ambos Camarines, Eighth Judicial District, vice Lorenzo Calinog, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Luis Urgel to be auxiliary justice of the peace for the municipality of Hilongos, Province of Leyte, Twelfth Judicial District, vice Macario V. Lamberte, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Pedro Legaspi to be auxiliary justice of the peace for the municipality of Panay, Province of Capiz, Fifteenth Judicial District, vice Filemon Legaspi, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Ramon Marcaida to be auxiliary justice of the peace for the municipality of Uson, Province of Sorsogon, Fifteenth Judicial District, vice Luis Manlapas, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Gabino Abraham to be auxiliary justice of the peace for the municipality of Siruma, Province of Ambos Camarines, Eighth Judicial District, vice Balbino Puertes, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Juan I. Cara to be auxiliary justice of the peace for the municipality of Bani, Province of Pangasinan, Third Judicial District, vice Juan Orlino, removed; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Elpidio Fulgosino to be auxiliary justice of the peace for the municipality of Umingan, Province of Pangasinan, Third Judicial District, vice Montano Castillo, appointed justice of the peace of Balungao, Pangasinan; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Andres Gerado to be auxiliary justice of the peace for the municipality of Bugasong, Province of Antique, Tenth Judicial District, vice Francisco Tatoy, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Eugenio Munar to be auxiliary justice of the peace for the municipality of Santa Maria, Province of Pangasinan, Third Judicial District, vice Patricio Lamagna, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Tranquilino Baptista Flor Mata to be auxiliary justice of the peace for the municipality of Balungao, Province of Pangasinan, Third Judicial District, vice Ludovico Velo, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

### WEDNESDAY, NOVEMBER 30, 1910.

Norberto Romualdez to be assistant city attorney for the city of Manila, vice Manuel Camus, appointed judge of the municipal court, city of Manila; pursuant to the provisions of Act No. 183, as amended by Act No. 267.

Rafael G. Gonzales to be third lieutenant, assistant engineer, Bureau of Navigation, the appointment to be effective as of November 18, 1910; pursuant to the provisions of section 1 of Act No. 1980.

Cipriano Corcuera to be justice of the peace for the municipality of San Antonio, Province of Zambales, Third Judicial District, vice Esteban Garcia, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Paulino de los Santos to be justice of the peace for the municipality of San Narciso, Province of Zambales, Third Judicial District, vice Vicente Posadas, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Quirico Albano to be justice of the peace for the municipality of Abulug, Province of Cagayan, First Judicial District, vice Maximo Mariano, deceased; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Lieutenant George H. Wright, Philippine Scouts, to be justice of the peace for the municipality of Dapitan, Moro Province, Thirteenth Judicial District, vice Sixto Hamoy, resigned; pursuant to the provisions of section 27 of Act No. 787, as amended by Acts Nos. 1164, 1283, 1450, and 1627.

Juan Anton to be justice of the peace for the municipality of Malabang, Moro Province, Fourteenth Judicial District, vice Lieutenant O. P. Hazard, United States Army, resigned; pursuant to the provisions of section 27 of Act No. 787, as amended by Acts Nos. 1164, 1283, 1450, and 1627.

Serafin Garcia to be auxiliary justice of the peace for the municipality of San Antonio, Province of Zambales, Third Judicial District, vice Romualdo Madarang, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Aniceto Y. Enerio to be auxiliary justice of the peace for the municipality of Oroquieta, Province of Misamis, Thirteenth Judicial District, vice Victor Sarraga, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Martiniano Reyes to be auxiliary justice of the peace for the municipality of Carmona, Province of Cavite, Sixth Judicial District, vice Ceferino M. Poblete, deceased; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

#### MONDAY, DECEMBER 5, 1910.

Edward W. Reynolds to be assistant attorney, Bureau of Justice, at a salary of ₱3,600 per annum, as authorized by section 18 of Act No. 1698, vice Isaac Adams, appointed city attorney for the city of Manila; pursuant to the provisions of Act No. 1407.

Vicente Manzanilla to be justice of the peace for the municipality of Patnongon, Province of Antique, Tenth Judicial District, vice Ramon Manzanilla, sr., resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Jose Aguilar to be justice of the peace for the East Batan Coal Mine with jurisdiction over the territory included within the barrio of Batan, municipality of Rapu-Rapu, Province of Albay, Eighth Judicial District; pursuant to the provisions of section 67 of Act No. 136, as amended by



Acts Nos. 1450 and 1627 and of Resolution No. 50 of the Philippine Commission, series of 1910.

Tomas de Asis to be justice of the peace for the municipality of Bani, Province of Pangasinan, Third Judicial District, vice Mariano Castelo, removed; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Lazaro Javellana to be justice of the peace for the municipality of Victorias, Province of Occidental Negros, Tenth Judicial District, vice Leon Montinola, deceased; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Domingo Valenzuela to be justice of the peace for the municipality of Mangatarem, Province of Pangasinan, Third Judicial District, vice Pascual Jazmin, removed; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Benigno Villacorta to be justice of the peace for the municipality of San Ildefonso, Province of Bulacan, Fifth Judicial District, vice Angel Violago, removed; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Santiago Cordero to be justice of the peace for the municipality of Candaba, Province of Pampanga, Fourth Judicial District, vice Gregorio Alabado, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Juan Mijares to be justice of the peace for the municipality of Catarman, Province of Samar, Twelfth Judicial District, vice Nicolas de los Reyes, removed; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Pastor Diaz to be auxiliary justice of the peace for the East Batan Coal Mine with jurisdiction over the territory included within the barrio of Batan, municipality of Rapu-Rapu, Province of Albay, Eighth Judicial District; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627, and of Resolution No. 50 of the Philippine Commission, series of 1910.

Nicolas Asia to be auxiliary justice of the peace for the municipality of Mulanay, Province of Tayabas, Seventh Judicial District, vice Eulogio Garcia, removed; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Wenceslao B. Congzon to be auxiliary justice of the peace for the municipality of Capul, Province of Samar, Twelfth Judicial District, vice Manuel O. Bamdal, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Dionicio de la Cruz to be auxiliary justice of the peace for the municipality of Patnongon, Province of Antique, Tenth Judicial District, vice Mariano Salvani, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Rafael Manang to be auxiliary justice of the peace for the municipality of San Antonio, Province of Samar, Twelfth Judicial District, vice Geronimo Praga, resigned; pursuant to the provision of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

**THURSDAY, DECEMBER 8, 1910.**

Jacinto Valguna to be justice of the peace for the municipality of Jamindan, Province of Capiz, Fifteenth Judicial District, vice Bernardo Moises, removed; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Teodorico Maxion to be justice of the peace for the municipality of San Nicolas, Province of Pangasinan, Third Judicial District, vice Juan Mejia, removed; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Francisco Silla to be auxiliary justice of the peace for the municipality of Llorente, Province of Samar, Twelfth Judicial District, vice Fermin Dajime, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Alfonso Serrano to be auxiliary justice of the peace for the municipality of Santa Margarita, Province of Samar, Twelfth Judicial District, vice Anastacio Aviñon, who declined the appointment; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Eugenio Gregorio to be auxiliary justice of the peace for the municipality of Aliaga, Province of Nueva Ecija, Fourth Judicial District, vice Jose Moreno, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

**SATURDAY, DECEMBER 17, 1910.**

Charles J. Kunowsky to be chief engineer, with rank of first lieutenant, Bureau of Navigation, the appointment to be effective as of December 6, 1910; pursuant to the provisions of section 1 of Act No. 1980.

William D. Drewry to be chief engineer, with rank of first lieutenant, Bureau of Navigation, the appointment to be effective as of December 6, 1910; pursuant to the provisions of section 1 of Act No. 1980.

Frank L. White to be second lieutenant, Bureau of Navigation, the appointment to be effective as of December 5, 1910; pursuant to the provisions of section 1 of Act No. 1980.

Macario Julao to be justice of the peace for the municipality of Guagua, Province of Pampanga, Fourth Judicial District, vice Juan F. Garcia y Lampa, nominated justice of the peace for Lubao, Pampanga; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Juan F. Garcia y Lampa to be justice of the peace for the municipality of Lubao, Province of Pampanga, Fourth Judicial District, vice Quirino Belleza, removed; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Vicente Veloso to be justice of the peace for the municipality of Baybay, Province of Leyte, Twelfth Judicial District, vice Joaquin Canals, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Teodorico Molina to be justice of the peace for the municipality of Baler, Province of Tayabas, Seventh Judicial District, vice Julian Trinidad, who declined the appointment; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Higinio de Jesus to be justice of the peace for the municipality of Quingua, Province of Bulacan, Fifth Judicial District, vice Pedro Lopez, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Marcial Mitra to be justice of the peace for the municipality of Dolores, Province of Tayabas, Seventh Judicial District, vice Tomás Gutierrez, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Isidoro Orocio to be justice of the peace for the municipality of Jamindan, Province of Capiz, Fifteenth Judicial District, vice Raymundo Villas, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Agapito B. Maravilla to be justice of the peace for the municipality of Lavezares, Province of Samar, Twelfth Judicial District, vice Lucio Flores, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Norberto Cruz Herrera to be auxiliary justice of the peace for the municipality of Cabiao, Province of Nueva Ecija, Fourth Judicial District, vice Rufino Naval, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Lieutenant W. H. Simpson, Sixth United States Infantry, to be auxiliary justice of the peace for Dansalan, Moro Province, Thirteenth Judicial District, vice Baltazar Diaz, resigned; pursuant to the provisions of section 27 of Act No. 787, as amended by Acts Nos. 1164, 1283, 1450, and 1627.

#### MONDAY, DECEMBER 19, 1910.

Herbert D. Gale to be judge of Court of First Instance at large, the appointment to be effective on January 1, 1911, vice Charles A. Low, nominated judge of the Court of First Instance for the Fourteenth Judicial District; pursuant to the provisions of Acts Nos. 396 and 1989.

Charles A. Low to be judge of the Court of First Instance for the Fourteenth Judicial District, the appointment to be effective on January 1, 1911, vice Herbert D. Gale, nominated judge of Court of First Instance at large; pursuant to the provisions of Acts Nos. 136, 867, and 1989.

George Michael Jerome McNulty to be second lieutenant, Bureau of Navigation, the appointment to be effective as of December 12, 1910; pursuant to the provisions of section 1 of Act No. 1980.

Leon Fernandez to be justice of the peace for the municipality of Iligan, Moro Province, Thirteenth Judicial District, vice Bernabé Duran, resigned; pursuant to the provisions of section 27 of Act No. 787, as amended by Acts Nos. 1164, 1283, 1450 and 1627.

TUESDAY, DECEMBER 20, 1910.

Waitman Thompson to be first lieutenant, Bureau of Navigation, the appointment to be effective as of December 6, 1910; pursuant to the provisions of section 1 of Act No. 1980.

Francisco Lazo Singson to be justice of the peace for the municipality of San Vicente, Province of Ilocos Sur, Second Judicial District, the appointment to be effective on January 1, 1911; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Luis Querido to be justice of the peace for the municipality of Caoayan, Province of Ilocos Sur, Second Judicial District, the appointment to be effective on January 1, 1911; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Eulogio Mendoza to be justice of the peace for the municipality of San Esteban, Province of Ilocos Sur, Second Judicial District, the appointment to be effective on January 1, 1911, pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Gregorio Pilar to be justice of the peace for the municipality of Bantay, Province of Ilocos Sur, Second Judicial District the appointment to be effective on January 1, 1911; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Urbano Lucero to be auxiliary justice of the peace for the municipality of San Vicente, Province of Ilocos Sur, Second Judicial District, the appointment to be effective on January 1, 1911; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Juan Vergara to be auxiliary justice of the peace for the municipality of San Esteban, Province of Ilocos Sur, Second Judicial District, the appointment to be effective on January 1, 1911; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Benito Pilar to be auxiliary justice of the peace for the municipality of Bantay, Province of Ilocos Sur, Second Judicial District; the appointment to be effective on January 1, 1911; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Andres Nolasco to be auxiliary justice of the peace for the municipality of Caoayan, Province of Ilocos Sur, Second Judicial District, the appointment to be effective on January 1, 1911; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Cipriano Mayor to be auxiliary justice of the peace for the municipality of Odiongan, Province of Capiz, Fifteenth Judicial District, vice Isabelo Felipe, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Gregorio Abiles to be auxiliary justice of the peace for the municipality of Mangatarem, Province of Pangasinan, Third Judicial District, vice Domingo Valenzuela, appointed justice of the peace of said municipality; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

THURSDAY, DECEMBER 29, 1910.

Carroll Fox to be Assistant Director of Health, vice Allan J. McLaughlin, resigned; pursuant to the provisions of section 5 of Act No. 1407.

Jose de la Rama to be provincial fiscal for the province of Leyte, vice Norberto Romualdez, appointed assistant city attorney for the city of Manila; pursuant to the provisions of section 5 of Act No. 83, Act No. 1701, as amended, and Executive Order No. 62, current series.

Clarence E. Goodhue to be captain, Bureau of Navigation, the appointment to be effective on December 8, 1910; pursuant to the provisions of section 1 of Act No. 1980.

Fred B. Shekell to be chief engineer, with relative rank of first lieutenant, Bureau of Navigation, the appointment to be effective as of December 12, 1910; pursuant to the provisions of section 1 of Act No. 1980.

Vicente G. Manalo to be passed assistant engineer with relative rank of second lieutenant, Bureau of Navigation, the appointment to be effective as of December 20, 1910; pursuant to the provisions of section 1 of Act No. 1980.

Ancelmo Patag y Marasigan to be justice of the peace for the municipality of Cuenca, Province of Batangas, Seventh Judicial District, vice Francisco Loria, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Bonifacio Reyes to be justice of the peace for the municipality of Ubay, Province of Bohol, Eleventh Judicial District, vice Ruperto Babiola, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Domingo Matienzo to be justice of the peace for the municipality of Jalajala, Province of Rizal, Fifth Judicial District, vice Angel E. Paz, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Francisco Aquino to be justice of the peace for the municipality of Anda, Province of Pangasinan, Third Judicial District, vice Justo Camero, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Pablo Chaves to be auxiliary justice of the peace for the municipality of Hinatuan, Province of Surigao, Thirteenth Judicial District, vice Timoteo Flor, not qualified; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Apolonio Esrael to be auxiliary justice of the peace for the municipality of Initao, Province of Misamis, Thirteenth Judicial District, vice Donato Radaza, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Cipriano Bocalan to be auxiliary justice of the peace for the municipality of Binangonan, Province of Rizal, Fifth Judicial District, vice Fabian P. Reyes, who declined the appointment; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Marcelo Paruñgao to be auxiliary justice of the peace for the municipality of Minalin, Province of Pampanga, Fourth Judicial District, vice Januario Alfaro, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Emiliano Limbo to be auxiliary justice of the peace for the municipality of Cuenca, Province of Batangas, Seventh Judicial District, vice Pedro Japlos, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Francisco Quintos to be auxiliary justice of the peace for the municipality of San Pedro Macati, Province of Rizal, Fifth Judicial District, vice Carlos Leaño, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

José Berroya to be auxiliary justice of the peace for the municipality of Pagbilao, Province of Tayabas, Seventh Judicial District, vice Eugenio Fleta, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Francisco Basco to be auxiliary justice of the peace for the municipality of Pilar, Province of Sorsogon, Fifteenth Judicial District, vice José Fajardo, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

#### WEDNESDAY, JANUARY 4, 1911.

Justus A. Lewis to be first lieutenant, Bureau of Navigation, the appointment to be effective as of December 25, 1910; pursuant to the provisions of section 1 of Act No. 1980.

Venancio Dolar to be justice of the peace for the municipality of Dumangas, Province of Iloilo, Ninth Judicial District; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Pablo Doronila to be auxiliary justice of the peace for the municipality of Dumangas, Province of Iloilo, Ninth Judicial District; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

#### SATURDAY, JANUARY 7, 1911.

Richard D. Fisher to be chief engineer, with relative rank of first lieutenant, Bureau of Navigation, the appointment to be effective as of December 31, 1910; pursuant to the provisions of section 1 of Act No. 1980.

Benjamin P. Parker to be chief engineer, with relative rank of first lieutenant, Bureau of Navigation, the appointment to be effective as of December 31, 1910; pursuant to the provisions of section 1 of Act No. 1980.

L. D. Atkins, lieutenant, Philippines Constabulary, to be justice of the peace for the settlement of Waloe, Province of Agusan, Thirteenth Judicial District; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627, and of Resolution of the Commission of January 3, 1911.

Otto O. Hanson to be justice of the peace for Padada, Moro Province, Fourteenth Judicial District, vice Alex McClellan, resigned; pursuant to the provisions of section 27 of Act No. 787, as amended by Acts Nos. 1164, 1283, 1450, and 1627.

Gregorio Basa to be auxiliary justice of the peace for the municipality of San Mateo, Province of Rizal, Fifth Judicial District, vice Eulalio Paz, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Julian Canillas to be auxiliary justice of the peace for the municipality of León, Province of Iloilo, Ninth Judicial District, vice Francisco Canillas, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Braulio Tansinsin to be auxiliary justice of the peace for the municipality of Bulacan, Province of Bulacan, Fifth Judicial District, vice Mariano Ycasiano, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

#### WEDNESDAY, JANUARY 11, 1911.

José Escaler to be member of the Board of Regents of the University of the Philippines for the term of office expiring five years after October 11, 1910; pursuant to the provisions of section 4, of Act No. 1870.

Charles Green to be second lieutenant, Bureau of Navigation, the appointment to be effective as of January 4, 1911; pursuant to the provisions of section 1 of Act No. 1980.

#### SATURDAY, JANUARY 14, 1911.

Salvador Longa to be assistant engineer, with relative rank of third lieutenant, Bureau of Navigation, the appointment to be effective as of December 27, 1910; pursuant to the provisions of section 1 of Act No. 1980.

