

REPORT
OF THE
PHILIPPINE
COMMISSION
LAWS & RESOLUTIONS

1901

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PUBLIC LAWS

AND

RESOLUTIONS

PASSED BY THE

UNITED STATES PHILIPPINE COMMISSION.

DIVISION OF INSULAR AFFAIRS,
WAR DEPARTMENT.

WASHINGTON:
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1901.

QUARTERLY PUBLICATION OF LAWS AND RESOLUTIONS.

[Extract from Minutes of Proceedings, October 24, 1900.]

On motion of Commissioner Moses, resolved that a pamphlet in an edition of fifteen hundred copies be issued quarterly containing in English and Spanish the laws passed by the commission, and such other material as may be designated for publication by the commission, such pamphlet to be entitled "Public Laws and Resolutions passed by the United States Philippine Commission during the quarter ending ——."

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ANNOUNCEMENT.

On this, the 1st day of September, 1900, the United States Philippine Commission begins the exercise of certain governmental powers in the Philippine Islands which are described in instructions issued by the President of the United States to the Secretary of War. The powers and duties now assumed are set forth in said instructions in the words following:

Beginning with the 1st day of September, 1900, the authority to exercise, subject to my approval, through the Secretary of War, that part of the power of government in the Philippine Islands which is of a legislative nature is to be transferred from the military governor of the islands to this commission, to be thereafter exercised by them in the place and stead of the military governor, under such rules and regulations as you (i. e., the Secretary of War) shall prescribe, until the establishment of the civil central government for the islands contemplated in the last foregoing paragraph, or until Congress shall otherwise provide. Exercise of this legislative authority will include the making of rules and orders, having the effect of law, for the raising of revenue by taxes, customs duties, and imposts; the appropriation and expenditure of public funds of the islands; the establishment of an educational system throughout the islands; the establishment of a system to secure an efficient civil service; the organization and establishment of courts; the organization and establishment of municipal and departmental governments, and all other matters of a civil nature for which the military governor is now competent to provide by rules or orders of a legislative character.

The commission will also have power, during the same period, to appoint to office such officers under the judicial, educational, and civil-service systems and in the municipal and departmental governments, as shall be provided for. Until the complete transfer of control the military governor will remain the chief executive head of the government of the islands and will exercise the executive authority now possessed by him and not herein expressly assigned to the commission, subject, however, to the rules and orders enacted by the commission in the exercise of the legislative powers conferred upon them. In the meantime the municipal and departmental governments will continue to report to the military governor and be subject to his administrative supervision and control under your (i. e., the Secretary of War) direction, but that supervision and control will be confined within the narrowest limits consistent with the requirement that the powers of government in the municipalities and departments shall be honest and effectively exercised and that law and order and individual freedom shall be maintained.

All legislative rules and orders, establishments of government, and appointments to office by the commission will take effect immediately, or at such times as they shall designate, subject to your (i. e., the Secretary of War) approval and action upon the coming in of the commission's reports, which are to be made from time to time as their action is taken. Wherever civil governments are constituted under the direction of the commission such military posts, garrisons, and forces will be continued for the suppression of insurrection and brigandage and the maintenance of law and order as the military commander shall deem requisite, and the military forces shall be at all times subject under his orders to the call of the civil authorities for the maintenance of law and order and the enforcement of their authority.

The policy of the commission will be to give the fullest opportunity for public consideration and criticism of proposed measures of legislation affecting the people of these islands. Printed copies of introduced bills will be on file at the office of the secretary of the commission immediately after their introduction and may be had upon application.

The commission will hold public meetings at its offices at 10 o'clock a. m. on Wednesdays and Fridays of each week for the consideration of proposed bills, and at such meetings citizens of the Philippines and others interested will be given opportunity to make suggestions and criticism in respect to the proposed measures if, upon the day previous to the meeting, application be made to the president for assignment of time.

WM. H. TAFT.
DEAN C. WORCESTER.
LUKE E. WRIGHT.
HENRY C. IDE.
BERNARD MOSES.

A. W. FERGUSON,
Secretary.

THE PRESIDENT'S INSTRUCTIONS TO THE COMMISSION.

WAR DEPARTMENT,
Washington, April 7, 1900.

SIR: I transmit to you herewith the instructions of the President for the guidance of yourself and your associates as commissioners to the Philippine Islands.

Very respectfully,

ELIHU ROOT,
Secretary of War.

HON. WILLIAM H. TAFT,
*President Board of Commissioners
to the Philippine Islands.*

EXECUTIVE MANSION, *April 7, 1900.*

SIR: In the message transmitted to the Congress on the 5th of December, 1899, I said, speaking of the Philippine Islands: "As long as the insurrection continues the military arm must necessarily be supreme. But there is no reason why steps should not be taken from time to time to inaugurate governments essentially popular in their form as fast as territory is held and controlled by our troops. To this end I am considering the advisability of the return of the commission, or such of the members thereof as can be secured, to aid the existing authorities and facilitate this work throughout the islands."

To give effect to the intention thus expressed, I have appointed Hon. William H. Taft, of Ohio, Prof. Dean C. Worcester, of Michigan, Hon. Luke E. Wright, of Tennessee, Hon. Henry C. Ide, of Vermont, and Prof. Bernard Moses, of California, commissioners to the Philippine Islands, to continue and perfect the work of organizing and establishing civil government already commenced by the military authorities, subject in all respects to any laws which Congress may hereafter enact.

The commissioners named will meet and act as a board, and the Hon. William H. Taft is designated as president of the board. It is probable that the transfer of authority from military commanders to civil officers will be gradual and will occupy a considerable period. Its successful accomplishment and the maintenance of peace and order in the meantime will require the most perfect cooperation between the civil and military authorities in the islands, and both should be directed during the transition period by the same executive department. The commission will therefore report to the Secretary of War, and all their actions will be subject to your approval and control.

You will instruct the commission to proceed to the city of Manila, where they will make their principal office, and to communicate with

the military governor of the Philippine Islands, whom you will at the same time direct to render to them every assistance within his power in the performance of their duties. Without hampering them by too specific instructions, they 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 in which the natives of the islands, both in the cities and in the rural communities, shall be afforded the opportunity to manage their own local affairs to the fullest extent of which they are capable, and subject to the least degree of supervision and control which a careful study of their capacities and observation of the workings of native control show to be consistent with the maintenance of law, order, and loyalty. 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 a common administration. Whenever the commission is of the opinion that the condition of affairs in the islands is such that the central administration may safely be transferred from military to civil control, they will report that conclusion to you, with their recommendations as to the form of central government to be established for the purpose of taking over the control.

Beginning with the 1st day of September, 1900, the authority to exercise, subject to my approval, through the Secretary of War, that part of the power of government in the Philippine Islands which is of a legislative nature is to be transferred from the military governor of the islands to this commission, to be thereafter exercised by them in the place and stead of the military governor, under such rules and regulations as you shall prescribe, until the establishment of the civil central government for the islands contemplated in the last foregoing paragraph, or until Congress shall otherwise provide. Exercise of this legislative authority will include the making of rules and orders, having the effect of law, for the raising of revenue by taxes, customs duties, and imposts; the appropriation and expenditure of public funds of the islands; the establishment of an educational system throughout the islands; the establishment of a system to secure an efficient civil service; the organization and establishment of courts; the organization and establishment of municipal and departmental governments, and all other matters of a civil nature for which the military governor is now competent to provide by rules or orders of a legislative character.

The commission will also have power, during the same period, to appoint to office such officers under the judicial, educational, and civil-service systems, and in the municipal and departmental governments, as shall be provided for. Until the complete transfer of control the military governor will remain the chief executive head of the government of the islands, and will exercise the executive authority now possessed by him and not herein expressly assigned to the commission, subject, however, to the rules and orders enacted by the commission in the exercise of the legislative powers conferred upon them. In the meantime the municipal and departmental governments will continue to report to the military governor, and be subject to his administrative supervision and control, under your direction, but that supervi-

sion and control will be confined within the narrowest limits consistent with the requirement that the powers of government in the municipalities and departments shall be honestly and effectively exercised and that law and order and individual freedom shall be maintained.

All legislative rules and orders, establishments of government, and appointments to office by the commission will take effect immediately, or at such times as they shall designate, subject to your approval and action upon the coming in of the commission's reports, which are to be made from time to time as their action is taken. Wherever civil governments are constituted under the direction of the commission, such military posts, garrisons, and forces will be continued for the suppression of insurrection and brigandage and the maintenance of law and order as the military commander shall deem requisite, and the military forces shall be at all times subject under his orders to the call of the civil authorities for the maintenance of law and order and the enforcement of their authority. In the establishment of municipal governments the commission will take as the basis of their work the governments established by the military governor under his order of August 8, 1899, and under the report of the board constituted by the military governor by his order of January 29, 1900, to formulate and report a plan of municipal government, of which his honor Cayetano Arellano, president of the audiencia, was chairman, and they will give to the conclusions of that board the weight and consideration which the high character and distinguished abilities of its members justify. In the constitution of department or provincial governments they 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. They will avail themselves, to the fullest degree practicable, of the conclusions reached by the previous commission to the Philippines.

In the distribution of powers among the governments organized by the commission, the presumption is always to be in favor of the smaller subdivision, so that all the powers which can properly be exercised by the municipal government shall be vested in that government, and all the powers of a more general character which can be exercised by the departmental government shall be vested in that government, and so that in the governmental system which is the result of the process the central government of the islands, following the example of the distribution of the powers between the States and the National Government of the United States, shall have no direct administration except of matters of purely general concern, and shall have only such supervision and control over local governments as may be necessary to secure and enforce faithful and efficient administration by local officers.

The many different degrees of civilization and varieties of custom and capacity among the people of the different islands preclude very definite instruction as to the part which the people shall take in the selection of their own officers, but these general rules are to be observed: That in all cases the municipal officers who administer the local affairs

of the people are to be selected by the people, and that wherever officers of more extended jurisdiction are to be selected in any way natives of the islands are to be preferred, and if they can be found competent and willing to perform the duties they are to receive the offices in preference to any others. It will be necessary to fill some offices for the present with Americans, which, after a time, may well be filled by natives of the islands. As soon as practicable a system for ascertaining the merit and fitness of candidates for civil offices should be put in force. An indispensable qualification for all offices and positions of trust and authority in the islands must be absolute and unconditional loyalty to the United States, and absolute and unhampered authority and power to remove and punish any officer deviating from that standard must at all times be retained in the hands of the central authority of the islands.