Lorenzo Regala to be justice of the peace for the municipality of Floridablanca, Province of Pampanga, Fourth Judicial District, vice Florencio Sunglao, removed; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Zacarias Jimenez to be justice of the peace for the municipality of Mangaldan, Province of Pangasinan, Third Judicial District, vice Tranquilino Caballero, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

G. O. Fort, captain, Philippines Constabulary, to be justice of the peace for Tawi Tawi, Moro Province, Fourteenth Judicial District; pursuant to the provisions of section 27 of Act No. 787, as amended by Acts Nos. 1164, 1283, 1450, and 1627.

Adriano Rodriguez to be justice of the peace for the municipality of Zamboanga, Moro Province, Fourteenth Judicial District, vice Julian Garcia, resigned; pursuant to the provisions of section 27 of Act No. 787, as amended by Acts Nos. 1164, 1283, 1450, and 1627.

Federico Advincula to be auxiliary justice of the peace for the municipality of Palo, Province of Leyte, Twelfth Judicial District, vice Juan Monge, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Luis Tongson to be auxiliary justice of the peace for the municipality of Vigan, Province of Ilocos Sur, Second Judicial District, vice Gregorio Pilar, appointed justice of the peace for the municipality of Bantay, Province of Ilocos Sur; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Bonifacio Serrano to be auxiliary justice of the peace for the municipality of Mati, Moro Province, Fourteenth Judicial District, vice Ignacio Masankay, resigned; pursuant to the provisions of section 27 of Act No. 787, as amended by Acts Nos. 1450 and 1627.

Manuel Covarrubias to be auxiliary justice of the peace for the municipality of Zamboanga, Moro Province, Fourteenth Judicial District, vice Adriano Rodríguez, nominated justice of the peace; pursuant to the provisions of section 27 of Act No. 787, as amended by Acts Nos. 1164, 1283, 1450, and 1627.

#### WEDNESDAY, JANUARY 18, 1911.

August Lozber to be first lieutenant, Bureau of Navigation, the appointment to be effective as of January 10, 1911; pursuant to the provisions of section 1 of Act No. 1980.

Paulino Mendoza to be justice of the peace for the municipality of Dasol, Province of Pangasinan, Third Judicial District; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Lázaro Cinco to be justice of the peace for the municipality of Gandara, Province of Samar, Twelfth Judicial District, vice Francisco Rafael, removed; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Vicente Almanzor to be justice of the peace for the municipality of Tuy, Province of Batangas, Seventh Judicial District; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Ramon Prodigalidad to be justice of the peace for the municipality of Rosario, Province of Cavite, Sixth Judicial District, pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Vicente N. de Veyra to be justice of the peace for the municipality of Hilongos, Province of Leyte, Twelfth Judicial District, vice Juan Villahermosa, removed; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Nazario Nacar to be auxiliary justice of the peace for the municipality of Dasol, Province of Pangasinan, Third Judicial District; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.



Balbino Gozar to be auxiliary justice of the peace for the township of Naujan, Province of Mindoro, Seventh Judicial District, vice Carlos Basa, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Antonio T. Barretto to be auxiliary justice of the peace for the municipality of Cabangan, Province of Zambales, Third Judicial District, vice Feliciano F. Carpio, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Hermenegildo Doroja to be auxiliary justice of the peace for the municipality of Gandara, Province of Samar, Twelfth Judicial District, vice Pablo Japzon, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Lamberto Cedro to be auxiliary justice of the peace for the municipality of Surigao, Province of Surigao, Thirteenth Judicial District, vice José Borja, who declined the appointment; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Rufo Alfon to be auxiliary justice of the peace for the municipality of Bogo, Province of Cebu, Eleventh Judicial District, vice Teodorico Rodriguez, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Gregorio Paradero to be auxiliary justice of the peace for the municipality of Tuy, Province of Batangas, Seventh Judicial District; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Gavino Topacio to be auxiliary justice of the peace for the municipality of Rosario, Province of Cavite, Sixth Judicial District; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

#### WEDNESDAY, JANUARY 25, 1911.

John R. Wilson to be member of the Board of Directors of the Agricultural Bank of the Philippine Government, to act on such Board during the absence of Charles H. Sleeper; pursuant to the provisions of section 4 of No. 1865.

#### WEDNESDAY, FEBRUARY 1, 1911.

Paul C. Grening to be first lieutenant, Bureau of Navigation, the appointment to be effective as of January 16, 1911; pursuant to the provisions of section 1 of Act No. 1980.

William Baxter to be assistant engineer with relative rank of third lieutenant, Bureau of Navigation, the appointment to be effective as of December 27, 1910; pursuant to the provisions of section 1 of Act No. 1980.

Amadeo Savillo to be justice of the peace for the municipality of San Joaquin, Province of Iloilo, Ninth Judicial District; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Vicente Casten to be justice of the peace for the municipality of Santa Barbara, Province of Iloilo, Ninth Judicial District, vice Alejo Hingo, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Luis Golez to be justice of the peace for the municipality of Barotac Nuevo, Province of Iloilo, Ninth Judicial District, vice Venancio Dolan, appointed justice of the peace of Dumangas, Iloilo; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Pio V. Corpus to be justice of the peace for the municipality of San Antonio, Province of Zambales, Third Judicial District, vice Cipriano Corcuera, who declined the appointment; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Antonio Vasco to be justice of the peace for the municipality of Capas, Province of Tarlac, Fourth Judicial District, vice Leon Reyes, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Pedro Mendiola to be justice of the peace for the municipality of Calocan, Province of Rizal, Fifth Judicial District, vice Doroteo Cordero, removed; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Ponciano Mancol to be justice of the peace for the municipality of Oquendo, Province of Samar, Twelfth Judicial District, vice Leopoldo Roño, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Manuel Añonuevo to be justice of the peace for the municipality of Santa Rosa, Province of La Laguna, Sixth Judicial District vice Ricardo Perlas, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Felipe Simagala to be justice of the peace for the municipality of Candijay, Province of Bohol, Eleventh Judicial District, vice Ceferino Aparici, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Agapito Rendal to be justice of the peace for the municipality of Sibulan, Province of Oriental Negros, Eleventh Judicial District; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Paulino Bernas to be justice of the peace for the municipality of Baao, Province of Ambos Camarines, Eighth Judicial District, vice Conrado Badilla, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Nicacio A. Gepana to be justice of the peace for the municipality of Arevalo, Province of Iloilo, Ninth Judicial District, vice Teodoro Buyco, resigned; pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Jose Narag to be justice of the peace for the municipality of Maunanan, Province of Cagayan, First Judicial District, vice F. Andres Zosa, removed;

pursuant to the provisions of section 67 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Feliciano Quidato to be auxiliary justice of the peace for the municipality of San Joaquin, Province of Iloilo, Ninth Judicial District; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Abdon Nonato to be auxiliary justice of the peace for the municipality of Miagao, Province of Iloilo, Ninth Judicial District, vice Jose Nobleza, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Leon Paras to be auxiliary justice of the peace for the municipality of Sorsogon, Province of Sorsogon, Fifteenth Judicial District, vice Justino Bautista, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Pastor Arroyo to be auxiliary justice of the peace for the municipality of San Vicente, Province of Ilocos Sur, Second Judicial District, vice Urbano Lucero, who declined the appointment; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Bartolome Reyes to be auxiliary justice of the peace for the municipality of Malolos, Province of Bulacan, Fifth Judicial District, vice Antonio Tiongson, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Teodoro Sotto to be auxiliary justice of the peace for the municipality of Tudela, Province of Cebu, Eleventh Judicial District, vice Fidel Martinez, who declined the appointment; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Domingo Soriano to be auxiliary justice of the peace for the municipality of Mapandan, Province of Pangasinan, Third Judicial District, vice Andres Lopez, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Mariano Tanglao to be auxiliary justice of the peace for the municipality of Capas, Province of Tarlac, Fourth Judicial District, vice Celestino Aragon, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Francisco Varrioso to be auxiliary justice of the peace for the municipality of Santa Barbara, Province of Iloilo, Ninth Judicial District, vice Vicente Casten, nominated justice of the peace; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Julian Quinio to be auxiliary justice of the peace for the municipality of Lobo, Province of Batangas, Seventh Judicial District, vice Fernando Garefa, deceased; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Regino Asistio to be auxiliary justice of the peace for the municipality of Caloccan, Province of Rizal, Fifth Judicial District, vice Pedro Mendiola, nominated justice of the peace; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Manuel Flora to be auxiliary justice of the peace for the municipality of Natividad, Province of Pangasinan, Third Judicial District, vice Aureo C. Yllarde, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Pedro Garefa Lampa to be auxiliary justice of the peace for the municipality of Tarlac, Province of Tarlac, Fourth Judicial District, vice Emilio Layog, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Anacleto Bautista to be auxiliary justice of the peace for the municipality of Bangar, Province of La Union, Mountain Judicial District, vice Anastacio de Castro, who declined the appointment; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Pablo Flores to be auxiliary justice of the peace for the municipality of San Fernando, Province of La Union, Mountain Judicial District, vice Paulino Flores, who declined the appointment; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Francisco Divinagracia to be auxiliary justice of the peace for the municipality of Sibulan, Province of Oriental Negros, Eleventh Judicial District; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

Pedro Abuyan to be auxiliary justice of the peace for the municipality of Balangiga, Province of Samar, Twelfth Judicial District, vice Agapito Verdeflor, resigned; pursuant to the provisions of section 76 of Act No. 136, as amended by Acts Nos. 1450 and 1627.

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HISTORY OF BILLS AND JOINT AND  
CONCURRENT RESOLUTIONS

IN THE

PHILIPPINE COMMISSION

DURING THE

SPECIAL SESSION AND FIRST SESSION

OF THE

SECOND PHILIPPINE LEGISLATURE.

**SUMMARY OF BILLS AND ACTS INTRODUCED AND ENACTED  
IN TWO SESSIONS AND PERIODS BETWEEN SESSIONS  
JANUARY 1, 1910, TO FEBRUARY 3, 1911.**

**COMMISSION BILLS.**

Relating to territory inhabited by non-Christian tribes under the exclusive legislative jurisdiction of the Commission:	
Number introduced in—	
First recess (January 1, 1910, to March 27, 1910)....	2
Special session (March 28, 1910, to April 19, 1910)....	2
Second recess (April 20, 1910, to October 16, 1910)....	10
First session (October 17, 1910, to February 3, 1911)..	9
Total .....	23
Relating to territory under the legislative jurisdiction of the Legislature:	
Number introduced in—	
Special session .....	6
First session .....	63
Total .....	69
Total number of Commission bills introduced in—	
First recess .....	2
Special session .....	8
Second recess .....	10
First session .....	72
Total .....	92

**ASSEMBLY BILLS.**

Number received in—	
Special session .....	19
First session .....	98
Total number of Assembly bills received.....	117

**ACTS.**

Number of Commission bills enacted by the Commission under its exclusive legislative jurisdiction over territory inhabited by non-Christian tribes:	
First recess .....	2
Special session .....	1
Second recess .....	9
First session .....	10
Total .....	22
Number of Commission bills enacted by the Legislature:	
Special session .....	4
First session .....	17
Total .....	21
Number of Assembly bills enacted by the Legislature:	
Special session .....	16
First session .....	33
Total .....	49
Total number of Acts enacted.....	92

# Second Philippine Legislature.

## Special Session, 1910, and First Session.

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### COMMISSION BILLS.

#### FIRST RECESS.

##### NUMBER, TITLE, AND ACTION.

- <sup>1)</sup> Introduced and considered in Commission during the recess period  
<sup>2)</sup> from January 1, 1910, to March 27, 1910.  
(For history see pp. 762, 763.)

#### SPECIAL SESSION.

3. An Act providing the time at which all Acts of the Philippine Commission shall take effect.  
By the President.  
Read first and second times, considered in Committee of the Whole, reported with amendments, report adopted, and ordered on file for third reading, p. 21.  
Read third time, further amended, passed and title read and approved, p. 23.  
Ordered enrolled and printed, p. 23.  
(See Act No. 1971.)
4. An Act amending Act Numbered Fourteen hundred and seven, known as "The Reorganization Act" as amended, by transferring the Bureau of Agriculture from the Department of the Interior to the Department of Public Instruction.  
By the President (accompanying message from the Governor-General).  
Message from Governor-General, pp. 29, 30.  
Read first and second times, considered in Committee of the Whole, reported with amendment, report adopted, ordered on file for third reading, pp. 30, 31.  
Read third time, passed, and title read and approved, pp. 33, 34.  
Yeas and nays, p. 34.  
Amended by the Assembly and amendment concurred in, pp. 45, 46.  
Ordered enrolled and printed, p. 46.  
(See Act No. 1972.)

## NUMBER, TITLE, AND ACTION.

5. An Act to reorganize the Bureau of Navigation, to provide for the enlistment of officers and men, and for punishments for offenses against good order in the Bureau.  
 By Commissioner Elliott.  
 Message from Governor-General, p. 17.  
 Read first and second times and referred to the Committee of the Whole, p. 43.  
 Considered in Committee of the Whole, pp. 45, 47.  
 Further considered in Committee of the Whole, reported with amendment, report adopted, read third time under Rule XIV, further amended, passed and title amended, read and approved, pp. 51-60.  
 Amended by the Assembly, amendment disagreed to, and conference requested, pp. 92-94.  
 Assembly insists upon its amendment and agrees to conference, pp. 97, 98.  
 Report of conference committee (No. 1), pp. 99, 100.  
 Conference report agreed to by the Commission, p. 100.  
 Conference report agreed to by the Assembly, pp. 120, 121.  
 Ordered enrolled and printed, p. 121.  
 (See Act No. 1980.)
6. An Act to amend Act Numbered One hundred and eighty-three, entitled "An Act to incorporate the city of Manila."  
 By Commissioner Elliott.  
 Message from Governor-General, pp. 61, 62.  
 Read first and second times, considered in Committee of the Whole, reported with amendment, report adopted, read third time under Rule XIV, passed, and title amended, read, and approved, pp. 64, 65.  
 Indefinitely postponed by Assembly, pp. 141, 142.
7. An Act providing a fixed compensation for the justice of the peace for the municipality of Dapitan in lieu of all fees, and for other purposes.  
 By the Committee on Affairs Pertaining to the Moro Province (Report No. 15).  
 Read first and second times, considered in Committee of the Whole, reported with recommendation that it be recommitted to the Committee on Affairs Pertaining to the Moro Province, pp. 68, 69.  
 Reported with recommendation that the bill be indefinitely postponed. (Report No. 28) and report adopted, p. 763.
8. An Act to amend Act Numbered Fourteen hundred and ninety-three, entitled "The Philippines Postal Savings Bank Law," as amended.  
 By Commissioner Elliott.  
 Message from Governor-General, pp. 84, 85.



## NUMBER, TITLE, AND ACTION.

## 8—Continued.

Read first and second times, considered in Committee of the Whole, reported with amendment, report adopted, read third time under Rule XIV, passed, and title amended, read, and approved, pp. 86, 87.

Passed by the Assembly without amendment, p. 130.

Ordered enrolled and printed, p. 130.

(See Act No. 1985.)

9. An Act providing for the filing, with the division of archives, patents, copyrights, and trade-marks of the Executive Bureau, of the first deed of mortgage, trust, or guaranty, and subordinating agreement, dated the nineteenth day of May, nineteen hundred and nine executed by the Manila Railroad Company in favor of the Government of the Philippine Islands, and of the Farmers' Loan and Trust Company of New York, as trustees, creating upon the property mentioned in said instrument a lien from the date of its filing, modifying the provisions of Act Numbered Eighteen hundred and twelve in regard to the lien of the mortgages filed heretofore, and exempting said instruments from the payment of stamp taxes, and the filing of the subordinating agreement.

By Commissioner Elliott.

Message from Governor-General, p. 85.

Read first and second times, considered in Committee of the Whole, reported without amendment, report adopted, read third time under Rule XIV, passed, and title amended, read, and approved, pp. 87, 88.

Passed by the Assembly without amendment, p. 98.

Ordered enrolled and printed, p. 98.

(See Act No. 1977.)

10. An Act to provide for an annual Philippine Exposition and appropriating funds therefor, and for other purposes.

By Commissioner Elliott.

Message from Governor-General, p. 96.

Read first and second times, read third time under Rule XIV, passed, and title read and approved, pp. 119, 120.

Indefinitely postponed by the Assembly, p. 141.

(See A. B. 331.)

**SECOND RECESS.**

- 11— } Introduced and considered in Commission during the recess period  
20 } from April 20, 1910, to October 16, 1910.

(For history see pp. 763-765.)

## FIRST SESSION.

## NUMBER, TITLE, AND ACTION.

14. An Act to provide for the granting of a franchise for the use of the waters of the Agno River, at or near the township of Itogon, subprovince of Benguet, Mountain Province, for the generation of power for the maintenance of an electric light, heat, and power supply system and the supply of such light, heat, and power in and to the city of Baguio and the township of Itogon, subprovince of Benguet, Mountain Province.

(For previous action see p. 764.)

Reported with recommendation that it pass with amendments (Report No. 94), report adopted, read second time and referred to the Committee of the Whole, pp. 287-290.

Considered in committee, reported with amendments, report adopted, and bill ordered on file for third reading pp. 291-293.

Read third time, further amended, passed, and title amended, read, and approved pp. 297, 298.

Ordered enrolled and printed, p. 298.

(See Act No. 2006.)

21. An Act amending section four, paragraph (b), section six, and section ten of Act Numbered Eighteen hundred and seventy, entitled "An Act for the purpose of founding a university for the Philippine Islands, giving it corporate existence, providing for a board of regents, defining the board's responsibilities and duties, providing higher and professional instruction, and for other purposes."

By Commissioner Palma.

Read first time and referred to the Committee on Matters Pertaining to the Department of Public Instruction, p. 166.

Reported with recommendation that it pass (Report No. 48), report adopted, read second time, considered in Committee of the Whole, reported with amendments, report adopted, read third time under Rule XIV, passed, and title amended, read, and approved, pp. 183, 184.

Passed by Assembly without amendment, pp. 543, 544.

Ordered enrolled and printed, p. 544.

(See Act No. 2024.)

22. An Act amending section two of Act Numbered Six hundred and twenty-four of the Philippine Commission, designating who shall perform the duties of mining recorder, and adding a new section to said Act by providing the manner in which patents for mining claims shall issue.

By Commissioner Worcester.