In all the forms of government and administrative provisions which they are authorized to prescribe, the commission should bear in mind that the government which they are establishing is designed not for our satisfaction or for the expression of our theoretical views, but for the happiness, peace, and prosperity of the people of the Philippine Islands, and the measures adopted should be made to conform to their customs, their habits, and even their prejudices, to the fullest extent consistent with the accomplishment of the indispensable requisites of just and effective government. At the same time the commission should bear in mind, and the people of the islands should be made plainly to understand, that there are certain great principles of government which have been made the basis of our governmental system, which we deem essential to the rule of law and the maintenance of individual freedom, and of which they have, unfortunately, been denied the experience possessed by us; that there are also certain practical rules of government which we have found to be essential to the preservation of these great principles of liberty and law, and that these principles and these rules of government must be established and maintained in their islands for the sake of their liberty and happiness, however much they may conflict with the customs or laws of procedure with which they are familiar. It is evident that the most enlightened thought of the Philippine Islands fully appreciates the importance of these principles and rules, and they will inevitably within a short time command universal assent. Upon every division and branch of the government of the Philippines, therefore, must be imposed these inviolable rules:

That no person shall be deprived of life, liberty, or property without due process of law; that private property shall not be taken for public use without just compensation; that in all criminal prosecutions the accused shall enjoy the right to a speedy and public trial, to be informed of the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense; that excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted; that no person shall be put twice in jeopardy for the same offense or be compelled in any criminal case to be a witness against himself; that the right to be secure against unreasonable searches and seizures shall not be violated; that neither slavery nor involuntary servitude shall exist except as a punishment for crime; that no bill of attainder or ex post facto law shall be passed;

that no law shall be passed abridging the freedom of speech or of the press or of the rights of the people to peaceably assemble and petition the government for a redress of grievances; that no law shall be made respecting an establishment of religion or prohibiting the free exercise thereof, and that the free exercise and enjoyment of religious profession and worship without discrimination or preference shall forever be allowed.

It will be the duty of the commission to make a thorough investigation into the titles of the large tracts of land held or claimed by individuals or by religious orders; into the justice of the claims and complaints made against such landholders by the people of the island, or any part of the people, and to seek by wise and peaceable measures a just settlement of the controversies and redress of the wrongs which have caused strife and bloodshed in the past. In the performance of this duty the commission is enjoined to see that no injustice is done; to have regard for substantial right and equity, disregarding technicalities so far as substantial right permits, and to observe the following rules: That the provision of the treaty of Paris pledging the United States to the protection of all rights of property in the islands, and as well the principle of our own Government which prohibits the taking of private property without due process of law, shall not be violated; that the welfare of the people of the islands, which should be a paramount consideration, shall be attained consistently with this rule of property right; that if it becomes necessary for the public interest of the people of the island to dispose of claims to property which the commission finds to be not lawfully acquired and held, disposition shall be made thereof by due legal procedure, in which there shall be full opportunity for fair and impartial hearing and judgment; that if the same public interests require the extinguishment of property rights lawfully acquired and held, due compensation shall be made out of the public treasury therefor; that no form of religion and no minister of religion shall be forced upon any community or upon any citizen of the island; that, upon the other hand, no minister of religion shall be interfered with or molested in following his calling, and that the separation between state and church shall be real, entire, and absolute.

It will be the duty of the commission to promote and extend and, as they find occasion, to improve the system of education already inaugurated by the military authorities. In doing this they should regard as of first importance the extension of a system of primary education which shall be free to all, and which shall tend to fit the people for the duties of citizenship and for the ordinary avocations of a civilized community. This instruction should be given, in the first instance, in every part of the islands in the language of the people. In view of the great number of languages spoken by the different tribes, it is especially important to the prosperity of the islands that a common medium of communication may be established, and it is obviously desirable that this medium should be the English language. Especial attention should be at once given to affording full opportunity to all the people of the islands to acquire the use of the English language.

It may well be that the main changes which should be made in the system of taxation and in the body of the laws under which the people are governed, except such changes as have already been made by the military government, should be relegated to the civil government

which is to be established under the auspices of the commission. It will, however, be the duty of the commission to inquire diligently as to whether there are any further changes which ought not to be delayed, and, if so, they are authorized to make such changes, subject to your approval. In doing so they are to bear in mind that taxes which tend to penalize or repress industry and enterprise are to be avoided; that provisions for taxation should be simple, so that they may be understood by the people; that they should affect the fewest practicable subjects of taxation which will serve for the general distribution of the burden. The main body of the laws which regulate the rights and obligations of the people should be maintained with as little interference as possible. Changes made should be mainly in procedure and in the criminal laws to secure speedy and impartial trials, and at the same time effective administration and respect for individual rights.

In dealing with the uncivilized tribes of the island, the commission should adopt the same course followed by Congress in permitting the tribes of our North American Indians to maintain their tribal organization and government, and under which many of those tribes are now living in peace and contentment, surrounded by a civilization to which they are unable or unwilling to conform. Such tribal governments should, however, be subjected to wise and firm regulation; and, without undue or petty interference, constant and active effort should be exercised to prevent barbarous practices and introduce civilized customs.

Upon all officers and employees of the United States, both civil and military, should be impressed a sense of the duty to observe not merely the material but the personal and social rights of the people of the islands, and to treat them with the same courtesy and respect for their personal dignity which the people of the United States are accustomed to require from each other.

The articles of capitulation of the city of Manila on the 13th of August, 1898, concluded with these words:

“This city, its inhabitants, its churches and religious worship, its educational establishments, and its private property of all descriptions are placed under the special safeguard of the faith and honor of the American Army.”

I believe that this pledge has been faithfully kept. As high and sacred an obligation rests upon the Government of the United States to give protection for property and life, civil and religious freedom, and wise, firm, and unselfish guidance in the paths of peace and prosperity to all the people of the Philippine Islands. I charge this commission to labor for the full performance of this obligation, which concerns the honor and conscience of their country, in the firm hope that through their labors all the inhabitants of the Philippine Islands may come to look back with gratitude to the day when God gave victory to American arms at Manila and set their land under the sovereignty and protection of the people of the United States.

WILLIAM MCKINLEY.

The SECRETARY OF WAR,
Washington, D. C.