Read first time and referred to the Committee on Matters Pertaining to the Department of the Interior, pp. 166, 167.

## NUMBER, TITLE, AND ACTION.

22—Continued.

Reported with recommendation that it pass (Report No. 64), pp. 201, 202.

Consideration of bill and report postponed, p. 202.

23. An Act prohibiting slavery, involuntary servitude, peonage, or the sale of human beings in the Philippine Islands.

By Commissioner Worcester.

Consideration postponed, 167.

(See C. B. 88.)

24. An Act providing for the appointment of registers of deeds in sub-provinces and districts in the Provinces of Agusan, Nueva Vizcaya, and the Mountain Province and ratifying, confirming, and validating all acts performed as register of deeds by the deputy provincial treasurer of the Mountain Province at and in the subprovince of Benguet.

By Commissioner Worcester.

Read first time and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, p. 167.

Reported with amendments (Report No. 71), report adopted, read second time, considered in Committee of the Whole, reported with further amendment, report adopted, ordered on file for third reading, pp. 215, 216.

Read third time, further amended, passed, and title amended, read, and approved, p. 225.

Ordered enrolled and printed, p. 225.

(See Act No. 2001.)

25. An Act regulating the registration, branding, conveyance, and slaughter of large cattle; providing for the disposition, care, custody, and sale of estrays and large cattle captured or seized, providing for the surrender of certificates of ownership, and so forth, of dead cattle and those transferred, slaughtered, lost, and so forth, providing penalties for noncompliance with its provisions and for theft, robbery, and so forth, of large cattle, repealing all prior laws, ordinances, and regulations inconsistent with its provisions, and for other purposes.

By the President.

Read first time and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, p. 171.

Reported with recommendation that bill be postponed until the next session of the Legislature (Report No. 147) report adopted, pp. 478, 479.

26. An Act to amend Act Numbered Six hundred and sixty-six, entitled "An Act defining property in trade-marks and in trade-names and providing for the protection of the same, defining unfair competition and providing remedies against the same, providing registration for trade-marks and trade-names, and defining the

## NUMBER, TITLE, AND ACTION.

26—Continued.

effect to be given to registration under the Spanish royal decree of eighteen hundred and eighty-eight relating to the registration of trade-marks, and the effect to be given to registration under this Act" by providing for the publication of applications for registration of trade-marks and trade-names and for the filing of opposition to such registration by persons considering themselves damaged thereby, and forbidding the importation of merchandise which shall copy or simulate the name of any domestic manufacture or manufacturer or trader, or any manufacture or manufacturer or trader in and of the United States or any foreign country, and for other purposes.

By the President.

Read first time and referred to select committee, pp. 171, 172.

Reported with amendments (Report No. 102), report received, read second time and referred with report of select committee to Committee of the Whole, considered in committee and reported with amendments made by select committee and further amendments, report adopted, and bill ordered on file for third reading, pp. 319-322.

Read third time as amended, further amended, passed, and the title amended, read, and approved, pp. 328, 329.

Laid on the table by the Assembly, pp. 743, 744.

27. An Act making it unlawful, without authority from the Director of Navigation, to establish, erect, or maintain in the navigable waters of the Philippine Islands, any light as an aid to navigation or any other aid to navigation similar to any of those maintained by the Bureau of Navigation, and providing a penalty therefor.

By Commissioner Elliott.

Read first and second times, considered in Committee of the Whole, reported with amendment, report adopted, ordered on file for third reading, p. 172.

Read third time, further amended, passed, and title read and approved, pp. 174, 175.

Laid on the table by the Assembly, p. 744.

28. An Act defining habitual criminals and fixing the punishment for the same.

By Commissioner Gilbert.

Read first time and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, p. 178.

Reported with amendments (Report No. 93), report adopted, read second time, and referred to Committee of the Whole, pp. 282, 283.

Considered in Committee of the Whole, reported with recommendation that bill be recommitted to the Committee on Matters Pertaining to the Department of Finance and Justice and report adopted, p. 285.

## NUMBER, TITLE, AND ACTION.

## 28—Continued.

Reported with recommendation that the bill be not passed and that a bill accompanying the report be taken up in lieu thereof (Report No. 110), report adopted, p. 357.

(See C. B. 60.)

29. An Act to amend Act Numbered Eleven hundred and eighty-nine, entitled "The Internal Revenue Law of Nineteen hundred and four," as amended, by extending the meaning of the term "manufactured liquors" as used in said Act so as to include certain medicinal, toilet, and other liquid preparations, and by imposing a tax at the rate of seventy centavos per liter on all distilled spirits and manufactured liquors, with certain exceptions; and for other purposes.

By Commissioner Araneta.

Read first and second times, considered in Committee of the Whole, reported without amendment, report adopted, and bill ordered on file for third reading, pp. 192, 193.

Read third time, amended, passed and title amended, read, and approved, pp. 194, 195.

Passed by the Assembly without amendment, pp. 420, 421.

Ordered enrolled and printed, p. 421.

(See Act No. 2015.)

30. An Act amending section thirty-nine of Act Numbered Four hundred and ninety-six, entitled "The Land Registration Act," so as to extend to Government irrigation canals and laterals thereof the exemptions established in favor of public highways.

By Commissioner Elliott.

Read first and second times, considered in Committee of the Whole, reported with amendments, report adopted, ordered on file for third reading, p. 196.

Read third time, further amended, passed, and title read and approved, pp. 198, 199.

Passed by the Assembly without amendment, p. 381.

Ordered enrolled and printed, p. 381.

(See Act No. 2011.)

31. An Act to amend section two of Act Numbered Seventeen hundred and ninety-five, entitled "An Act authorizing the compensation of students in industrial and agricultural schools for work done therein outside their regular school hours and not connected with their regular school work," by striking out the last sentence thereof.

By Commissioner Gilbert.

Read first and second times, considered in Committee of the Whole, reported with recommendation that it be referred to the Committee on Matters Pertaining to the Department of Public Instruction, and report adopted, p. 202.

## NUMBER, TITLE, AND ACTION.

## 31--Continued.

Reported without amendment (Report No. 115), report adopted, read third time, amended, passed, and the title amended, read, and approved, pp. 365, 366.

Passed by the Assembly without amendment, p. 510.

Ordered enrolled and printed, p. 510.

(See Act No. 2022.)

32. An Act amending section one hundred and twenty-five of Act Numbered Fourteen hundred and fifty-nine of the Philippine Commission, known as the "Corporation Law," by making more liberal the requirement that every bank shall at all times have on hand twenty per centum of the aggregate amount of its deposits.

By Committee on Matters Pertaining to the Department of Finance and Justice (Report No. 72).

Read first and second times, considered in Committee of the Whole, reported without amendment, report adopted, ordered on file for third reading, p. 217.

Read third time, passed, and title amended, read, and approved, pp. 225, 226.

Passed by the Assembly without amendment, p. 274.

Ordered enrolled and printed, p. 274.

(See Act No. 2003.)

33. An Act to amend section one of Act Numbered Seventeen hundred and twenty-eight by providing that any Government property in any rented building be included as within the terms of said Act.

By Commissioner Gilbert.

Read first and second times, considered in Committee of the Whole, reported without amendment, report adopted, read third time under Rule XIV, passed, and title read and approved, pp. 239, 240.

Laid on the table by the Assembly, p. 575.

34. An Act repealing sections seven hundred and fifty-five, seven hundred and fifty-six, seven hundred and fifty-seven, and seven hundred and sixty of Act Numbered One hundred and ninety, and restoring such provisions of the Civil Code as may have been amended or repealed by said sections to full force and effect.

By Commissioner Araneta.

Read first time and a copy of the bill and explanatory statement submitted therewith ordered furnished each Commissioner for consideration, p. 247.

Read second time, considered in Committee of the Whole, reported without amendment, report adopted, read third time under Rule XIV, passed, and title read and approved, p. 257.

Laid on the table by the Assembly, p. 744.

## NUMBER, TITLE, AND ACTION.

35. An Act to fix the time for making annual reports for officers of the different branches of the Government and to make the fiscal year uniform for all branches of the Government and coincident with the calendar year.

By the President.

Read first time and postponed until next meeting of the Commission, p. 257.

Consideration postponed until next session of the Legislature, pp. 263, 264.

36. An Act to amend Act Numbered Fifty-two, entitled "An Act providing for examinations of banking institutions in the Philippine Islands, and for reports by their officers," as amended by Act Numbered Eight hundred and thirty-nine, by making the examination of banks compulsory every twelve months and for other purposes.

By Commissioner Araneta.

Read first and second times, considered in Committee of the Whole, reported with amendment, report adopted, ordered on file for third reading, pp. 257, 258.

Read third time, further amended, passed, and title amended, read, and approved, pp. 260, 261.

Laid on the table by the Assembly, pp. 744, 745.

37. An Act to amend section thirty-six of Act Numbered Eleven hundred and eighty-nine, entitled "The Internal Revenue Law of Nineteen hundred and four," by exempting from the payment of internal-revenue taxes articles purchased for use by the Army or Navy of the United States.

By Commissioner Araneta.

Read first and second times, considered in Committee of the Whole, reported without amendment, report adopted, ordered on file for third reading, p. 264.

Consideration postponed, p. 267.

Read third time, passed, and title amended, read, and approved, p. 280.

Laid on the table by the Assembly, p. 745.

38. An Act to amend Act Numbered Eighteen hundred and sixty-five by providing that not to exceed sixty per centum of the mortgaged property may be loaned by the Agricultural Bank.

By Commissioner Araneta.

Read first and second times, considered in Committee of the Whole, reported with amendment, report adopted, and bill ordered on file for third reading, p. 264.

Read third time, passed, and title amended, read, and approved, p. 268.

## NUMBER, TITLE, AND ACTION.

38—Continued.

Amended by the Assembly and amendments referred to the Committee on Matters Pertaining to the Department of Finance and Justice, pp. 387, 388.

Reported with recommendation that amendments be disagreed to and conference asked (Report No. 121), report adopted, pp. 398, 399.

Assembly insists upon its amendments and agrees to conference, p. 405.

Report of conference committee (No. 8), p. 438.

Conference report agreed to by Assembly, pp. 438, 439.

Ordered enrolled and printed, p. 439.

(See Act No. 2016.)

39. An Act to amend section three of Act Numbered Sixteen hundred and seventy-one, as amended by Act Numbered Eighteen hundred and eighteen, by giving authority to the Governor-General to proclaim any working day as a bank holiday.

By the Committee on Matters Pertaining to the Department of Finance and Justice (Report No. 92).

Read first and second times, considered in Committee of the Whole, reported with amendments, report adopted, bill ordered on file for third reading, p. 269.

Read third time, further amended, passed, and title amended, read, and approved, p. 275.

Reconsideration of vote and recommitment of bill to Committee on Matters Pertaining to the Department of Finance and Justice, pp. 278, 279.

Reported with recommendation that bill be laid on the table (Report No. 202), report adopted, pp. 683, 684.

40. An Act providing for the purchase out of the funds appropriated for the Bureau of Education by Act Numbered Nineteen hundred and ninety-two of additional land for the industrial school reservation at Baguio.

By Commissioner Gilbert.

Read first and second times, considered in Committee of the Whole, reported without amendment, report adopted, read third time, passed, and title read and approved, pp. 269, 270.

Ordered enrolled and printed, p. 270.

(See Act No. 2002.)

41. An Act appropriating the sum of thirty thousand pesos for the purchase or construction of an electric light, heat, and power system in the city of Baguio, and for the maintenance and operation thereof under the direction of the Secretary of Commerce and Police, for the sale of electric current for light, heat, and power to the various branches of the Government and the public, and for other purposes.



## NUMBER, TITLE, AND ACTION.

## 41—Continued.

By Commissioner Elliott:

Read first and second times, considered in Committee of the Whole, reported with amendments, report adopted, read third time under Rule XIV, passed, and title read and approved, pp. 271, 272.

Ordered enrolled and printed, p. 272.

(See Act No. 2004.)

42. An Act appropriating the sum of two hundred thousand pesos for certain expenses of the maintenance, betterment, and repair of the Benguet Road during the fiscal years nineteen hundred and ten and nineteen hundred and eleven.

By Commissioner Elliott.

Read first and second times, considered in Committee of the Whole, reported with amendments, report adopted, read third time under Rule XIV, passed, and title amended, read, and approved, pp. 276, 277.

Ordered enrolled and printed, p. 277.

(See Act No. 2005.)

43. An Act to amend section eleven of Act Numbered Nineteen hundred and eighty, entitled "An Act to provide for the creation of a commissioned and enlisted service within the Bureau of Navigation, the creation of a pension fund in connection therewith, and for the punishment of offenses against good order and discipline within such service," by authorizing the Secretary of Commerce and Police, with the approval of the Governor-General, to designate any commissioned officer to act as summary court officer.

By Commissioner Elliott.

Read first and second times, considered in Committee of the Whole, reported with amendments, report adopted, bill ordered on file for third reading, p. 277.

Read third time, passed, and title read and approved, pp. 280, 281. Laid on the table by the Assembly, p. 745.

44. An Act to amend section two of Act Numbered Nineteen hundred and fifty-two, entitled "An Act to provide for the establishment of the Province of Batanes; to amend paragraph seven of section sixty-eight of Act Numbered Eleven hundred and eighty-nine in certain particulars; to authorize the provincial board of the Province of Batanes, with the approval of the Governor-General, to extend the time for the payment without penalty of taxes and licenses; to amend section five of Act Numbered Fifteen hundred and eighty-two, entitled 'The Election Law' by increasing the number of Delegates to the Philippine Assembly to eighty-one, and for other purposes," by providing for a provincial fiscal for the Province of Batanes.

## NUMBER, TITLE, AND ACTION.

44—Continued.

By the President.

Read first and second times, considered in Committee of the Whole, reported with amendments, report adopted, bill ordered on file for third reading, pp. 283, 284.

Read third time, passed, and title read and approved, p. 286.

Laid on the table by the Assembly, pp. 745, 746.

45. An Act to amend Act Numbered Nineteen hundred and fifty-nine, entitled "An Act making a toll road of all that part of the Benguet Road situate, lying, and being within the boundaries of the Mountain Province," by providing for the regulation of passage of traffic of all kinds thereon.

By Commissioner Elliott.

Read first and second times, considered in Committee of the Whole, reported without amendment, report adopted, ordered on file for third reading, p. 300.

Read third time, passed, and title read and approved, p. 304.

Ordered enrolled and printed, p. 304.

(See Act No. 2008.)

46. An Act making Act Numbered Two thousand and three of the Second Philippine Legislature applicable to that part of the Philippine Islands inhabited by Moros or other non-Christian tribes.

By Commissioner Araneta.

Read first and second times, read third time under Rule XIV, amended, passed, and title amended, read, and approved, pp. 300, 301.

Ordered enrolled and printed, p. 301.

(See Act No. 2007.)

47. An Act authorizing the Secretary of Commerce and Police with the approval of the Governor-General to contract with any railroad company in the Philippine Islands for the construction and maintenance of joint railroad and highway bridges on its lines of railroad, and appropriating the sum of five hundred thousand pesos to pay the Government's proportion of the cost of construction and maintenance of the bridges so contracted for.

By the Committee on Matters Pertaining to the Department of Commerce and Police (Report No. 101).

Read first and second times, considered in Committee of the Whole, reported without amendment, report adopted and bill ordered on file for third reading, pp. 311, 312.

Read third time and amended, p. 317.

Further amended, passed, and title amended, read, and approved, p. 319.

Laid on the table by the Assembly, p. 576.

## NUMBER, TITLE, AND ACTION.

48. An Act providing certain special proceedings for the settlement and adjudication of land titles.

By Commissioner Elliott.

Read first time and referred to select committee, p. 322.

(Not reported back; see A. B. 391.)

49. An Act amending Act Numbered Sixteen hundred and ninety-seven, entitled "An Act authorizing the appointment of Commissioners to make official investigations and fixing their powers, for the payment of witness fees, and for the punishment of perjury in official investigations" by punishing subornation of perjury although no perjury be committed.

By Commissioner Araneta.

Read first time and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, p. 322.

Reported with recommendation that the bill be not passed and that a bill accompanying the report be taken up in its stead (Report No. 108). Report adopted, p. 354.

(See C. B. 59.)

50. An Act conferring upon the municipal court of the city of Manila concurrent jurisdiction with the Court of First Instance of Manila over all criminal cases arising under the law relating to estafa where the property involved in the offense does not exceed the sum or value of two hundred pesos.

By Commissioner Araneta.

Read first and second times, considered in Committee of the Whole, reported with amendment, report adopted, read third time, under Rule XIV, passed, and title read and approved, pp. 322, 323.

Amended by the Assembly, amendment disagreed to, and conference requested, pp. 377, 378.

Assembly insists upon its amendment and agrees to conference, p. 387.

Report of conference committee (No. 9), pp. 444, 445.

Conference report agreed to by Assembly, p. 445.

Conference report agreed to by Commission, p. 445.

Ordered enrolled and printed, p. 445.

(See Act No. 2017.)

51. An Act amending section nine of Act Numbered Seven hundred and eighty-seven of the Philippine Commission, entitled "An Act providing for the organization and government of the Moro Province," as amended by section two of Act Numbered Sixteen hundred and ninety-nine.

By Commissioner Araneta.

Read first and second times, considered in Committee of the Whole, reported without amendment, report adopted, read third time

## NUMBER, TITLE, AND ACTION.

## 51—Continued.

under Rule XIV, passed, and title amended, read, and approved, pp. 323, 324.

Ordered enrolled and printed, p. 324.

(See Act No. 2010.)

52. An Act to amend section eighteen of Act Numbered Fourteen hundred and fifty-nine, entitled "The Corporation Law," by providing for the collection of fees for filing copies of amended articles of incorporation, and for other purposes.

By Commissioner Elliott.

Read first and second times, considered in Committee of the Whole, reported without amendment, report adopted, read third time under Rule XIV, passed, and title read and approved, p. 324.

Passed by Assembly without amendment, p. 381.

Ordered enrolled and printed, p. 381.

(See Act No. 2012.)

53. An Act to amend section seven of Act Numbered Five hundred and thirty, entitled "An Act defining the jurisdiction of the civil and of the military authorities over lands reserved by the President of the United States for military purposes."

By Commissioner Araneta.

Read first time and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, pp. 324, 325.

Reported with recommendation that bill be not passed and that new bill be taken up in lieu thereof (Report No. 107), report adopted, p. 353.

(See C. B. 58.)

54. An Act to amend section three hundred and forty-four of Act Numbered Three hundred and fifty-five, known as the "Philippine Customs Administrative Act," as amended, by making it the duty of the prosecuting attorney for the city of Manila to prosecute violations of the customs laws.

By Commissioner Araneta.

Read first and second times, read third time under Rule XIV, passed, and the title read and approved, p. 325.

Laid on the table by the Assembly, p. 746.

55. An Act to amend Act Numbered three hundred and fifty-five, known as the "Philippine Customs Administrative Act."

By Commissioner Araneta.

Read first and second times, read third time under Rule XIV, passed, and title amended, read, and approved, p. 325.

Laid on the table by the Assembly, p. 746.

56. An Act to amend section thirty-eight of Act Numbered One hundred and eighty-three, entitled "An Act to incorporate the city of Manila," by providing that the city attorney and the prosecuting attorney for the city of Manila shall perform their duties under the general supervision of the Attorney-General.

## NUMBER, TITLE, AND ACTION.

56—Continued.

By Commissioner Araneta.

Read first and second times, read third time under Rule XIV, passed, and the title read and approved, p. 330.

Passed by the Assembly without amendment, p. 588.

Ordered enrolled and printed, p. 588.

(See Act No. 2026.)

57. An Act to amend article two of the franchise contained in Act Numbered Fourteen hundred and ninety-seven of the Philippine Commission, entitled "An Act granting to the Philippine Railway Company a concession to construct railways in the Islands of Panay, Negros, and Cebu, and guaranteeing interest on the first-mortgage bonds thereof, under authority of the Act of Congress approved February sixth, nineteen hundred and five."

By Commissioner Elliott.

Read first and second times, and referred to the Committee of the Whole, pp. 333, 334.

Reported with amendments, report adopted, read third time under Rule XIV, passed, and title amended, read, and approved, pp. 335, 336.

Passed by the Assembly without amendment, pp. 734, 735.

Ordered enrolled and printed, p. 735.

(See Act No. 2053.)

58. An Act to amend section seven of Act Numbered Five hundred and thirty, entitled "An Act defining the jurisdiction of the civil and of the military authorities over lands reserved by the President of the United States for military purposes," by providing for the manner of making arrests and serving subpoenas on military reservations, camps, or barracks.

By the Committee on Matters Pertaining to the Department of Finance and Justice (Report No. 107).

Read first and second times, considered in Committee of the Whole, reported with amendments, report adopted, read third time under Rule XIV, passed, and title amended, read, and approved, pp. 353, 354.

Laid on the table by the Assembly, pp. 746, 747.

(See C. B. 53.)

59. An Act amending Act Numbered Sixteen hundred and ninety-seven, entitled "An Act authorizing the appointment of commissioners to make official investigations and fixing their powers; for the payment of witness fees; and for the punishment of perjury in official investigations," by changing the punishment for perjury and by punishing persons who endeavor to procure or incite other persons to commit perjury.

By the Committee on Matters Pertaining to the Department of Finance and Justice (Report No. 108).

## NUMBER, TITLE, AND ACTION.

59—Continued.

Read first and second times, considered in Committee of the Whole, reported with amendment, report adopted, read third time under Rule XIV, further amended, passed, and the title read and approved, pp. 354, 355.

Laid on the table by the Assembly, pp. 750, 751.

(See C. B. 49.)

60. An Act defining habitual criminals and providing additional punishment for the same.

By the Committee on Matters Pertaining to the Department of Finance and Justice (Report No. 110).

Read first and second times, considered in Committee of the Whole, reported with amendments, report adopted, read third time under Rule XIV, passed, and the title read and approved, p. 357.

Laid on the table by the Assembly, p. 747.

(See C. B. 28.)

61. An Act amending articles fifty-six, fifty-seven, one hundred and six, two hundred and fifty, two hundred and fifty-two, three hundred, three hundred and one, three hundred and three, and three hundred and sixteen of the Penal Code.

By the Committee on Matters Pertaining to the Department of Finance and Justice (Report No. 111).

Read first and second times, considered in Committee of the Whole, reported without amendment, report adopted, read third time under Rule XIV, passed, and title amended, read, and approved, p. 358.

Laid on the table by the Assembly, p. 747.

62. An Act to provide for witness fees in criminal cases in the Courts of First Instance, and appropriating funds therefor, and for other purposes.

By the Committee on Matters Pertaining to the Department of Finance and Justice (Report No. 112).

Read first time by title only and further consideration postponed until next meeting of the Commission, p. 359.

Read second time, considered in Committee of the Whole, reported with recommendation that the bill do not pass, report adopted, p. 361.

(See C. B. 63.)

63. An Act to provide for lodging, subsistence, and fees for witnesses in criminal cases.

By Commissioner Araneta.

Read first and second times, considered in Committee of the Whole, reported with amendment, report adopted, read third time under Rule XIV, passed, and the title amended, read, and approved, pp. 378, 379.

## NUMBER, TITLE, AND ACTION.

63—Continued.

Amended by the Assembly and amendments referred to the Committee on Matters Pertaining to the Department of Finance and Justice, pp. 582, 583.

Reported with recommendation that Commission disagree to amendments of the Assembly and that a conference be requested (Report No. 183), report adopted, p. 596.

Assembly insists on its amendments and agrees to conference, p. 736.

Report of conference committee (failure to agree), p. 742.

Conference report accepted by Commission, p. 742.

(See C. B. 62.)

64. An Act amending Act Numbered Nineteen hundred and forty-four, entitled "An Act authorizing the Governor-General to specify by Executive Order the kinds of native wines or liquors which shall be subject to the prohibitions contained in sections nine and twenty-four of Act Numbered fifty-nine, entitled "The Manila Liquor Licenses Act," Act Numbered Thirteen hundred and two, entitled, "An Act prohibiting the sale, gift, or other disposal, in the Province of Cavite, to soldiers of the United States Army and sailors and enlisted men of the United States Navy and Marine Corps, of any of the so-called native wines or liquors," and Act Numbered Thirteen hundred and sixty-nine, entitled "An Act prohibiting the sale, gift, or other disposal in the Province of Zambales to soldiers of the United States Army and sailors and enlisted men of the United States Navy and Marine Corps, of any of the so-called native wines or liquors."

By the President.

Read first time and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, p. 384.

Reported with amendments (Report No. 123), report adopted, read second time, considered in Committee of the Whole, reported without amendment, read third time, under Rule XIV, passed, and the title amended, read, and approved, pp. 406, 407.

Laid on the table by the Assembly, pp. 747, 748.

65. An Act to amend section thirty-seven of Act Numbered Eighty-two, entitled "The Municipal Code," by adding at the end of that section a paragraph to be numbered letter (c) fixing the duties of the lieutenants and substitute lieutenants of barrios, the term of their office, and the procedure for their suspension or dismissal.

By the Committee on Municipal and Provincial Governments (Report No. 119).

Read first time and ordered on file for second reading, pp. 392, 393.

## NUMBER, TITLE, AND ACTION.

65—Continued.

Read second time, considered in Committee of the Whole, reported without amendment, read third time under Rule XIV, passed, and title read and approved, pp. 400, 401.

Passed by the Assembly without amendment, p. 717.

Ordered enrolled and printed, p. 717.

(See Act No. 2056.)

66. An Act extending to that part of the Philippine Islands inhabited by Moros or other non-Christian tribes the provisions of Acts Numbered Two thousand and eleven and Two thousand and twelve of the Philippine Legislature.

By Commissioner Elliott.

Read first and second times, read third time under Rule XIV, passed, and the title read and approved, p. 401.

Ordered enrolled and printed, p. 401.

(See Act No. 2014.)

67. An Act to amend section ninety-one of Act Numbered Eleven hundred and eighty-nine, as amended, entitled "The Internal Revenue Law of Nineteen hundred and four," by increasing the percentage of alcohol that wine may contain and still be subject to the lower tax rate per gauge liter.

By Commissioner Araneta.

Read first and second times, considered in Committee of the Whole, reported without amendment, report adopted, read third time under Rule XIV, passed, and the title read and approved, pp. 407, 408.

Laid on the table by the Assembly, p. 748.

68. An Act to amend paragraph six of section sixty-eight of Act Numbered Eleven hundred and eighty-nine, entitled "The Internal Revenue Law of Nineteen hundred and four," as amended, by reducing the license tax for wholesale liquor dealers outside the city of Manila.

By Commissioner Araneta.

Read first and second times, considered in Committee of the Whole, reported without amendment, report adopted, read third time under Rule XIV, passed, and title read and approved, pp. 410, 411.

Passed by the Assembly without amendment, pp. 588, 589.

Ordered enrolled and printed, p. 589.

(See Act No. 2027.)

69. An Act authorizing the selection of additional teachers to receive the benefits of Act Numbered Nineteen hundred and eighty-four, providing that the classes thereby provided for may be held at other points than the city of Manila, and appropriating additional funds for carrying out the provisions of said Act.



## NUMBER, TITLE, AND ACTION.

69—Continued.

By Commissioner Gilbert.

Read first and second times, considered in Committee of the Whole, reported with amendments, report adopted, read third time under Rule XIV, passed, and title amended, read, and approved, pp. 411, 412.

Passed by Assembly without amendment, p. 735.

Ordered enrolled and printed, p. 735.

(See Act No. 2048.)

70. An Act authorizing the appointment for the fiscal year nineteen hundred and twelve of certain high-school students under the provisions of Act Numbered Nineteen hundred and eighty-three, appropriating additional funds for carrying out the purposes of said Act, and for other purposes.

By Commissioner Gilbert.

Read first and second times, considered in committee of the Whole, reported with amendments, report adopted, read third time under Rule XIV, passed and title amended, read and approved, pp. 412, 413.

Passed by Assembly without amendment, p. 736.

Ordered enrolled and printed, p. 736.

(See Act No. 2049.)

71. An Act appropriating the sum of twelve thousand, three hundred and ninety-one pesos and seventy-three centavos, out of any funds in the Insular Treasury not otherwise appropriated, to reimburse the appropriation of the Executive Bureau for expenses incident to the visit of the Secretary of War to the Philippine Islands during the year nineteen hundred and ten.

By the President (accompanying message from the Governor-General).

Read first and second times, and referred to the Committee on Appropriations, pp. 422-424.

Reported without amendment (Report No. 142), report adopted, read third time under Rule XIV, passed, and title read and approved, pp. 456, 457.

Ordered enrolled and printed, p. 457.

(See Act No. 2020.)

72. An Act appropriating the sum of sixteen thousand three hundred and eighty-four pesos and thirty-two centavos, out of any funds in the Insular Treasury not otherwise appropriated, to reimburse the appropriation of the Executive Bureau for expenses incident to the visit of the Secretary of War to the Philippine Islands during the year nineteen hundred and ten.

By the President (accompanying message from the Governor-General).

## NUMBER, TITLE, AND ACTION.

## 72—Continued.

Read first and second times, read third time under Rule XIV, passed, and title read and approved, pp. 436-438.

Passed by the Assembly without amendment, p. 733.

Ordered enrolled and printed, p. 733.

(See Act No. 2046.)

73. An Act to provide for the survey and classification of Philippine soils, to regulate the sale of commercial fertilizers, feed stuffs, and insecticides, to prevent the importation and spread of plant pests and diseases, and for other purposes.

By Commissioner Gilbert.

Read first and second times and consideration postponed until next meeting of Commission, p. 466.

Read third time, passed, and the title read and approved, p. 486.

Laid on the table by the Assembly, p. 751.

74. An Act to provide for a locust board, to specify the persons liable for service in the control of locusts, to provide a system for the extermination of the locust pest, and for other purposes.

By Commissioner Gilbert.<sup>1</sup>

Read first and second times and consideration postponed until next meeting of the Commission, p. 466.

Read third time, amended, passed, and the title amended, read, and approved, pp. 486-488.

Laid on the table by the Assembly, p. 748.

75. An Act to prevent the introduction into the Philippine Islands of dangerous communicable animal diseases, to prevent the spread of such diseases within the Philippine Islands, to define the duties of officials charged with the control of such diseases, and for other purposes.

By Commissioner Gilbert.

Read first and second times and consideration postponed until next meeting of Commission, p. 466.

Read third time, amended, passed, and the title amended, read, and approved, pp. 485, 486.

Laid on the table by the Assembly, pp. 748, 749.

76. An Act providing for the proof and acknowledgment of instruments without the Islands.

By Commissioner Gilbert.

Read first and second times, considered in Committee of the Whole, reported with amendments, report adopted, read third time under Rule XIV, passed, and the title read and approved, p. 467.

Laid on the table by the Assembly, p. 749.

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<sup>1</sup> See committee report No. 150, p. 483.

## NUMBER, TITLE, AND ACTION.

77. An Act to provide a system for the appropriation of public waters, and for the determining of existing rights thereto; for the public registration of all water rights; for the creation and use of water power; for investigations for and the construction, maintenance, and operation of irrigation systems by the Government of the Philippine Islands; for the repayment of money expended therefor; for the construction, maintenance, and operation of irrigation systems by private persons; for the inspection and regulation of all works pertaining to the use of water; and providing penalties for its violation; and for other purposes.

By Commissioner Elliott.

Read first and second times and consideration postponed, p. 473.

78. An Act appropriating the sum of fifty thousand pesos or so much thereof as may be necessary, to be expended, subject to the approval of the Governor-General, together with an equal amount to be contributed by the tobacco interests of the Philippine Islands, in advertising Philippine tobacco and tobacco products in the United States, and for other purposes.

By Commissioner Araneta.

Read first and second times, considered in Committee of the Whole, reported with amendments, report adopted, read third time under Rule XIV, passed, and title amended, read, and approved, pp. 473, 474.

Passed by the Assembly without amendment, p. 737.

Ordered enrolled and printed, p. 737.

(See Act No. 2058.)

79. An Act imposing an internal-revenue tax on polished rice manufactured in or imported into the Philippine Islands.

By the President.

Read first time and laid on the table, p. 480.

Taken from the table, considered, and further action suspended for the time being, p. 590.

Further consideration indefinitely postponed, p. 594.

80. An Act to provide for the collection and apportionment between the Insular, provincial, and municipal governments of taxes paid by the grantees of franchises, their lessees, successors or assigns, on the gross earnings or receipts from the business covered by the law granting the franchise or any amendment thereof.

By select committee (Report No. 155).

Read first and second times, considered in Committee of the Whole, reported with amendments, report adopted, and bill ordered on file for third reading, pp. 490-492.

Read third time under Rule XIV, amended, passed, and title read and approved, pp. 496, 497.

Amended by the Assembly, Assembly amendments disagreed to, and conference requested, p. 718.

## NUMBER, TITLE, AND ACTION.

## 80—Continued.

Assembly insists upon its amendments and agrees to conference, p. 720.

Report of conference committee (No. 21—failure to agree), p. 722.  
Conference report accepted by Commission, p. 722.

81. An Act to correct an error in Act Numbered Nineteen hundred and ten, entitled "An Act amending sections twenty-two, twenty-six, thirty-one, and thirty-two of Act Numbered Seventeen hundred and sixty-one, referred to as the 'Opium Act' by providing for the disposition of all taxes, fines, and all other moneys collected under this Act, increasing the penalties for the violations of sections thirty-one and thirty-two, repealing section twenty-seven, and for other purposes."

By Commissioner Araneta.

Read first and second times, read third time under Rule XIV, passed, and title read and approved, pp. 497, 498.

Laid on the table by the Assembly, p. 749.

82. An Act providing for the refund to the city of Manila of the sums paid by said city as customs duties on materials received for and employed in the construction of the new water and sewer systems.

By the President (without recommendation).

Laid on the table by the Commission, p. 498.

83. An Act for the issue of bonds of the Government of the Philippine Islands to the amount of two million five hundred thousand dollars, gold coin of the United States of the present standard value, for the purpose of providing funds for certain public works and permanent improvements for the development of the Philippine Islands, repealing certain portions of Act Numbered Nineteen hundred and eighty-eight, and making appropriations out of the funds resulting from the sale of bonds, and for other purposes.

By Commissioner Elliott.

Read first and second times, considered in Committee of the Whole, reported with amendments, report adopted, and bill ordered on file for third reading, pp. 499-504.

Read third time, amended, passed, and title amended, read, and approved, pp. 544-546.

Laid on the table by the Assembly, pp. 749, 750.

84. An Act making appropriation for public works and permanent improvements and for other purposes.

By Commissioner Elliott.

Read first and second times, considered in Committee of the Whole, reported with recommendation that it be laid on the table and that A. B. 327 be taken up and considered in lieu thereof, report adopted, pp. 499-505.

(See A. B. 327.)

## NUMBER, TITLE, AND ACTION.

85. An Act making appropriations for the maintenance of the Bureau of Public Works, fiscal year nineteen hundred and twelve, for public works and permanent improvements, and for other purposes.

By the Committee on Appropriations.

Read first and second times, considered in Committee of the Whole, reported with amendments, report adopted, read third time under Rule XIV, passed, and the title amended, read, and approved, pp. 506-508.

Laid on the table by the Assembly (advice received after adjournment).

(See A. B. 536.)

86. An Act making appropriation for sundry expenses of the Insular Government for the fiscal year ending June thirtieth, nineteen hundred and twelve, and other designated periods.

By the Committee on Appropriations.

Read first and second times, considered in Committee of the Whole, reported with amendments, report adopted, read third time under Rule XIV, passed, and the title read and approved, pp. 508, 509.

Reconsidered, p. 551.

Further amended, passed, and the title read and approved, pp. 551, 552.

Laid on the table by the Assembly (advice received after adjournment).

(See A. B. 523.)

87. An Act appropriating funds for sundry expenses of the University of the Philippines during the fiscal year ending June thirtieth, nineteen hundred and twelve, and for other purposes.

By the Committee on Appropriations.