WAR DEPARTMENT, *Washington, June 21st, 1901.*

On and after the fourth day of July, 1901, until it shall be otherwise ordered, the President of the Philippine Commission will exercise the executive authority in all civil affairs in the government of the Philippine Islands heretofore exercised in such affairs by the Military Governor of the Philippines, and to that end the Hon. William H. Taft, President of the said Commission, is hereby appointed Civil Governor of the Philippine Islands. Such executive authority will be exercised under, and in conformity to, the instructions to the Philippine Commissioners, dated April 7, 1900, and subject to the approval and control of the Secretary of War of the United States. The municipal and provincial civil governments, which have been, or shall hereafter be, established in said islands, and all persons performing duties appertaining to the offices of civil government in said islands, will, in respect of such duties, report to the said Civil Governor.

The power to appoint civil officers, heretofore vested in the Philippine Commission, or in the Military Governor, will be exercised by the Civil Governor with the advice and consent of the Commission.

The Military Governor of the Philippines is hereby relieved from the performance, on and after the said 4th day of July, of the civil duties hereinbefore described, but his authority will continue to be exercised as heretofore, in those districts in which insurrection against the authority of the United States continues to exist, or in which public order is not sufficiently restored to enable provincial civil governments to be established under the instructions to the Commission dated April 7, 1900.

By the President:

ELIHU ROOT,
Secretary of War.

WHITE HOUSE, *Washington, October 29, 1901.*

By virtue of the authority vested in me as President of the United States, the Honorable Luke E. Wright is appointed vice-governor with authority to act as civil governor of the Philippine Islands whenever the civil governor is incapacitated by illness, or certifies that his temporary absence from the seat of government will make it necessary for the vice-governor to exercise such powers and duties.

THEODORE ROOSEVELT.

ERRATA.

In order to make the Spanish and English texts of act No. 48, entitled "An act providing for the establishing of local civil governments in the townships of the province of Benguet," as herein published conform to the originals on file in the Secretary's office, the following corrections should be made:

Section 1: The words "Baguias" and "Adaoy," in line 12 of the English text and 13 of the Spanish, should read "Buguias" and "Adaoay," and the word "Kibungan" should be inserted next after the word "Sablan" in line 12 of the former and 14 of the latter text.

Section 8: The English text should read as follows:

"The president and vice-president shall be elected at large by a plurality vote of the duly qualified electors of the township. The councilors shall be elected by a plurality vote of the duly qualified electors of each of the several barrios. The secretary, the constable, and the messenger shall be appointed by the president, by and with the consent of a majority of all the members of the council."

ACTS OF PHILIPPINE COMMISSION.

[No. 1.]

AN ACT appropriating two million dollars (\$2,000,000.00) Mexican to be used in the construction and repair of highways and bridges in the Philippine Islands.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The sum of two million dollars (\$2,000,000.00) Mexican is hereby appropriated out of any money in the insular treasury, not otherwise appropriated, to be expended in the immediate construction and repair of highways and bridges in the Philippine Islands.

SEC. 2. The sum so appropriated shall be expended under the direction of the military governor in the construction and repair of such highways and bridges as in his judgment may be most conducive to the public welfare.

SEC. 3. The insular treasurer is hereby authorized and directed to pay the warrants of the military governor for the sum so appropriated.

SEC. 4. This act shall take effect on its passage.

Enacted, September 12, 1900.

[No. 2.]

AN ACT appropriating five thousand dollars (\$5,000.00) Mexican for the purpose of making a survey to ascertain the most advantageous route for a railroad into the mountains of Benguet, island of Luzon, and the probable cost thereof.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The sum of five thousand dollars (\$5,000.00) Mexican, or so much thereof as may be necessary, is hereby appropriated out of any funds in the insular treasury, not otherwise appropriated, for the purpose of making a survey to ascertain the most advantageous route for a railroad into the mountains of Benguet, island of Luzon, and the probable cost thereof.

SEC. 2. The disbursing officer of the commission is authorized and directed to draw his warrant for the amount appropriated by this bill, or so much thereof as may be necessary, and the insular treasurer is directed to pay the same.

SEC. 3. This act shall take effect on its passage.

Enacted, September 12, 1900.

[No. 3.]

AN ACT appropriating two thousand six hundred and seventeen dollars and ninety-six cents (\$2,617.96) in the money of the United States for the purpose of paying the salary and expenses of Fred W. Atkinson for the period from May 5 to September 1, 1900.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The sum of two thousand six hundred and seventeen dollars and ninety-six cents (\$2,617.96) in the money of the United States is hereby appropriated out of any funds in the insular treasury, not otherwise appropriated, for the purpose of paying Fred W. Atkinson, superintendent of public instruction in the Philippine Islands, for services rendered and expenses incurred by him under direction of the Commission preliminary to assuming formally the duties of his office in the islands, for the period from May 5 to September 1, 1900.

SEC. 2. The disbursing officer of the Commission is authorized and directed to draw his warrant for this amount in favor of Fred W. Atkinson, and the insular treasurer is directed to pay the same.

SEC. 3. This act shall take effect on its passage.

Enacted, September 12, 1900.

[No. 4.]

AN ACT appropriating one hundred dollars (\$100.00) in the money of the United States for the purpose of paying the salary of the property clerk in the department of education for the period of one month from September 8 to October 8, 1900.

By the authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The sum of one hundred dollars (\$100.00) in the money of the United States is hereby appropriated out of any funds in the insular treasury, not otherwise appropriated, for the purpose of paying the salary of the property clerk in the department of education, for the period of one month from September 8 to October 8, 1900.