Read first and second times, considered in Committee of the Whole, reported with amendments, report adopted, read third time under Rule XIV, passed, and title read and approved, pp. 511, 512.

Laid on the table by the Assembly (advice received after adjournment).

(See A. B. 553.)

88. An Act prohibiting slavery, involuntary servitude, peonage or the sale of human beings in the Philippine Islands.

By the President.

Read first and second times, considered in Committee of the Whole, reported with amendments, report adopted, read third time under Rule XIV, passed, and title amended, read, and approved, pp. 548, 549.

Laid on the table by the Assembly, p. 750.

(See C. B. 23.)

## NUMBER, TITLE, AND ACTION.

89. An Act to provide for the supervision and control of insane hospitals and for the commitment and care of all persons insane, epileptic, dipsomaniacal, psychoneurotic, feeble-minded, or mentally defective or deranged by reason of disease or addiction to the intemperate use of drugs, narcotics, or alcoholic stimulants, or mentally incompetent from any other cause.

By the President.

Read first time and referred to Committee on Matters Pertaining to the Department of Finance and Justice, with instructions to study it and report a new bill covering the subject at the next session of the Legislature, p. 583.

90. An Act appropriating twenty-five thousand pesos for the Philippine Board of the American National Red Cross.

By Commissioner Gilbert.

Read first and second times, considered in Committee of the Whole, reported without amendments, ordered on file for third reading, p. 583.

Read third time, amended, passed, and title amended, read and approved, pp. 594, 595.

(See A. B. 549.)

91. An Act establishing and defining a legal rate of interest, and declaring the effect of usury upon contracts.

By Commissioner Elliott.

Read first time and ordered on file for second reading, p. 603.

Read second time, considered in Committee of the Whole, reported with amendments, report adopted, read third time under Rule XIV, passed, and title amended, read, and approved, pp. 604, 605.

Laid on the table by the Assembly, p. 750.

92. An Act amending Act Numbered Two thousand and forty-two, entitled "An Act to provide funds for the travel and subsistence expenses of the Delegates of the Philippine Islands to the International Tuberculosis Congress to be held at Rome, Italy, during the present year of nineteen hundred and eleven," by providing that the Delegates shall be appointed by the Governor-General.

By Commissioner Gilbert.

Read first and second times, read third time under Rule XIV, passed, and title read and approved, p. 722.

Passed by the Assembly without amendment, p. 733.

Ordered enrolled and printed, p. 733.

(See Act No. 2047.)

**Second Philippine Legislature.**  
**Special Session, 1910, and First Session.**

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**ASSEMBLY BILLS.**

**SPECIAL SESSION.**

NUMBER, TITLE, AND ACTION.

12. An Act appropriating the sum of one hundred and fifty thousand pesos, out of any funds in the Insular Treasury not otherwise appropriated, to increase the appropriation for current expenses of the Bureau of Education for the fiscal year ending June thirtieth, nineteen hundred and ten.

Message from Governor-General, p. 15.

Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Public Instruction, p. 46.

Reported without amendment (Report No. 13), report accepted, bill read the second time, considered in Committee of the Whole, reported without amendment, report adopted, read third time under Rule XIV, passed, and the title read and approved, pp. 63, 64.

(See Act No. 1973.)

30. An Act amending Act Numbered Eighteen hundred and one, entitled "An Act providing for an appropriation of one million pesos for the construction of schools in the barrios under certain conditions," as amended by Act Numbered Nineteen hundred and fourteen, by providing for the construction of such schools upon public lands or lands of the municipal, provincial, or Insular Government and by prohibiting their sale or use for other than school purposes.

Message from Governor-General, p. 37.

Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Public Instruction, p. 51.

Reported without amendment (Report No. 14), report accepted, bill read the second time, considered in Committee of the Whole,

## NUMBER, TITLE, AND ACTION.

## 30—Continued.

reported without amendment, report adopted, bill read third time under Rule XIV, passed, and title read and approved, p. 64.

(See Act No. 1974.)

44. An Act appropriating the sum of fifty thousand pesos for the relief of sufferers from public calamities.

Message from Governor-General, p. 41.

Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, pp. 46, 47.

Reported without amendment (Report No. 25), report adopted, bill read second time, read third time under Rule XIV, passed, and title read and approved, pp. 142, 143.

(See Act No. 1991.)

51. An Act to provide a system for the regulation, control, distribution, use, and right of use of public waters and for the determination of existing rights thereto within the Philippine Islands, and to provide for surveys for and the construction, maintenance, and operation of irrigation projects by the Government of the Philippine Islands, and for the repayment of money expended therein, and providing penalties for its violation.

Message from Governor-General, p. 17.

Informal consideration of proposed bill, pp. 76, 78, 91, 101, 102.

Received, read the first and second times, considered in Committee of the Whole, reported with amendment, report adopted, read third time under Rule XIV, passed, and title amended, read, and approved, pp. 102-117.

Conference requested by Commission, p. 117.

Assembly disagrees to amendment and agrees to conference, p. 119.

Report of conference committee (No. 4), p. 134.

Conference report laid on the table by Commission pending action by the Assembly, p. 134.

Amendment laid on table by Assembly, bill accompanying amendment to table, p. 143.

56. An Act to provide for the establishment of classes for the instruction and training of male and female nurses under the supervision of the Director of Health.

Message from the Governor-General, p. 61.

Received, read first and second times, read third time under Rule XIV, passed, and title read and approved, pp. 80, 81.

(See Act No. 1975.)

57. An Act appropriating funds for sundry expenses of the University of the Philippines during the fiscal year ending June thirtieth, nineteen hundred and eleven, and for other purposes.



## NUMBER, TITLE, AND ACTION.

## 57—Continued.

Message from Governor-General, p. 62.

Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Public Instruction, p. 125.

Reported with amendment (Report No. 24), report adopted, bill read second time, read third time under Rule XIV, passed, and title read and approved, pp. 131, 132.

Commission amendment concurred in by the Assembly, p. 133.

(See Act No. 1987.)

58. An Act permanently fixing the rate of taxation on real estate in the city of Manila at one and one-half per centum.

Message from Governor-General, p. 67.

Received, read first time, and referred to the Committee on Taxation and Revenue, pp. 73, 74.

Reported with amendment (Report No. 20), report accepted, read second time, considered in Committee of the Whole, reported without amendment, and ordered on file for third reading, pp. 75, 76.

Read third time, further amended, passed, and the title amended, read, and approved, pp. 81, 82.

Commission amendment concurred in by Assembly, p. 120.

(See Act No. 1978.)

59. An Act further extending the powers of provincial governments organized under Act Numbered eighty-three, entitled "The Provincial Government Act."

Message from Governor-General, pp. 67, 68.

Received, read first time, and referred to the Committee on Municipal and Provincial Governments, p. 74.

Reported with amendments (Report No. 21), report accepted, read second time considered in Committee of the Whole, reported without amendment, report adopted, read third time under Rule XIV, passed, and title amended, read, and approved, pp. 82, 83.

Commission amendment concurred in by Assembly, p. 120.

(See Act No. 1979.)

62. An Act to amend Act Numbered Fourteen hundred and seven, as amended, by extending to ten years the period during which timber, firewood, resin, stone, earth, and other forest products may be cut or taken from the public forests without the payment of forestry charges, subject to certain conditions.

Message from Governor-General, pp. 50, 51.

Received, read first and second times, read third time under Rule XIV, passed, and title read and approved, p. 81.

(See Act No. 1976.)

## NUMBER, TITLE, AND ACTION.

63. An Act making appropriations for sundry expenses of the Insular Government for the fiscal year ending June thirtieth, nineteen hundred and eleven, and other designated periods.
- Message from Governor-General, pp. 13-18.
- Consideration of proposed bill, pp. 32, 33, 35, 40, 41, 42, 43, 47, 65, 66, 71, 73.
- Received, read first time, and further consideration postponed until next legislative day, pp. 91, 92.
- Read second time, considered in Committee of the Whole, reported with amendment, report adopted, read third time under Rule XIV, passed, and title read and approved, pp. 98, 99.
- Conference requested by Commission, p. 99.
- Assembly disagrees to amendment and agrees to conference, pp. 118, 119.
- Report of conference committee (No. 6), pp. 138-140.
- Conference report agreed to by the Assembly, p. 141.
- Conference report agreed to by the Commission, p. 141.
- (See Act No. 1989.)
64. An Act authorizing the appointment of certain high-school students as Government pupils while pursuing a course of training for teaching and authorizing expenditure for such pupils from funds designated by section twenty-six of Act Numbered Seventeen hundred and sixty-one, as amended.
- Message from Governor-General, p. 84.
- Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Public Instruction, pp. 85, 86.
- Reported with amendment (Report No. 22), report accepted, read second time, considered in Committee of the Whole, reported with further amendments, report adopted, read third time, passed, and the title read and approved, pp. 88, 89.
- Assembly disagrees to amendments and asks a conference, p. 117.
- Commission insists upon its amendments and agrees to conference, pp. 117, 118.
- Report of conference committee (Report No. 2), p. 123.
- Assembly agrees to conference report, pp. 123, 124.
- Commission agrees to conference report, p. 124.
- (See Act No. 1983.)
65. An Act authorizing the creation of special classes of superior instruction for municipal teachers and appropriating the sum of one hundred thousand pesos for such purpose.
- Message from Governor-General, p. 84.
- Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Public Instruction, p. 86.
- Reported with amendments (Report No. 23), report accepted, bill read second time, considered in Committee of the Whole, reported with further amendments, report adopted, bill read third time

## NUMBER, TITLE, AND ACTION.

65—Continued.

under Rule XIV, passed, and title amended, read, and approved, pp. 89, 90.

Assembly disagrees to amendments and asks a conference, p. 118.

Commission insists upon its amendments and agrees to conference, p. 118.

Report of conference committee (No. 3), p. 124.

Conference report agreed to by the Assembly, pp. 124, 125.

Conference report agreed to by the Commission, p. 125.

(See Act No. 1984.)

67. An Act providing for the expense of the construction of a national park at Dapitan, and for other purposes.

Message from Governor-General, pp. 94, 95.

Received, read the first time and laid on the table, p. 117.

68. An Act providing for the establishment of a sanitarium at Sibul, San Miguel de Mayumo, Province of Bulacan, and for other purposes.

Message from Governor-General, p. 94.

Received, read first and second times, considered in Committee of the Whole, reported without amendment, report adopted, bill read third time under Rule XIV, passed, and the title read and approved, p. 121.

(See Act No. 1981.)

69. An Act providing for the celebration of the fiftieth anniversary of the birth of Doctor José Rizal, and for other purposes.

Message from Governor-General, pp. 100, 101.

Received, read first and second times, read third time under Rule XIV, passed, and title read and approved, p. 122.

(See Act No. 1982.)

70. An act amending Act Numbered Thirteen hundred and ninety-three, entitled "An Act providing for the widening of the streets and the adjustment of ownership of land located within certain specified limits in the municipality of Cebu," Province of Cebu, as amended.

Message from Governor-General, p. 101.

Received, read first time, consideration postponed, pp. 122, 123.

Read second time, considered in Committee of the Whole, reported with amendments, report adopted, read third time under Rule XIV, passed, and title read and approved, pp. 133, 134.

Commission amendments concurred in by the Assembly, p. 142.

(See Act No. 1990.)

71. An Act appropriating funds for public works and permanent improvements, and for other purposes.

Message from Governor-General, pp. 13-18.

Consideration of proposed bill, pp. 73, 76.

Received, read first and second times, considered in Committee of the Whole, reported with amendments, report adopted, read

## NUMBER, TITLE, AND ACTION.

## 71—Continued.

third time under Rule XIV, passed, and the title read and approved, pp. 125-129.

Assembly disagrees to amendments and asks a conference, pp. 132, 133.

Commission insists upon its amendments and agrees to conference, p. 133.

Report of conference committee (Report No. 5), pp. 134-138.

Conference report agreed to by the Assembly, p. 138.

Conference report agreed to by the Commission, p. 138.

(See Act No. 1988.)

72. An Act remitting the penalties for the nonpayment of the land or cedula taxes which have accrued prior to the year nineteen hundred and ten, under certain conditions.

Message from Governor-General, p. 122.

Received, read first time, and laid on the table, pp. 129, 130.

73. An Act confirming the action of the Governor-General in deporting from the Philippine Islands, by request of the Imperial Chinese consul-general, on August nineteenth, nineteen hundred and nine, certain persons of Chinese nationality.

Message from Governor-General, p. 97.

Received, read first and second times, read third time under Rule XIV, passed, and the title read and approved, pp. 130, 131.

(See Act No. 1986.)

**FIRST SESSION.**

75. An Act authorizing municipal councils to establish in their respective municipalities special taxes the proceeds whereof shall be set aside for a special purpose, subject to the approval of the provincial board and to that of the electors of the respective municipalities.

Received, read first time, and referred to the Committee on Taxation and Revenue, p. 286.

Reported with recommendation that bill be laid on the table (Report No. 117), and report adopted, p. 391.

79. An Act to provide Government scholarships for young Filipinos who shall have completed any professional course of study or who are otherwise licensed or authorized to practice scientific, artistic, or industrial professions, in order that they may continue their studies in the higher educational institutions in America or in Europe, and for other purposes.

Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Public Instruction, p. 513.

Reported with recommendation that bill be postponed until next session of the Legislature (Report No. 191), report adopted, p. 607.

## NUMBER, TITLE, AND ACTION.

84. An Act providing for furnishing free certificates of the issuance of cedula or certificates of registration lost or destroyed.  
 Received, read first time and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, p. 315.  
 Reported with recommendation that bill be laid on the table (Report No. 120), report adopted, pp. 396-398.
101. An Act to provide a system for the appropriation of public waters, and for the determining of existing rights thereto; for the public registration of all water rights; for the creation and use of water power; for investigations for and the construction, maintenance, and operation of irrigation systems by the Government of the Philippine Islands; for the construction, maintenance, and operation of irrigation systems by private persons; for the inspection and regulation of all works pertaining to the use of water; and providing penalties for its violation; and for other purposes.  
 Received, read first and second times, considered in Committee of the Whole, reported with amendment, report adopted, read third time under Rule XIV, passed, and the title read and approved, pp. 556-573.  
 Assembly disagrees to amendment and asks a conference, p. 612. Commission insists upon its amendment and agrees to conference, p. 613.  
 Report of conference committee (No. 22), pp. 723-728.  
 Conference report agreed to by the Commission, p. 728.  
 Conference report disagreed to by the Assembly, pp. 728, 729.
113. An Act to reduce the tax on alcohol and amend in this sense subsection (a) of section four of Act Numbered Nineteen hundred and forty, amending Act Numbered Eleven hundred and eighty-nine, entitled "The Internal Revenue Law of Nineteen hundred and four," and its amendments.  
 Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, p. 429.  
 Reported with recommendation that bill do not pass (Report No. 158), report adopted, pp. 493, 494.
131. An Act imposing a severer penalty on persons guilty of the theft of work animals, and amending article five hundred and twenty of the existing Penal Code to that effect.  
 Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, pp. 388, 389.  
 Reported with amendments (Report No. 135), report adopted, read second time, read third time under Rule XIV, passed, and title amended, read, and approved, pp. 450, 451.

## NUMBER, TITLE, AND ACTION.

## 131—Continued.

Assembly disagrees to amendments and asks conference, p. 511.  
 Commission insists upon its amendments and agrees to conference,  
 p. 511.

Report of conference committee (No. 13), pp. 595, 596.

Conference report agreed to by Commission, p. 596.

Conference report agreed to by Assembly, pp. 737, 738.

(See Act No. 2030.)

137. An Act to amend section sixty-four of General Orders, Numbered Fifty-eight.

Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, p. 523.

Reported with recommendation that bill be laid on the table (Report No. 175), report adopted, pp. 549, 550.

140. An Act to amend section thirty-four of Act Numbered Eleven hundred and forty-seven, entitled "An Act regulating the registration, branding, conveyance, and slaughter of large cattle, and providing for the disposition, care, custody, and sale of estrays or large cattle captured or seized by the Philippines Constabulary or other peace officers, and repealing Act Numbered Six hundred and thirty-seven and so much of Act Numbered Eight hundred and seventy-seven as provides for the disposition, care, custody, or sale of cattle, carabaos, horses, and animals of the bovine family, and all other Acts or parts of Acts inconsistent with the provisions of this Act," by exempting the owners of large cattle over two years of age who voluntarily present the same for branding and registration from the penalty established in said Act, and repealing in such case section forty of Act Numbered Sixteen hundred and twenty-seven.

Received, read first time, and consideration postponed until next session of the Legislature, pp. 518, 519.

141. An Act repealing the last paragraph of Act Numbered Nineteen hundred and seventy-nine, so that the authority conferred by said Act upon the provincial boards shall be exercised by them unconditionally, without need of the approval of the Governor-General.

Received, read first time, and referred to the Committee on Matters Pertaining to Bureaus under the Executive Control of the Governor-General, p. 389.

Reported with recommendation that bill be laid on the table (Report No. 154), report adopted, pp. 489, 490.

145. An Act to amend section ten of Act Numbered Eleven hundred and forty-seven, entitled "An Act regulating the registration, branding, conveyance, and slaughter of large cattle, and providing for the disposition, care, custody, and sale of estrays or large cattle captured or seized by the Philippines Constabulary or

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## 145—Continued.

other peace officers, and repealing Act Numbered Six hundred and thirty-seven and so much of Act Numbered Eight hundred and seventy-seven as provides for the disposition, care, custody, or sale of cattle, carabaos, horses, and animals of the bovine family, and all other Acts or parts of Acts inconsistent with the provisions of this Act," as amended by Act Fourteen hundred and sixty-five, by reducing the charge for certificates of registration of large cattle.

Received, read first time, and consideration postponed until next session of the Legislature, pp. 513, 514.

## 147. The Negotiable Instruments Law.

Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, pp. 381, 382.

Reported with amendments (Report No. 129), report adopted, read second time, read third time under Rule XIV, passed, and title amended, read, and approved, pp. 439, 440.

Assembly disagrees to amendments and asks conference pp. 510, 511.

Commission insists upon its amendments and agrees to conference, p. 511.

Report of conference committee (No. 12), p. 595.