SEC. 2. The Military Governor is authorized to draw his warrant in favor of the duly appointed property clerk for the amount designated in section first of this act, and the insular treasurer is directed to pay the same.

SEC. 3. This act shall take effect on its passage.

Enacted, September 12, 1900.

[No. 5.]

AN ACT for the establishment and maintenance of an efficient and honest civil service in the Philippine Islands.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The commission shall appoint three persons to be members of a board to be called the Philippine civil-service board. The Commission shall designate one of such persons as chairman, and another

as secretary, and may in its discretion designate from among the members of the board a chief examiner.

SEC. 2. No person shall be eligible for appointment as a member of the board unless he shall be a native of the Philippine Islands owing and acknowledging allegiance to the United States, or a citizen of the United States.

SEC. 3. Each member of the board shall, during his incumbency reside in Manila, and shall receive an annual salary of three thousand dollars and his necessary traveling expenses while in the discharge of his official duties. In case the Commission shall designate a member of the board to act as chief examiner he shall receive in addition to his salary as a member of the board a further annual compensation of five hundred dollars.

SEC. 4. The board shall prepare rules adapted to carry out the purpose of this act, which is hereby declared to be the establishment and maintenance of an efficient and honest civil service in all the executive branches of the government of the Philippine Islands, central, departmental and provincial, and of the city of Manila, by appointments and promotions according to merit and by competitive examinations where the same are practicable, and it shall be the duty of all officers in the Philippine civil service in the departments and offices to which any such rules may relate, to aid in all proper ways in carrying said rules and any modifications thereof into effect.

SEC. 5. This act shall apply, except as hereinafter expressly provided, to all appointments of civilians to executive positions under—

- (a) The military governor;
- (b) The United States Philippine Commission;
- (c) The treasurer for the islands;
- (d) The auditor for the islands;
- (e) The collector of customs for the islands;
- (f) The collector of inland revenue for the islands;
- (g) The director of posts for the islands;
- (h) The civil-service board;
- (i) The bureau of forestry;
- (j) The bureau of mines;
- (k) The general superintendent of public instruction;
- (l) Wardens of penitentiaries and prisons;
- (m) The provost marshal-general of Manila;
- (n) The captain of the port at Manila.

SEC. 6. The rules to be adopted by the board shall provide—

(a) For the classification of all offices and employments specified in section 5.

(b) For the appointment for those offices requiring technical, professional, or scientific knowledge by competitive or noncompetitive examinations or otherwise, as the board shall determine.

(c) For the selection of members of the police force and of the fire department in the city of Manila and of guards at prisons and penitentiaries by competitive or noncompetitive examination, or otherwise, as the board, after consultation with the Military Governor and his approval, shall determine.

(d) For the selection of laborers, skilled and unskilled, according to the priority of their applications, by such noncompetitive examinations as may be practicable, and which need not, if the board shall so limit them, relate to more than the capacity of the applicants to labor, their habits of industry and sobriety, and their honesty.

(e) For the promotion of members of one rank of the classified service to the next higher rank by competitive examination. In the competition the board may provide, in its discretion, for the allowance of credit to the previous experience and efficiency of the applicant in the civil service of the islands, to be estimated by the officer or officers under whose direction the service has been rendered, under such limitations as the board, by general rule, may prescribe: *Provided*, That such credit shall not be allowed to any applicant who shall not attain a minimum average per centum to be fixed by the board.

(f) For a period of probation before the appointment or employment is made permanent.

(g) For the preparation and holding at Manila, Iloilo, and Cebu of open competitive examinations of a practical character for testing the fitness of applicants for appointment to the classified service, and the fitness of officers and employes for promotion therein; and for the preparation and holding of the same examinations in the United States under the auspices of the United States Civil Service Commission for original appointment.

(h) For selection, according to average percentage, from among those certified by the board as rated highest in such competition.

(i) For transfers under limitations to be fixed by the rules from one branch of the classified service to another, or from the Federal classified civil service of the United States to the classified service of the Philippine Islands.

(j) For reinstatements in the service under limitations to be fixed by the rules.

(k) For the examination in the Spanish language of all applicants who are citizens of the United States and in the English language of all applicants who are natives of the Philippine Islands, whenever, in the opinion of the board, knowledge of both languages is essential to an efficient discharge of the duties of the positions sought.

(l) For the holding of noncompetitive examinations when applicants fail to compete after due notice has been given of an open competitive examination to fill an existing vacancy.

(m) For a thorough physical examination by a competent physician of every applicant for examination in the United States and for rejection of every such applicant found to be physically disqualified for efficient service in the Philippine Islands.

(n) For limitation upon the age of those entering the lowest rank of the classified service, the maximum age under which shall not be greater than forty years and the minimum age not less than eighteen.

(o) For eliciting from all applicants for examination full information as to their citizenship, nativity, age, education, physical qualifications, and such other information as may reasonably be required affecting their fitness for the service which they seek to enter.

(p) For the employment of clerks and other employes for temporary service where it is impracticable to make appointments as provided in this act, for terms not exceeding ninety days, but no person shall be employed under this exception for more than ninety days in a year.

(q) The enumeration herein of the subjects to be covered by the rules of the board shall not be regarded as exclusive, but the board shall have power to adopt any rules not in violation of the limitations of the act, which will more efficiently secure the enforcement of the act.

SEC. 7. The board shall keep minutes of its own proceedings, and

on or before the first day of January of each year shall make an annual report to the Military Governor and to the Commission showing its proceedings, the rules which it has adopted, the practical effect thereof and suggestions for carrying out more effectually the purpose of this act.