Conference report agreed to by Commission, p. 595.

Conference report agreed to by Assembly, p. 738.

(See Act No. 2031.)

## 155. An Act declaring the port of Tabaco, Province of Albay, a port of entry.

Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, p. 417.

Reported with recommendation that bill be laid on the table (Report No. 148), report adopted, pp. 480, 481.

## 162. An Act granting vacation leave to the municipal treasurers and reestablishing municipal autonomy in certain particulars, amending certain sections of Act Numbered Seventeen hundred and ninety-one, entitled "An Act to amend in certain respects Act Numbered Eighty-two, known as the Municipal Code."

Received, read first time, and referred to the Committee on Municipal and Provincial Governments, p. 388.

Reported with recommendation that the bill be not passed (Report No. 132), report adopted, pp. 447, 448.

## 168. An Act further amending section twelve of Act Numbered One hundred and ninety, entitled "Code of Procedure in Civil Actions and Special Proceedings in the Philippine Islands," as amended, by providing that the Spanish language shall continue to be the

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168—Continued.

- official language of the courts until such time as the Philippine Legislature shall provide otherwise, and for other purposes.  
 Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Public Instruction, p. 428.  
 Reported with recommendation that the bill be laid on the table (Report No. 151), report adopted, pp. 484, 485.  
 Explanations of votes, p. 485.
170. An Act to amend sections fifty-five, sixty-six, and one hundred twenty-three of Act Numbered Eleven hundred and eighty-nine, entitled "The Internal Revenue Law," by reducing the penalties therein prescribed.  
 Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, pp. 576, 577.  
 Reported with recommendation that bill be laid on the table (Report No. 194), report adopted, p. 609.
175. An Act appropriating the sum of twenty thousand pesos for the purchase of books, documents, and periodicals relative to the Philippine Islands, for the Division of Filipiniana of the Philippines Library.  
 Received, read first and second times, read third time under Rule XIV, passed, and title read and approved, pp. 714, 715.  
 (See Act No. 2043.)
181. An Act to encourage emigration to the Island of Mindanao.  
 Received, read first time and referred to the Committee on Affairs Pertaining to the Moro Province, p. 709.  
 Reported with recommendation that bill be laid on the table (Report No. 216), report adopted, p. 713.
183. An Act to repeal Act Numbered Sixteen hundred and ninety-six, entitled "An Act to prohibit the display of flags, banners, emblems, or devices used in the Philippine Islands for the purpose of rebellion or insurrection against the authority of the United States and the display of Katipunan flags, banners, emblems, or devices, and for other purposes.  
 Received, read first time, and referred to the Committee on Matters Pertaining to Bureaus under the Executive Control of the Governor-General, pp. 512, 513.  
 Reported with recommendation that bill be laid on the table (Report No. 176), report adopted, p. 550.
187. An Act declaring the Province of Samar a province of the second class and granting it the rights and privileges inherent to its class.  
 Received, read first time, and referred to the Committee on Municipal and Provincial Governments, p. 382.  
 Reported with recommendation that bill be laid on the table (Report No. 144), report adopted, pp. 468, 469.



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205. An Act forbidding corporal punishment in the public schools of the Philippine Islands.  
 Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Public Instruction, p. 378.  
 Reported with recommendation that bill be laid on the table (Report No. 122), report adopted, pp. 399-400.
207. An Act amending sections thirty-two and thirty-three of Act Numbered Nine hundred and twenty-six, as amended by Act Numbered Nine hundred and seventy-nine, by extending for five years the time required for the granting of a free title to Government agricultural land.  
 Received, read first time, and laid on the table, p. 709.
222. An Act to amend section ninety-seven of Act Numbered Eleven hundred and eighty-nine, entitled "The Internal Revenue Law of Nineteen hundred and four."  
 Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, pp. 429, 430.  
 Reported with amendments (Report No. 165), report adopted and bill ordered on file for second reading, pp. 530-532.  
 Read second time, read third time under Rule XIV, passed, and the title amended, read, and approved, p. 581.  
 Commission amendments refused concurrence by Assembly, p. 721.
223. An Act prescribing regulations for notaries public.  
 Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, pp. 404, 405.  
 Reported with amendment (Report No. 146), report adopted, read second time, considered in Committee of the Whole, reported with further amendments, report adopted, read third time under Rule XIV, passed, and title amended, read, and approved, pp. 470-472.  
 Assembly disagrees to amendment and asks a conference, p. 574.  
 Commission insists upon its amendment and agrees to conference, p. 575.  
 Report of conference committee (No. 15), pp. 676, 677.  
 Conference report agreed to by Commission, p. 677.  
 Conference report agreed to by Assembly, p. 677.  
 (See Act No. 2035.)
229. An Act assigning a per diem to the *defensor de officio* in the Courts of First Instance and amending section two of Act Numbered Nineteen hundred and forty-two.  
 Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, p. 427.  
 Reported with recommendation that bill be laid on the table (Report No. 145), report adopted, pp. 469, 470.

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230. An Act appropriating the sum of two thousand pesos for the celebration of the third centenary of the introduction of printing into the Philippines, and for other purposes.  
 Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Public Instruction, p. 577.  
 Reported without amendment (Report No. 187), report adopted, read second time, considered in Committee of the Whole, reported without amendment, report adopted, read third time under Rule XIV, passed, and title read and approved, pp. 602, 603.  
 (See Act No. 2028.)
239. An Act to amend section one of Act Numbered Five hundred and eighteen entitled "An Act defining highway robbery or brigandage, and providing for the punishment therefor, so as to reduce the penalty therein designated.  
 Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, p. 468.  
 Reported with amendment (Report No. 160), report adopted, read second time, read third time under Rule XIV, passed, and title amended, read, and approved, pp. 495, 496.  
 Assembly disagrees to amendment and asks a conference, p. 574.  
 Commission insists upon its amendment and agrees to conference, p. 575.  
 Report of conference committee (No. 16), pp. 702, 703.  
 Conference report agreed to by Commission, p. 703.  
 Conference report agreed to by Assembly, p. 703.  
 (See Act No. 2036.)
251. An Act to provide for the organization of agricultural colonies in uninhabited places of the Philippine Islands, under the direction of the Bureau of Labor, and appropriating funds for said purpose.  
 Received, read first time, and referred to select committee, pp. 382, 383.  
 Reported with recommendation that bill be laid on the table (Report No. 156), report adopted, p. 492.
260. An Act to amend sections one hundred and forty and one hundred and forty-four of Act Numbered Eleven hundred and eighty-nine, known as "The Internal Revenue Law of Nineteen hundred and four."  
 Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, pp. 428, 429.  
 Reported with recommendation that the bill do not pass (Report No. 131), report adopted pp. 446, 447.

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263. An Act to abolish the death penalty.  
Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, p. 479.  
Reported with recommendation that bill be laid on the table (Report No. 169), report adopted, pp. 540, 541.
270. An Act authorizing municipal boards of assessors to revalue real property on request in cases of erroneous and unjust assessments, and providing that provincial boards of tax appeals and the central equalization board can not modify the valuation made by the municipal board except in cases of appeal.  
Received, read first time, and referred to the Committee on Taxation and Revenue, pp. 516, 517.  
Reported with recommendation that bill be laid on the table (Report No. 210), report adopted, pp. 689, 690.
272. An Act to extend the eligibility period of a person who has passed the civil service examination from one year to two.  
Received, read first time, and referred to the Committee on Matters Pertaining to Bureaus under the Executive Control of the Governor-General, pp. 517, 518.  
Reported with recommendation that bill be laid on table (Report No. 189), report adopted, p. 606.
279. An Act further to amend section one of Act Numbered Seven hundred and eighty, entitled "An Act providing for the examination and licensing of applicants for the positions of master, mate, patron, and engineer of seagoing vessels in the Philippine coastwise trade, and prescribing the number of engineers to be employed by such vessels," as amended by Act Sixteen hundred and two, prescribing the number and class of the persons who shall constitute the Board on Philippine Marine Examinations; to amend likewise sections three, six, thirteen, fourteen, fifteen, seventeen, and eighteen of said Act, and section one of Act Numbered One thousand and twenty-five, amendatory of section four thereof; to repeal Act Numbered Seventy-three and the Acts amending the same, and Act Numbered One thousand and sixty-six, and to provide for other purposes.  
Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, pp. 417, 418.  
Reported with recommendation that the bill be laid on the table (Report No. 195), report adopted, pp. 609, 610.
296. An Act making the land tax applicable to certain property now exempt from said tax, and for other purposes.  
Received, read first time, and referred to the Committee on Taxation and Revenue, p. 521.  
Reported with recommendation that the bill be laid on the table (Report No. 211), report adopted, pp. 690, 691.

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297. An Act to establish equality of salaries or wages between the public officers or civil employees under the Civil Government of the Philippine Islands who hold public offices or positions of equal rank.

Received, read first time, and referred to the Committee on Matters Pertaining to Bureaus under the Executive Control of the Governor-General, p. 518.

Reported with recommendation that the bill be laid on the table (Report No. 184), report adopted in so far as it recommended that bill be laid on the table, pp. 596-598.

303. An Act providing for the creation of a council of hygiene for the Philippine Islands.

Received, read first time, and referred to the Committee on Matters Pertaining to the Department of the Interior, p. 419.

Reported with recommendation that bill be laid on the table (Report No. 153), report adopted, p. 489.

313. An Act amending sections five and seven of Act Numbered eight hundred and sixty-seven, as amended, by separating the Provinces of Oriental Negros and Bohol from the Eleventh Judicial District and making of them a new and separate judicial district, in addition to those now in existence, adding a new paragraph at the end of each of said sections, changing the dates and places for holding the sessions of the Court of First Instance of Cebu, and fixing the dates and places for the sessions of the Courts of First Instance in the provinces of the new district, and providing a judge for the same.

Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, p. 404.

Reported with amendments (Report No. 180), report adopted, read second time, considered in Committee of the Whole, reported with further amendments, report adopted, read third time under Rule XIV, passed, and title amended, read and approved, pp. 584-587.

Commission amendments concurred in by Assembly, pp. 710, 711.

(See Act No. 2038.)

314. An Act to make elective the office of lieutenant-governor in the sub-provinces of Marinduque, Tayabas; of Catanduanes, Albay; of Abra, Ilocos Sur; of Siquijor, Oriental Negros; of Masbate, Sorsogon; and of Romblon, Capiz; and for other purposes.

Received, read first time, and referred to the Committee on Municipal and Provincial Governments, pp. 519, 520.

Reported with recommendation that bill be laid on the table (Report No. 201), report adopted, p. 683.

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327. An Act providing for the cancellation under certain conditions of the indebtedness contracted by the provincial and municipal governments with the Insular Treasury under the provisions of section eleven of Act Numbered Fourteen hundred and one, as amended. Received, read first time, and referred to the Committee on Matters Pertaining to Bureaus under the Executive Control of the Governor-General, p. 405.  
Reported with recommendation that bill be laid on the table (Report No. 152), report adopted, pp. 488, 489.  
Taken from table, read second time, considered in Committee of the Whole, reported with amendments, report adopted, read third time under Rule XIV, passed, and the title amended, read, and approved, pp. 505, 506.  
Commission amendments concurred in by Assembly, p. 738.  
(See Act No. 2052. See also C. B. 84.)
331. An Act to provide for an exposition of Philippine products in the city of Manila in the year nineteen hundred and eleven, to appropriate funds therefor, and for other purposes.  
Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Commerce and Police, pp. 315, 316.  
Reported with amendments (Report No. 104), report adopted, read second time, considered in Committee of the Whole, reported with further amendments, report adopted, read third time under Rule XIV, passed, and title amended, read, and approved, pp. 338-340.  
Assembly disagrees to amendments and asks a conference, p. 376.  
Commission insists upon its amendments and agrees to conference, pp. 376, 377.  
Report of conference committee (No. 10), pp. 475, 476.  
Conference report agreed to by Commission, p. 476.  
Conference report agreed to by Assembly, p. 543.  
(See Act No. 2023.)
343. An Act authorizing the sale of the land known as "the San Lazaro Estate" to the recent tenants thereof.  
Received, read first time, and referred to the Committee on Matters Pertaining to the Department of the Interior, pp. 364, 365.  
Reported with recommendation that bill be not passed (Report No. 124), and report adopted, pp. 430, 431.
349. An Act to amend section two of Act Numbered Seventeen hundred and eight, by providing that the Court of First Instance of Ambos Camarines shall hold a regular term of court in the municipality of Tigaon, of said province, and authorizing the

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349—Continued.

Court of First Instance of the Province of Albay to sit in the municipality of Virac, subprovince of Catanduanes.

Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, p. 524.

Reported with recommendation that bill be laid on the table (Report No. 170), report adopted, pp. 541, 542.

358. An Act providing that the annual tax on the assessed value of the real estate of the city of Manila for the year nineteen hundred and eleven shall be one and one-half per centum thereof.

Received, read first time, and referred to the Committee on Taxation and Revenue, p. 382.

Reported without amendment (Report No. 118), report adopted, read second time, read third time under Rule XIV, passed, and title read and approved, pp. 391, 392.

(See Act No. 2013.)

361. An Act to repeal Act Numbered Six hundred and eighty and reenact section three of Act Numbered Six hundred and fifty-five, to extend the time for the redemption of land tax improvements forfeited for delinquency in the payment of the land tax, and to authorize the provincial boards to suspend the collection of said tax or remit it in any municipality or municipalities of their respective provinces under certain conditions, and for other purposes.

Received, read first time, and referred to the Committee on Taxation and Revenue, p. 516.

Reported with recommendation that bill be laid on the table (Report No. 209), report adopted, pp. 688, 689.

362. An Act to authorize judges of Courts of First Instance to dismiss criminal cases of the court of a province other than that in which they are.

Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, p. 419.

Reported with recommendation that the bill be not passed (Report No. 130), report adopted, p. 446.

366. An Act authorizing the municipality of Cebu, Province of Cebu, to incur an indebtedness of One hundred and twenty-five thousand dollars in money of the United States, and to issue bonds covering the amount of said indebtedness, payable in gold coin of the United States, for the purpose of providing funds to construct necessary sewer and drainage facilities, to secure a sufficient supply of water and necessary buildings for primary public schools in said municipality, pursuant to the provisions of sections sixty-six, sixty-seven, sixty-eight, and sixty-nine of the Act of Congress approved July first, nineteen hundred

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366—Continued.

and two, entitled "An Act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," as amended by the Act approved February sixth, nineteen hundred and five, entitled "An Act to amend an Act approved July first, nineteen hundred and two, entitled 'An Act temporarily to provide for the administration of the Affairs of civil government in the Philippine Islands, and for other purposes,' and to amend an Act approved March eighth, nineteen hundred and two, entitled 'An Act temporarily to provide revenue for the Philippine Islands, and for other purposes,' and to amend an Act approved March second, nineteen hundred and three, entitled 'An Act to establish a standard of value and to provide for a coinage system in the Philippine Islands,' and to provide for the more efficient administration of civil government in the Philippine Islands, and for other purposes."

Received, read first and second times, and referred to select committee, pp. 279, 280.

Reported without amendment (Report No. 100), report adopted, read second time, considered in Committee of the Whole, reported without amendment, report adopted, and bill ordered on file for third reading, pp. 310, 311.

Read third time, passed, and title read and approved, pp. 316, 317.

(See Act No. 2009.)

376. An Act to amend subsection (a) of section twenty of Act Numbered Seventeen hundred and sixty-one, known as the Opium Act, by providing for the collection of taxes on the amount of opium or its derivatives contained in certain medicinal preparations, and for other purposes.

Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, pp. 418, 419.

Reported without amendment (Report No. 134), report adopted, read second time, considered in Committee of the Whole, reported without amendment, report adopted, read third time under Rule XIV, passed, and title read and approved, pp. 449, 450.

(See Act No. 2019.)

383. An Act amending various sections of Act Numbered Eleven hundred and twenty which refers to the administration, temporary leasing, and sale of certain haciendas and parcels of land, commonly known as friar lands, as amended, making applicable to said lands the limitations set forth in the Public Land Act with certain exceptions, granting the lessees the right to be heard in the valuation of their land, providing for a form of administration, maintenance, and improvement of irrigation systems

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## 383—Continued.

on said lands, declaring certain lands used for public purposes by municipalities or provinces to be of the public domain of the municipalities or provinces wherein situated, prescribing the procedure for settling controversies among the lessees over the use of the waters of said systems, and for other purposes.

Received, read first time, and referred to the Committee on Matters Pertaining to the Department of the Interior, pp. 303, 304.

Reported with recommendation that consideration of bill be postponed until completion of investigation by Congress of the administration of friar lands in the Philippine Islands (Report No. 125), report adopted, pp. 431, 432.

391. An Act providing certain special proceedings for the settlement and adjudication of land titles.

Received, read first time, and referred to select committee, p. 516.

Reported with amendments (Report No. 182), report adopted, read second time, considered in Committee of the Whole, reported with further amendment, report adopted, read third time under Rule XIV, passed, and title read and approved, pp. 591-594.

Commission amendments refused concurrence by Assembly, p. 736.

395. An Act amending Act Numbered Seventeen hundred and seventy-three, entitled "An Act to provide for the public prosecution of the crimes of *adulterio*, *estupro*, *rapto*, *violación*, *calumnia*, and *injuria*, to abolish the right of pardon by the aggrieved party in such cases to provide for a special civil action for damages therein, and for other purposes," restoring with amendments certain provisions of the Penal Code of the Philippine Islands on this subject.

Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, pp. 318, 319.

Reported with recommendation that bill be laid on the table (Report No. 162), report adopted, pp. 527, 528.

396. An Act to amend section forty-three, subsection (*j*) of the Municipal Code, as amended by Act Numbered seven hundred and seventy-four, authorizing the unrestricted use of certain classes of sledges on improved roads and allowing other kinds of sledges only to cross such improved roads.

Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Commerce and Police, pp. 309, 310.

Reported with amendments (Report No. 181), report received, bill read second time, considered with report in Committee of the Whole, and reported with recommendation that bill and report be laid on the table, pp. 587, 588.