SEC. 8. The board shall supervise the preparation and rating and have control of all examinations in the Philippine Islands under this act. The board may designate a suitable number of persons in the Philippine civil service to conduct its examinations and to serve as members of examining committees, and when examiners with special, technical, or professional qualifications are required for the preparation or rating of examination papers, it may designate competent persons in the service for such special duty, after consultation with the proper officer, or officers under whom they are serving. The duties required of such persons as members of examining committees, or as special examiners, shall be considered as part of their official duties and shall be performed without extra compensation. When persons can not be found in the Philippine service with the necessary qualifications for special examining work that may be required, the board is authorized to employ at a reasonable compensation persons not in public employment for such work, which compensation shall be paid out of the general funds appropriated for the purposes of the board, on its order.

SEC. 9. The board may make investigations and report upon all matters relating to the enforcement of this act and the rules adopted hereunder, and in making such investigations the board and its duly authorized examiners are empowered to administer oaths, to summon witnesses, and to require the production of official books and records which may be relevant to such investigation.

SEC. 10. The board shall have a permanent office in the city of Manila. When examinations are to be held by the board, either in Manila, Iloilo, or Cebu, officers having the custody of public buildings shall allow their reasonable use for the purpose of holding such examinations.

SEC. 11. The head of each office to which this act applies shall notify the board in writing without delay of all appointments, permanent, temporary, or probational, made in the classified service in his office, of all rejections after the period of probation, and of all transfers, promotions, reductions, resignations, or vacancies from any cause in said service and of the date thereof; and a record of the same shall be kept by the board.

SEC. 12. When the board shall find that any person is holding a position in the civil service in violation of the provisions of this act or the rules of the board, it shall certify information of the fact to the disbursing and auditing officers through whom the payment of the salary or wages of such position is by law required to be made, and if thereafter the disbursing or auditing officer shall pay, or permit to be paid, to the person such salary or wages, the payment shall be illegal, the disbursing officer shall not receive credit for the same, and the auditing officer who authorizes the payment shall be liable on his official bond for the loss resulting to the proper government.

SEC. 13. Any person in the Philippine civil service who shall wilfully or corruptly, by himself or in cooperation with one or more persons, defeat, deceive, or obstruct any person in the matter of his

right of examination by said board; or who shall wilfully, corruptly, and falsely rate, grade, estimate or report upon the examination or standing of any person examined hereunder; or who shall wilfully and corruptly make any false representations relative thereto; or who shall wilfully and corruptly furnish any special or secret information for the purpose of improving or injuring the prospects or chances of any person so examined, or to be examined, employed, appointed or promoted, shall for each offense be punished by a fine not exceeding \$1,000, or by imprisonment for a period not exceeding one year, or by both such fine and imprisonment.

SEC. 14. Any person who shall wilfully and corruptly become the beneficiary of an act in violation of the last preceding section shall be punished as provided in that section.

SEC. 15. No inquiry shall be made, and no consideration whatever shall be given to any information, relative to the political or religious opinions or affiliations of persons examined, or to be examined, for entrance into the service, or of officers or employees in the matter of promotion: Provided, however, that disloyalty to the United States of America as the supreme authority in these islands shall be a complete disqualification for holding office in the Philippine civil service.

SEC. 16. Every applicant for admission to the Philippine civil service, shall, before being admitted to examination in the islands, take and subscribe the following oath before a justice of the peace in and for the province in which he is, or before a member or the civil service board, the members of which are authorized to administer the same:

OATH OF APPLICANT.

I, _____, having applied for admission to the civil service of the Philippine Islands, do solemnly swear (or affirm) that I recognize and accept the supreme authority of the United States of America in these islands and will maintain true faith and allegiance thereto; that I will obey the laws, legal orders and decrees promulgated by its duly constituted authorities; that I impose upon myself this obligation voluntarily, without mental reservation or purpose of evasion. So help me God. (The last four words to be stricken out in case of affirmation.)

(Signature) _____.

Subscribed and sworn to (or affirmed) before me this _____ day of _____, 19—.

The oath of the applicant shall be filed with the secretary of the board.

SEC. 17. No officer or employé in the Philippine civil service shall, directly or indirectly, give or hand over to any other officer or employé in said service any money or other valuable thing to be applied to the promotion of any political object whatever, and a violation of this section by the giving or receiving officer or employé shall subject the violator to a penalty of not exceeding \$500 or to imprisonment not exceeding six months, or both, and upon conviction he shall be removed from office.

SEC. 18. No person in the Philippine civil service shall be under obligation to contribute to a political fund or to render a political service, or be removed or otherwise prejudiced for refusing to do so.

Any person soliciting political contributions from public officers or employés shall be subject to the same penalties as those provided in the preceding section.

SEC. 19. In the appointment of officers and employés under the provisions of this act, the appointing officer in his selection from the list of eligibles to be furnished him by the board shall, where other qualifications are equal, prefer:

First. Natives of the Philippine Islands.

Second. All honorably discharged soldiers, sailors, and marines of the United States.

SEC. 20. The requirements of this act for entrance into the civil service, or for promotion by competitive examination, shall not apply to the selection of the treasurer for the islands; the auditor for the islands, the collector of customs for the islands, the deputy collector of customs for the islands, the collector of inland revenue for the islands, the director of posts for the islands, the head of the bureau of forestry, the head of the bureau of mines, the superintendent of public instruction, the members of the civil service board, or of one private secretary for the Military Governor and for each member of the U. S. Philippine Commission. But, after eighteen months from the date when the board shall certify that it has a sufficient list of eligibles to supply vacancies, vacancies occurring in all the foregoing offices, except in the private secretaryships above described, shall be filled without examination from a class to be composed of the first, second and third assistants in all the foregoing offices, the intention of this provision being that the appointing power may, by virtue hereof, transfer from one office to another a person deemed competent to fill the vacancy.