## NUMBER, TITLE, AND ACTION.

400. An Act authorizing the Insular Treasurer to invest the accretions to the gold-standard fund in certain loans to provinces and municipalities to aid in the construction of public works.  
 Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, p. 430.  
 Reported with amendment (Report No. 164), report adopted, bill ordered on file for second reading, pp. 529, 530.  
 Read second time, considered in Committee of the Whole, reported with amendments, report adopted, read third time under Rule XIV, passed, and title amended, read, and approved, pp. 552, 553.  
 Explanations of votes, pp. 553, 554.  
 Assembly disagrees to amendment and asks a conference, p. 679.  
 Commission insists upon its amendment and agrees to conference, p. 680.  
 Report of conference committee (No. 17—failure to agree), p. 704.  
 Conference report agreed to by Assembly, p. 704.  
 Conference report accepted by Commission, p. 704.
401. An Act to provide for the granting of a franchise to construct, maintain, and operate gas systems for the furnishing of gas for heat, lighting, and power in the city of Manila and the Province of Rizal, Philippine Islands.  
 Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Commerce and Police, p. 316.  
 Reported with amendment (Report No. 103), report adopted, read second time, considered in Committee of the Whole, reported with recommendation that the bill be recommitted to the Committee on Matters Pertaining to the Department of Commerce and Police for correction of translation, report adopted, p. 333.  
 Reported with further amendments (Report No. 116), report adopted, hour fixed for hearing of interested parties, pp. 366-368.  
 Hearing of interested parties, pp. 369, 370.  
 Considered in Committee of the Whole, pp. 370-374.  
 Explanations of votes on motion to amend, pp. 371-374.  
 Consideration postponed, p. 380.  
 Further hearing of interested parties, p. 385.  
 Consideration postponed, pp. 386, 394, 395.  
 Hour for final public hearing fixed, pp. 409, 410.  
 Public hearing, pp. 414, 415.  
 Considered in Committee of the Whole, p. 416.  
 Reported with further amendments, report adopted and bill ordered on file for third reading, pp. 424-427.  
 Read third time, further amended, passed and title read and approved, pp. 440-443.  
 Explanations of votes, pp. 443, 444.  
 Assembly disagrees to amendments and asks a conference, p. 573.

## NUMBER, TITLE, AND ACTION.

## 401—Continued.

- Commission insists upon its amendments and agrees to conference, pp. 573, 574.  
 Report of conference committee (No. 19), pp. 705, 706.  
 Conference report agreed to by Assembly, p. 706.  
 Conference report agreed to by Commission, p. 706.  
 (See Act No. 2039.)
421. An Act to create credit funds for agricultural banks.  
 Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, p. 518.  
 Reported with recommendation that bill be laid on the table (Report No. 174), report adopted, p. 549.
444. An Act amending Act Numbered Nineteen hundred and nine so as to permit municipalities again to change the dates of their local fiestas.  
 Received, read first time, and referred to Committee on Municipal and Provincial Governments, pp. 389, 390.  
 Reported with amendment (Report No. 186), report adopted, read second time, considered in Committee of the Whole, reported with further amendments, report adopted, read third time under Rule XIV, passed, and title amended, read, and approved, pp. 601, 602.  
 Commission amendments concurred in by Assembly, p. 738.  
 (See Act No. 2054.)
454. An Act creating a committee for the promotion of abaca and other Philippine products, and appropriating from the funds in the Insular Treasury not otherwise appropriated the sum of fifty thousand pesos.  
 Received, read first time, and laid on the table, p. 734.
463. An Act providing for the purchase of the books and other documents of Doctor Rizal and appropriating funds for that purpose.  
 Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Public Instruction, p. 390.  
 Reported without recommendation (Report No. 128), report adopted favorable to passage of bill, and bill ordered on file for second reading, pp. 433, 434.  
 Read second time, read third time under Rule XIV, passed, and title read and approved, p. 457.  
 (See Act No. 2021.)
469. An Act to amend Act Numbered Fourteen hundred and seven, as amended, by extending to ten years the period during which timber, firewood, resin, stone, earth, and other forest products may be cut or taken from the public forests without the payment of forestry charges and extending such benefits to the agricultural estates, subject to certain conditions.  
 Received, read first time, and referred to the Committee on Matters Pertaining to the Department of the Interior, pp. 477, 478.

## NUMBER, TITLE, AND ACTION.

469—Continued.

Reported with recommendation that the bill do not pass (Report No. 192), report adopted, p. 608.

476. An Act to amend sections one hundred and fifty and one hundred and eighty-two of Act Numbered Fourteen hundred and fifty-nine.

Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Commerce and Police, pp. 523, 524.

Reported without amendment (Report No. 173), report adopted, read second time, considered in Committee of the Whole, reported with amendment, report adopted, read third time under Rule XIV, passed, and the title amended, read, and approved, pp. 546-548.

Commission amendment concurred in by Assembly, p. 710.

(See Act No. 2037.)

479. An Act authorizing the municipal councils to appropriate at the beginning of each year a certain sum from the school funds to pay the traveling expenses of municipal teachers when at a certain time of the year, they have to go to Manila or to provincial capitals or any place in the provinces to attend the so-called summer schools.

Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Public Instruction, p. 388.

Reported without amendment (Report No. 127), report adopted, and bill ordered on file for second reading, pp. 432, 433.

Read second time, considered in Committee of the Whole, reported without amendment, report adopted, read third time under Rule XIV, passed, and the title read and approved, pp. 445, 446.

(See Act No. 2018.)

480. An Act to reorganize the justice of the peace courts and amend in this sense sections one, three, four, five, six, seven, eight, fourteen, twenty-six, twenty-seven, twenty-nine, and thirty-seven of Act Numbered Sixteen hundred and twenty-seven, and their amendments.

Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, p. 420.

Reported with amendments (Report No. 166), report adopted, and bill ordered on file for second reading, pp. 532-539.

Read second time and considered in Committee of the Whole, reported with further amendments, report adopted, read third time under Rule XIV, passed, and title amended, read, and approved, pp. 554, 555.

Assembly disagrees to amendments and asks a conference, p. 680.

Commission insists upon its amendments and agrees to conference, p. 680.

Report of conference committee (No. 20), pp. 706, 707.

Conference report agreed to by Assembly, pp. 707, 708.

## NUMBER, TITLE, AND ACTION.

480—Continued.

Conference report agreed to by Commission, p. 708.

(See Act No. 2041.)

481. An Act prohibiting the admittance of women and of minors under eighteen years of age into cockpits established in the Philippine Islands.

Received, read first time, and referred to select committee, p. 390.

Reported with amendments (Report No. 141), report adopted, read second time, considered in Committee of the Whole, reported with further amendments, report adopted, read third time under Rule XIV, passed, and title read and approved, pp. 455, 456.

Commission amendments refused concurrence by Assembly, pp. 736, 737.

482. An Act granting a franchise to Simplicio Rodis to construct, maintain, and operate a street railway in the city of Cebu.

Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Commerce and Police, p. 395.

Reported with amendment (Report No. 143), report adopted, read second time, considered in Committee of the Whole, reported with further amendments, report adopted, and bill ordered on file for third reading, pp. 459-466.

Read third time under Rule XIV, passed, and title amended, read, and approved, p. 473.

Assembly disagrees to amendments and asks a conference, p. 575.

Commission insists upon its amendments and agrees to conference, p. 575.

Report of conference committee (No. 14), p. 675.

Conference report agreed to by Commission, p. 676.

Conference report agreed to by Assembly, pp. 675, 676.

(See Act No. 2034.)

486. An Act to amend Act Numbered Thirteen hundred and ninety-six, entitled "The Special Provincial Government Act," providing for the free issue of cedula to the persons who have paid or worked out, the tax imposed in section nineteen of said Act, and for the appointment of the third member of the provincial board by the Governor-General under certain circumstances.

Received, read first time, and referred to the Committee on Matters Pertaining to the Department of the Interior, p. 418.

Reported with amendment (Report No. 178), report adopted, read second time, read third time under Rule XIV, passed, and the title amended, read, and approved, pp. 577-580.

Commission amendment concurred in by the Assembly, pp. 738, 739.

(See Act No. 2055.)

## NUMBER, TITLE, AND ACTION.

487. An Act amending Act Numbered Four hundred and ninety-six, entitled "The Land Registration Act," as amended by Acts Numbered Eighteen hundred and seventy-five and Nineteen hundred and thirty-seven, so as to afford greater facilities for the registration of property in the Philippine Islands.  
 Received, read first time, and referred to the Committee on Matters Pertaining to the Department of the Interior, p. 410.  
 Reported with recommendation that bill be not passed (Report No. 157), report adopted, p. 492, 493.
491. An Act to regulate the possession and use of firearms in the Philippine Islands.  
 Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Commerce and Police, pp. 419, 420.  
 Reported with recommendation that the bill be laid on the table (Report No. 133), report adopted, p. 449.
499. An Act to amend articles forty-nine and fifty of the Penal Code so as to provide that preference shall be given to the collection of fines, and for other purposes.  
 Received, read first time and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, p. 468.  
 Reported with recommendation that bill be laid on the table (Report No. 193), report adopted, pp. 608, 609.
501. An Act to amend sections six hundred and eighteen and six hundred and twenty of the Code of Procedure in Civil Actions and Special Proceedings in the Philippine Islands, by safeguarding more efficiently the authenticity of wills.  
 Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, pp. 521, 522.  
 Reported with amendments (Report No. 185), report adopted, read second time, considered in Committee of the Whole, reported without amendment, report adopted, read third time under Rule XIV, passed, and title amended, read, and approved, pp. 600, 601.  
 Commission amendment concurred in by Assembly, p. 739.  
 (See Act No. 2057.)
502. An Act providing for scholarships in the School of Forestry, appropriating fifteen thousand six hundred and fifty pesos therefor, and for other purposes.  
 Received, read first time, and referred to the Committee on Matters Pertaining to the Department of the Interior, p. 577.  
 Reported without amendment (Report No. 198), report adopted, read second time, considered in Committee of the Whole, reported with amendments, report adopted, read third time under Rule XIV, passed, and title read and approved, pp. 677, 678.

## NUMBER, TITLE, AND ACTION.

502—Continued.

Commission amendments concurred in by the Assembly, p. 710.

(See Act No. 2050.)

504. An Act to provide that all elective provincial and municipal offices shall be for four years; to prohibit a second reëlection to the same; to change the date of the general elections; to amend Act Numbered Nineteen hundred and twenty-nine, entitled "An Act to change the date for commencing future annual sessions of the Philippine Legislature," to amend certain sections of Act Numbered Fifteen hundred and eighty-two, known as "The Election Law," and for other purposes.

Received, read first time, and referred to the Committee on Amendments to the Election Law, p. 513.

Reported with amendments (Report No. 212), report adopted, read second time, considered in Committee of the Whole, reported without amendment, report adopted, read third time under Rule XIV, passed, and the title amended, read, and approved, pp. 691-699.

Assembly disagrees to amendments and asks a conference, pp. 716, 717.

Commission insists on its amendments and agrees to conference, p. 717.

Report of conference committee (No. 24), pp. 730, 731.

Conference report agreed to by Assembly, p. 731.

Conference report agreed to by Commission, p. 731.

(See Act No. 2045.)

505. An Act to reëstablish the office of provincial engineer by amending the Provincial Government Act and the amendments thereto.

Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Commerce and Police, p. 588.

Reported with recommendation that bill be laid on the table (Report No. 205), report adopted, pp. 685, 686.

507. An Act to amend section one hundred and twenty-two of Act Numbered Eleven hundred and eighty-nine, entitled "The Internal Revenue Law," by abolishing imprisonment for delinquents in the payment of the personal cedula tax.

Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, p. 478.

Reported with recommendation that bill be laid on the table (Report No. 159), report adopted, pp. 494, 495.

513. An Act to appropriate the sum of three thousand five hundred pesos for the creation of Government scholarships in the College of Veterinary Science of the Philippine University.

Received, read first and second times, read third time under Rule XIV, passed, and title read and approved, pp. 708, 709.

(See Act No. 2040.)

## NUMBER, TITLE, AND ACTION.

514. An Act providing for an appropriation of one million pesos for the construction of schools in the municipalities and barrios of the Philippine Islands under certain conditions.  
 Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Public Instruction, pp. 522, 523.  
 Reported with amendments (Report No. 179), report adopted, read second time, read third time under Rule XIV, passed, and title read and approved, pp. 580-581.  
 Commission amendments concurred in by Assembly, p. 737.  
 (See Act No. 2029.)
517. An Act to appropriate the sum of twenty thousand pesos from Insular funds for the purposes of Act Numbered Nineteen hundred and seventy-five, entitled "An Act to provide for the establishment of classes for the instruction and training of male and female nurses under the supervision of the Director of Health."  
 Received, read first time, and referred to the Committee on Appropriations, p. 517.  
 Reported without amendment (Report No. 167), report adopted, read second time, read third time under Rule XIV, passed, and title read and approved, pp. 539, 540.  
 (See Act No. 2025.)
518. An Act to appropriate the sum of fifty thousand pesos for the relief of sufferers from public calamities.  
 Received, read first time, and referred to the Committee on Appropriations, pp. 515, 516.  
 Reported with amendments (Report No. 168), report adopted, and bill ordered on file for second reading, p. 540.  
 Read second time, considered in Committee of the Whole, reported with further amendment, report adopted, read third time under Rule XIV, passed, and title read and approved, p. 552.  
 Assembly disagrees to amendments and asks a conference, pp. 680, 681.  
 Commission insists upon its amendments and agrees to conference, p. 681.  
 Report of conference committee (failure to agree), p. 742.  
 Conference report accepted by Commission, p. 742.
519. An Act to amend section two of Act Numbered Nineteen hundred and thirty-five, entitled "An Act providing for the consolidation of all libraries belonging to any branch of the Philippine Insular Government for the creation of the 'Philippines Library' and for the maintenance and regulation of the same, and for other purposes," by defining the status of the libraries of both Houses of the Legislature.  
 Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Public Instruction, pp. 479, 480.

## NUMBER, TITLE, AND ACTION.

519—Continued.

Reported with amendments (Report No. 188); report received, bill read second time, considered in Committee of the Whole and reported with recommendation that the bill and report be laid on the table, report adopted, pp. 605, 606.

521. An Act to provide for the establishment of a Nautical School in the Philippine Islands.

Received, read first time, and referred to select committee, p. 522.

Reported with recommendation that bill be postponed until next session of the Legislature (Report No. 217), report adopted, pp. 731, 732.

523. An Act making appropriation for sundry expenses of the Insular Government for the fiscal year ending June thirtieth, nineteen hundred and twelve, and other designated periods.

Received, read the first and second times, considered in Committee of the Whole, reported with amendment, report adopted, read third time under Rule XIV, passed, and title read and approved, pp. 613-665.

Assembly disagrees to amendments and asks conference, pp. 701, 702.

Commission insists upon its amendments and agrees to conference, p. 702.

Report of conference committee (failure to agree) p. 742.

Conference report accepted by Commission, p. 742.

(See C. B. 86.)

525. An Act amending section one of Act Numbered Nineteen hundred and eighty-nine, entitled "An Act making appropriations for sundry expenses of the Insular Government for the fiscal year ending June thirtieth, nineteen hundred and eleven, and other designated periods," in the portion relating to the Philippine Assembly.

Received, read first time, and referred to the Committee on Appropriations, p. 524.

Reported without amendment (Report No. 199), report adopted, read second time, considered in Committee of the Whole, reported with amendments, report adopted, bill ordered on file for third reading, pp. 678, 679.

Read third time under Rule XIV, passed, and title read and approved, p. 742.

Commission amendments laid on table by Assembly, p. 751.

532. An Act amending section two of Act Numbered Thirteen hundred and ninety-four, as amended by section four of Act Numbered Eighteen hundred and sixty-seven, providing for certain reforms in the organization of the Philippines Constabulary.

Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Commerce and Police, p. 714.



## NUMBER, TITLE, AND ACTION.

532—Continued.

Reported without amendment (Report No. 218), report adopted, read second time, read third time under Rule XIV, passed, and title read and approved, pp. 732, 733.

(See Act No. 2060.)

533. An Act to establish special classes for midwives in connection with the classes for male and female nurses, for the instruction of Filipino women in the practice of obstetrics and puericulture, and to amend Act Numbered Nineteen hundred and seventy-five, entitled "An Act to provide for the establishment of classes for the instruction and training of male and female nurses under the supervision of the Director of Health."

Received, read first time, and referred to the Committee on Matters Pertaining to the Department of the Interior, p. 682.

(Not reported back at close of session.)

534. An Act to authorize the Governor-General of the Philippine Islands, or person legally acting in his stead, to postpone, reduce, remit, and cancel, or in any other manner commute, wholly or partially, the forfeiture and execution of bonds in criminal cases and to order reimbursement of money or other personal property seized from private citizens by the United States military authorities during the revolution, under certain conditions.

Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, p. 519.

Reported with recommendation that bill be laid on the table (Report No. 171), report adopted, p. 542.

535. An Act amending section twenty-eight of Act Numbered seventeen hundred and eighty, so as to provide that the bonds for the firearms of the municipal police be executed upon property of the municipality.

Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Commerce and Police, p. 681.

Reported with recommendation that bill be laid on the table (Report No. 207), report adopted, pp. 687, 688.

536. An Act providing funds for public works and permanent improvements, and for other purposes.

Received, read first and second times, considered in Committee of the Whole, reported with amendment, report adopted, read third time under Rule XIV, passed, and title amended, read, and approved, pp. 665-670.

Assembly disagrees to amendment and asks conference, p. 702.

Commission insists upon its amendment and agrees to conference, p. 702.

Report of conference committee (No. 25), pp. 739-741.

## NUMBER, TITLE, AND ACTION.

536—Continued.

Conference report agreed to by Assembly, pp. 741, 742.

Conference report agreed to by Commission, p. 742.

(See Act No. 2059. See also A. B. 85.)

537. An Act to authorize the municipal council of Vigan, Ilocos Sur, to give up the possession of Calle Corta, situate west of the Vigan High School building between Calles Burgos and Lincoln, and to cede the same to the Province of Ilocos Sur as a lot for the provincial high school.

Received, read first time, and referred to the Committee on Municipal and Provincial Governments, p. 515.

Reported without amendment (Report No. 197), report adopted, read second time, read third time under Rule XIV, passed, and the title read and approved, pp. 674, 675.

(See Act No. 2033.)

539. An Act further to amend section one of Act Numbered Sixteen hundred and fifty-two, as amended by Act Numbered Nineteen hundred and thirty-two, by providing that the thirty per centum increase of the cedula tax shall be expended only in those municipalities where provincial roads passing through the same have not been repaired, and authorizing municipal councils to administer the funds collected for such purpose.

Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Commerce and Police, p. 515.

Reported with recommendation that bill be laid on the table (Report No. 208), report adopted, p. 688.

540. An Act to provide funds for the travel and subsistence expenses of the delegates of the Philippine Islands to the International Tuberculosis Congress to be held at Rome, Italy, during the present year of nineteen hundred and eleven.

Received, read first and second times, considered in Committee of the Whole, reported with amendments, report adopted, read third time under Rule XIV, passed, and title read and approved, pp. 672, 673.

Commission amendments concurred in by Assembly, p. 715.

(See Act No. 2042.)

543. An Act authorizing municipal councils of the municipalities organized under Act Numbered Eighty-two, known as "The Municipal Code," to establish compulsory attendance of children in the public schools, with certain conditions and exceptions, and for other purposes.

Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Public Instruction, p. 576.

Reported with recommendation that bill be laid on the table (Report No. 190), report adopted, pp. 606, 607.

## NUMBER, TITLE, AND ACTION.

548. An Act reorganizing the local school boards in order to make their action on educational matters in their municipalities more direct and efficacious.

Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Public Instruction, pp. 681, 682.

Reported with recommendation that bill be laid on the table (Report No. 206), report adopted, pp. 686, 687.

549. An Act making a special appropriation of one hundred thousand pesos for the relief of the sufferers from the eruption of Taal Volcano, and for other purposes.

Received, read first and second times, read third time under Rule XIV, amended, passed, and the title amended, read, and approved, pp. 598, 599.

Assembly disagrees to amendment and asks a conference, p. 673.

Commission insists upon its amendment and agrees to conference, p. 673.

Report of conference committee (failure to agree), p. 742.

Conference report accepted by Commission, p. 742.

(See C. B. 90.)

550. An Act to appropriate funds for charitable purposes.

Received, read first and second times, considered in Committee of the Whole, reported without amendment, report adopted, read third time under Rule XIV, passed, and the title read and approved, pp. 673, 674.

(See Act No. 2032.)

551. An Act amending Act Numbered Nineteen hundred and forty-one, entitled "An Act creating a Code Committee to revise and amend the Civil, Commercial, Penal, and Procedure Codes in force in the Philippine Islands and to prepare new codes on said subjects, making necessary appropriation for the same, and for other purposes."

Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, pp. 670, 671.

Reported with recommendation that bill be laid on the table (Report No. 196), report adopted, pp. 671, 672.

552. An Act providing that a certified copy of all executive orders and regulations be sent to the Philippine Legislature.

Received, read first time, and laid on the table, p. 674.

553. An Act appropriating funds for sundry expenses of the University of the Philippines during the fiscal year ending June thirtieth, nineteen hundred and twelve, and for other purposes.

Received, read first and second times, considered in Committee of the Whole, reported with amendment, report adopted, read third time under Rule XIV, passed, and the title read and approved, pp. 715, 716.

## NUMBER, TITLE, AND ACTION.

## 553—Continued.

Assembly disagrees to amendment and asks a conference, p. 720.  
 Commission insists upon its amendment and agrees to conference,  
 p. 720.

Report of conference committee (No. 23), p. 729.  
 Conference report agreed to by Assembly, p. 730.  
 Conference report agreed to by Commission, p. 730.

(See Act No. 2044. See also C. B. 87.)

554. An Act appropriating the sum of one hundred thousand pesos for the construction under certain conditions of hospital buildings in the provinces.

Received, read first time, and laid on the table, p. 734.

555. An Act to prohibit the transfer of any province, municipality, or barrio organized under the provisions of the Provincial Government Act and the Municipal Code to the control of any special province, and for other purposes.

Received, read first time, and laid on the table, pp. 709, 710.

556. An Act to amend Act Numbered Nine hundred and twenty-six by providing to whom the final evidence for perfecting grants of homesteads on the public domain may be submitted.

Received, read first and second times, considered in Committee of the Whole, reported without amendment, read third time under Rule XIV, passed, and title read and approved, pp. 722, 723.

(See Act No. 2051.)

557. An Act to insert a new section after section fourteen of the Election Law.

Received, read first time, and laid on the table, pp. 718, 719.

**Second Philippine Legislature,  
Special and First Sessions.**

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**COMMISSION JOINT RESOLUTION.**

**SPECIAL SESSION.**

None.

**FIRST SESSION.**

**NUMBER, TITLE, AND ACTION.**

1. Joint Resolution prescribing the procedure to be followed by the Commission and the Assembly in the Election of two Resident Commissioners to the United States, in accordance with section eight of the Act of Congress approved July first, nineteen hundred and two, as amended by Act of Congress approved June fourteenth, nineteen hundred and ten.

By Committee of the Whole.

Read once, passed, and title agreed to, p. 208.

Refused passage by Assembly, p. 215.

# Second Philippine Legislature, Special and First Sessions.

## ASSEMBLY JOINT RESOLUTIONS.

### SPECIAL SESSION.

None.

### FIRST SESSION.

#### NUMBER, TITLE, AND ACTION.

4. Joint Resolution requesting the Congress of the United States to recognize the right and power of the Philippine people to prepare and adopt a constitution of its own.  
Received, read first time, and ordered on file for second reading, pp. 266, 267.  
Taken from second reading file and referred to select committee, p. 276.  
Reported with recommendation that it be laid on the table (Report No. 105), report adopted pp. 340, 341.  
Yeas and Nays, p. 341.  
Explanations of votes, pp. 341-347.
5. Joint Resolution providing that the Commission and the Assembly shall continue to proceed to the election of Resident Commissioners of the Philippine Islands to the United States.  
Received and consideration postponed awaiting translation, p. 215.  
Read first and second times, considered in Committee of the Whole, reported with amendments, report adopted, read third time under Rule XIV, passed, and title amended, read, and approved, pp. 218, 219.  
Assembly disagrees to amendments and asks a conference, p. 219.  
Commission insists upon its amendments and agrees to conference, pp. 219, 220.  
Report of conference committee (No. 7), p. 220.  
Conference report agreed to by Commission, pp. 220, 221.  
Conference report agreed to by Assembly, p. 221.  
(See Joint Resolution No. 1.)

## NUMBER, TITLE, AND ACTION.

12. Joint Resolution temporarily suspending the sale of the friar estates situate in certain municipalities.  
 Received, read first time, and referred to the Committee on Matters Pertaining to the Department of the Interior, pp. 313, 314.  
 Reported with recommendation that consideration be postponed until completion of investigation by Congress of the administration of friar lands (Report No. 126), report adopted, p. 432.  
 Explanation of vote, p. 432.
13. Joint Resolution making Assembly Joint Resolution Numbered Twelve applicable to the La Piedad Estate, Caloocan, Rizal.  
 Received, read first time, and referred to the Committee on Matters Pertaining to the Department of the Interior, pp. 314, 315.  
 Reported with recommendation that consideration be postponed until completion of investigation by Congress of the administration of friar lands (Report No. 126), report adopted, p. 432.  
 Explanation of vote, p. 432.
14. Joint Resolution requesting the Congress of the United States, through the Resident Commissioners, for the enactment of a law to amend section thirteen of an Act of Congress passed August fifth, nineteen hundred and nine, so as to lower the export duty on abaca to five cents for each one hundred kilos gross weight.  
 Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, pp. 336, 337.  
 Reported with amendment (Report No. 149), consideration of report postponed, pp. 481, 482.  
 Consideration of report resumed, report laid on the table, and consideration of subject matter of resolution postponed until next session of the Legislature, p. 526.
15. Joint Resolution making Assembly Joint Resolution Numbered Twelve, entitled "Joint Resolution temporarily suspending the sale of the friar estates situate in certain municipalities," extensive to the tenants of the Estate of Imus, Cavite.  
 Received, read first time, and referred to the Committee on Matters Pertaining to the Department of the Interior, pp. 331, 332.  
 Reported with recommendation that consideration be postponed until completion of investigation by Congress of the administration of friar lands, (Report No. 126), report adopted, p. 432.  
 Explanation of vote, p. 432.
17. Joint Resolution giving instructions to the Resident Commissioners in the United States relative to the repeal of section twenty-one of the existing tariff.  
 Received, read first time, and referred to the Committee on Matters Pertaining to the Department of Finance and Justice, pp. 514, 515.

## NUMBER, TITLE, AND ACTION.

## 17—Continued.

Reported with recommendation that it be indefinitely postponed (Report No. 200), report adopted, p. 682.

20. Joint Resolution repealing Joint Resolutions Numbered Two of the First Philippine Legislature and One and Two of the Second Philippine Legislature, and declaring the election of Resident Commissioners to the United States concluded and of no effect.

Received, read first time, and laid on the table, p. 670.

21. Joint Resolution providing for the appointment of a joint committee to select the Resident Commissioners to the United States.

Received, read first and second times, read third time under Rule XIV, passed, and title agreed to, p. 719.

(See Joint Resolution No. 3.)



**Second Philippine Legislature,  
Special and First Sessions.**

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**COMMISSION CONCURRENT RESOLUTIONS.**

**SPECIAL SESSION.**

None.

**FIRST SESSION.**

NUMBER, TITLE, AND ACTION.

1. Concurrent Resolution temporarily postponing further consideration of the election of Resident Commissioners to the United States.  
By the President.  
Read first and second times, considered in Committee of the Whole, reported with recommendation that it pass, report adopted, read third time under Rule XIV, passed, and title read and approved, p. 233.  
Amended by the Assembly, amendments considered in Committee of the Whole, reported with recommendation that they be concurred in, report adopted, pp. 233, 234.  
Ordered enrolled and printed, p. 234.  
(See Joint Resolution No. 2.)
2. Concurrent Resolution providing that neither of the two Houses of the Legislature shall present to the other any new legislation after January twenty-ninth, nineteen hundred and eleven.  
By Commissioner Araneta.  
Read first and second times, read third time under Rule XIV, passed, and title and preamble agreed to, pp. 359, 360.  
(No advice from Assembly as to action taken.)

# Second Philippine Legislature, Special and First Sessions.

## ASSEMBLY CONCURRENT RESOLUTIONS.

### SPECIAL SESSION.

#### NUMBER, TITLE, AND ACTION.

1. Concurrent Resolution providing for the adjournment of the special session of the Legislature on Tuesday, April nineteenth, nineteen hundred and ten, at twelve o'clock postmeridian, and for other purposes.

Received, read once, passed, and title agreed to, p. 143.

(See Concurrent Resolution No. 1.)

### FIRST SESSION.

2. Concurrent Resolution petitioning the Congress of the United States that it pass an Act amending the Act of July first, nineteen hundred and two, in the sense that the age required in order to vote for the office of Delegate be twenty-one years or over, and authorizing the Philippine Legislature to prescribe the general qualifications of voters in elections for Delegates and to amend those already established.

Received, read first time, and referred to the Committee on Amendments to the Election Law, pp. 520, 521.

Reported with amendments (Report No. 215), report adopted, considered in Committee of the Whole, reported with further amendments, report adopted, ordered on file for third reading, pp. 711, 712.

Read third time under Rule XIV, passed, title amended, title and preamble read and agreed to, pp. 713, 714.

Commission amendment concurred in by the Assembly, p. 735.

(See Concurrent Resolution No. 2.)

5. Concurrent Resolution authorizing the Executive Secretary to enter into a contract with two American and two Filipino newspapers for the publication of official notices.

## NUMBER, TITLE, AND ACTION.

## 5—Continued.

Received, read first time, and referred to the Committee on Matters Pertaining to Bureaus under the Executive Control of the Governor-General, pp. 476, 477.

Reported with amendment (Report No. 161), report adopted, read second time, considered in Committee of the Whole, reported with further amendment, report adopted, read third time under Rule XIV, passed, and title amended, read, and approved, pp. 525, 526.

Assembly disagrees to amendments and asks a conference, p. 671.

Commission insists upon its amendments and agrees to conference, p. 671.

Report of conference committee (No. 18—failure to agree), p. 704.

Conference report accepted by Commission, p. 705.

Conference report agreed to by Assembly, p. 708.

6. Concurrent Resolution providing for the close of the first session of the Second Philippine Legislature, on Friday February third, nineteen hundred and eleven, at twelve o'clock midnight.

Received, read first and second times, read third time under Rule XIV, passed, and title agreed to, p. 721.

(See Concurrent Resolution No. 3.)

ACTS ENACTED AND JOINT AND CONCURRENT RESOLUTIONS ADOPTED DURING PERIOD FROM JANUARY 1, 1910, TO FEBRUARY 3, 1911, INCLUSIVE.

ACTS.

No.	Bill.	Enacted.	By—	No.	Bill.	Enacted.	By—
1969	C. B. 1	Jan. 13, 1910	Commission.	2015	C. B. 29	Jan. 19, 1911	Legislature.
1970	C. B. 2	Jan. 14, 1910	Commission.	2016	C. B. 38	Jan. 24, 1911	Legislature.
1971	C. B. 3	Mar. 30, 1910	Commission.	2017	C. B. 50	Jan. 26, 1911	Legislature.
1972	C. B. 4	Apr. 11, 1910	Legislature.	2018	A. B. 479	Jan. 26, 1911	Legislature.
1973	A. B. 12	Apr. 13, 1910	Legislature.	2019	A. B. 376	Jan. 26, 1911	Legislature.
1974	A. B. 30	Apr. 13, 1910	Legislature.	2020	C. B. 71	Jan. 26, 1911	Commission.
1975	A. B. 56	Apr. 18, 1910	Legislature.	2021	A. B. 463	Jan. 26, 1911	Legislature.
1976	A. B. 62	Apr. 18, 1910	Legislature.	2022	C. B. 31	Jan. 28, 1911	Legislature.
1977	C. B. 9	Apr. 19, 1910	Legislature.	2023	A. B. 331	Jan. 30, 1911	Legislature.
1978	A. B. 58	Apr. 19, 1910	Legislature.	2024	C. B. 21	Jan. 30, 1911	Legislature.
1979	A. B. 59	Apr. 19, 1910	Legislature.	2025	A. B. 517	Jan. 31, 1911	Legislature.
1980	C. B. 5	Apr. 19, 1910	Legislature.	2026	C. B. 56	Jan. 31, 1911	Legislature.
1981	A. B. 68	Apr. 19, 1910	Legislature.	2027	C. B. 68	Jan. 31, 1911	Legislature.
1982	A. B. 69	Apr. 19, 1910	Legislature.	2028	A. B. 230	Feb. 2, 1911	Legislature.
1983	A. B. 64	Apr. 19, 1910	Legislature.	2029	A. B. 514	Feb. 2, 1911	Legislature.
1984	A. B. 65	Apr. 19, 1910	Legislature.	2030	A. B. 131	Feb. 3, 1911	Legislature.
1985	C. B. 8	Apr. 19, 1910	Legislature.	2031	A. B. 147	Feb. 3, 1911	Legislature.
1986	A. B. 73	Apr. 19, 1910	Legislature.	2032	A. B. 550	Feb. 3, 1911	Legislature.
1987	A. B. 57	Apr. 19, 1910	Legislature.	2033	A. B. 537	Feb. 3, 1911	Legislature.
1988	A. B. 71	Apr. 19, 1910	Legislature.	2034	A. B. 482	Feb. 3, 1911	Legislature.
1989	A. B. 63	Apr. 19, 1910	Legislature.	2035	A. B. 223	Feb. 3, 1911	Legislature.
1990	A. B. 70	Apr. 19, 1910	Legislature.	2036	A. B. 239	Feb. 3, 1911	Legislature.
1991	A. B. 44	Apr. 19, 1910	Legislature.	2037	A. B. 476	Feb. 3, 1911	Legislature.
1992	C. B. 13	June 8, 1910	Commission.	2038	A. B. 313	Feb. 3, 1911	Legislature.
1993	C. B. 12	June 8, 1910	Commission.	2039	A. B. 401	Feb. 3, 1911	Legislature.
1994	C. B. 15	June 9, 1910	Commission.	2040	A. B. 513	Feb. 3, 1911	Legislature.
1995	C. B. 11	July 23, 1910	Commission.	2041	A. B. 480	Feb. 3, 1911	Legislature.
1996	C. B. 17	Sept. 8, 1910	Commission.	2042	A. B. 540	Feb. 3, 1911	Legislature.
1997	C. B. 16	Sept. 23, 1910	Commission.	2043	A. B. 175	Feb. 3, 1911	Legislature.
1998	C. B. 18	Sept. 23, 1910	Commission.	2044	A. B. 553	Feb. 3, 1911	Legislature.
1999	C. B. 19	Sept. 23, 1910	Commission.	2045	A. B. 504	Feb. 3, 1911	Legislature.
2000	C. B. 20	Oct. 4, 1910	Commission.	2046	C. B. 72	Feb. 3, 1911	Legislature.
2001	C. B. 24	Nov. 9, 1910	Commission.	2047	C. B. 92	Feb. 3, 1911	Legislature.
2002	C. B. 40	Dec. 8, 1910	Commission.	2048	C. B. 69	Feb. 3, 1911	Legislature.
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2006	C. B. 14	Dec. 19, 1910	Commission.	2052	A. B. 327	Feb. 3, 1911	Legislature.
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J. R. 2	C. C. R. 1	Nov. 10, 1910	Ct. R. 2	A. C. R. 2	Feb. 3, 1911
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## EXPLANATION OF ABBREVIATIONS.

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- A. B. .... Assembly Bill.  
A. C. R. .... Assembly Concurrent Resolution.  
A. J. R. .... Assembly Joint Resolution.  
A. L. C. .... Act of the Legislative Council (Moro Province).  
A. R. .... Assembly Resolution.  
C. B. .... Commission Bill.  
C. C. R. .... Commission Concurrent Resolution.  
C. J. R. .... Commission Joint Resolution.  
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