SEC. 21. The requirements of this act for entrance or promotion by competitive examination shall not apply to the office of cashier of the collector of customs for the islands, to the captain of the port at Manila, to the collector of customs at Iloilo, and to the collector of customs at Cebu, until one year after the date when the board shall make the certificate prescribed in the preceding section, after which vacancies in such offices shall be filled by promotion by competitive examination as in other cases.

SEC. 22. The persons now employed in the civil service of the Philippine Islands whose positions may be classified by the operation of this act and the rules herein provided for shall, unless dismissed by proper authority, continue in the service and discharge the duties assigned them; provided, that the board may, in its discretion, require by rule that all such employés shall pass examinations practically adapted to show their fitness to fill the positions now held by them, and that in case of failure to pass such examinations to the satisfaction of the board, they shall be dismissed from the service.

SEC. 23. This act shall not apply to the selection of school teachers of the department of public instruction, for which special legislation will be provided.

SEC. 24. The rules to be prepared and certified by the board shall be promulgated by executive order of the Military Governor.

SEC. 25. After the passage of this act no civilian shall be employed in the offices specified in section 5 of this act, except in accordance with its terms: *Provided*, That between the time of its passage and the date when the board herein created shall officially inform the Mili-

tary Governor and the Commission that it is ready to certify a list of persons eligible to appointment under the provisions of this act for any vacancy occurring, appointments for temporary service may be made to fill vacancies or newly created offices, to continue until such certification is made and such vacancies can be regularly filled under the requirements of this act and the rules of the board adopted in accordance herewith. Persons so temporarily appointed may compete in the examinations held for regular entrance to the classified service.

SEC. 26. In this act whenever a sum of money is mentioned, it shall be understood to refer to the money of the United States.

SEC. 27. Upon the passage of this act and the appointment and organization of the board, it shall be the duty of the head of each office to which this act applies, upon application by the board, to certify to the board a complete list of all the officers and employees engaged therein, together with a full statement of the duties performed by them and the compensation received by them.

SEC. 28. No person shall be admitted to the competitive examinations to be held under this act who are not either—

(a) Citizens of the United States, or

(b) Natives of the Philippine Islands, or

(c) Persons who have, under and by virtue of the treaty of Paris, acquired the political rights of natives of the islands.

SEC. 29. This act shall take effect on its passage, and shall be referred to as the "Civil Service Act."

Enacted, September 19, 1906.

[No. 6.]

AN ACT prescribing the order of procedure by the Commission in the enactment of laws.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. In "the making of rules and orders having the force of laws," as provided in the instructions to the Commission, the following procedure shall be adopted, viz:

(a) All such rules and orders as are of a distinctly legislative character shall be termed "acts;"

(b) All acts shall, before the enacting clause, be prefaced by a title stating the purpose and scope of the act;

(c) The enacting clause shall be in the following form, viz: "By the authority of the President of the United States, be it enacted by the United States Philippine Commission, that:"

(d) All acts, when enacted, shall bear the date of enactment, and be attested by the signature of the president and secretary of the Commission;

(e) Every bill proposing an act shall first be presented in executive session, and thereupon receive its first reading. After the first reading, it shall be considered and perfected in committee of the whole until all proposed amendments have been adopted or rejected;

(f) After being perfected in committee of the whole, the bill shall be reported to the Commission in executive session on a subsequent

day, and thereupon after being further amended, if necessary, shall be read a second time in its perfected form;

(g) The bill, as amended, shall then, under the directions of the secretary, be translated into Spanish, and printed, and copies thereof, in English or Spanish as may be required, immediately furnished for publication in each daily newspaper published in Manila, together with an informal announcement of the date when the same will be considered in public session;

(h) At the public session for the consideration of the bill, the Commissioner who introduced it shall explain its purpose, scope and provisions as fully as he may deem necessary, and the bill shall be read the third time. Persons present may then be heard upon it, under the resolution heretofore promulgated, and the other Commissioners may comment upon it if they so desire. Unless further amendments are proposed by a member of the Commission, the vote shall then be taken upon the passage of the bill. If further amendments are so proposed, they shall forthwith be acted upon, or postponed for future consideration, as the Commission may decide.

SEC. 2. The order of procedure herein provided shall not be obligatory whenever the Commission shall determine that the public good requires the more speedy enactment of a law. But in such case the act itself shall declare that the public good required its speedy enactment.

SEC. 3. This act shall take effect on its passage.

Enacted, September 26, 1900.

[No. 7.]

AN ACT for the establishment of a bureau of statistics for the Philippine Islands.

By the authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. There shall be established a bureau of statistics for the Philippine Islands, the central office of which shall be located in the city of Manila. The chief officer of this bureau shall be denominated the chief statistician. He shall be appointed by the Commission, under the limitations which are applicable to the appointment of the heads of other departments by virtue of section 20 of the civil service act. He shall superintend and direct the collection, compilation, and publication of such statistical information concerning the Philippine Islands as may be required by law, and shall perform his duties under the general supervision of the Military Governor.

SEC. 2. All appointments in the bureau of statistics shall be in accordance with the provisions of the civil service act.

SEC. 3. All information collected by the bureau concerning the affairs of private persons, firms or corporations shall be strictly confidential, and shall not be published or communicated in such a way as to reveal the identity of the persons concerned to any other than the employees of the bureau. The violation of this requirement by the chief statistician, or by any assistant, clerk, special agent, enumerator or other employee of the bureau shall be a misdemeanor, the punishment for which shall be a fine not exceeding five hundred dollars, or

imprisonment for a term not exceeding one year, or both fine and imprisonment, in the discretion of the court.

SEC. 4. Any assistant, clerk, special agent, enumerator, or other employee of the bureau who shall communicate to any person not authorized to receive the same any information gained by him in the performance of his duties, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished as provided in the preceding section.

SEC. 5. The chief statistician, or any assistant, clerk, special agent, enumerator, or other employee of the bureau, who shall wilfully report or publish false statistical information, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished as provided in section 3 of this act.

SEC. 6. All public officers of the Philippine Islands are authorized and required to render to the chief statistician, on his request, regular or special reports on all matters coming to their knowledge in the performance of their official duties, in so far as the information possessed by them or contained in their records relates to a subject under duly authorized investigation, and is not of a confidential nature. The regular reports required of public officials shall, as far as possible, take the form laid down in the statutes of the United States for similar reports to the several statistical bureaus of the Federal Government on the same or cognate subjects, or such forms as shall be prescribed by law. When any of the special reports called for from any office involve a larger amount of labor than can be performed by the regular force of that office without interference with their regular duties, the chief statistician shall delegate an employee or employees of the bureau to assist in compiling such reports.

SEC. 7. Any public officer wilfully refusing to comply with the requirements of the preceding section shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished as provided in section 3 of this act.

SEC. 8. Every person more than eighteen years of age residing in these islands shall be required, if thereto requested by the chief statistician or his duly authorized representative, to render a true account, to the best of his or her knowledge, of the various items of information possessed by him or her and required for any authorized statistical investigation; and whosoever shall wilfully fail or refuse to render such a true account shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined in a sum not exceeding one hundred dollars, or imprisoned for a term not exceeding three months, or by both fine and imprisonment, in the discretion of the court.

SEC. 9. Every president, treasurer, secretary, director, agent, or manager of any corporation or of any establishment of productive industry or commercial organization, whether conducted as a corporate body, limited liability company, or by private persons, from whom answers to any schedules, inquiries, or statistical interrogatories are required as herein provided, who shall, if thereto requested by the chief statistician or any of his duly authorized representatives, wilfully neglect or refuse to give true and complete answers to said authorized inquiries, or shall wilfully give false information, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not exceeding five hundred dollars, or imprisonment not exceeding one year, or by both fine and imprisonment, in the discretion of the court.

SEC. 10. The chief statistician may authorize the expenditure of sums necessary for traveling expenses of the officers and employees of the bureau and the incidental expenses essential to the carrying out of this act, including the expenses of printing the necessary forms, schedules, blanks, circulars, envelopes and other necessary items; and for printing, publishing and distributing bulletins and reports of the results of the investigations authorized; and for purchasing or contracting for the use of mechanical or electrical devices for calculating or tabulating: *Provided*, That no mechanical device of this character shall be adopted until after due notice to the public and tests of its merits in competition with other devices for the same purpose which may be offered, unless the same shall have been previously adopted in some department of the Government of the United States.

SEC. 11. The chief statistician shall provide the bureau with a suitable seal, with such device as he may select, and he shall file a description of such seal with the Commission, together with an impression thereof. Such seal shall remain in the custody of the chief statistician and shall be affixed to all commissions, certificates and attestations that may be required from the bureau.

SEC. 12. This act shall take effect on its passage.

Enacted, September 26, 1900.

[No. 8.]

AN ACT appropriating twenty thousand dollars (\$20,000.00) in payment of small expenses incurred by the War Department of the United States for the Philippine Islands.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The sum of twenty thousand dollars (\$20,000.00) in money of the United States is hereby appropriated for the payment of sundry small expenses incurred in the United States for the benefit of the Military Government of the Philippine Islands by order of the Secretary of War.

SEC. 2. The insular treasurer is hereby authorized and directed to remit by cable to the disbursing clerk of the War Department at Washington the sum herein appropriated, upon the warrant of the Military Governor for the same.

SEC. 3. This act shall take effect upon its passage.

Enacted, September 26, 1900.

[No. 9.]

AN ACT providing for an allowance in estimating and assessing dutiable goods in case of loss or destruction of the same.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. If upon opening any package of dutiable goods, a deficiency of any article shall, on examination by the inspector, be found, or if any article is found to be totally destroyed, the same shall be cer-

tified to the collector, who, if he shall be satisfied that such deficiency has occurred through no fault of the owner, importer, or other person interested in such goods, shall make allowance for the same in estimating and assessing duties.

SEC. 2. This act shall take effect on its passage.

Enacted, October 3, 1900.

[No. 10.]

AN ACT appropriating fifteen hundred dollars Mexican to be paid to the widow of Salvador de los Reyes, vice-president of Santa Cruz, province of Laguna de Bay.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Whereas, Salvador de los Reyes, vice-president of Santa Cruz, province of Laguna de Bay, was murdered while in the discharge of his official duties on September 1, 1900, by direct instigation of the insurgent commander Cailles, because of the efficient administration of the civil government of the municipality by the deceased and his loyalty to the United States;

Whereas, he had proven himself reliable and courageous in the discharge of his official duties, and his untimely death leaves his wife and two small children in needy circumstances,

The sum of fifteen hundred dollars Mexican is hereby appropriated out of any money in the insular treasury, not otherwise appropriated, to be paid to the widow of Salvador de los Reyes for the support of herself and her two children.

SEC. 2. The Military Governor is authorized and directed to draw his warrant for the sum stated in the preceding section in favor of the widow of Salvador de los Reyes, and the insular treasurer is directed to pay the same.

SEC. 3. This act shall take effect upon its passage.

Enacted October 3, 1900.

[No. 11.]

AN ACT appropriating sundry sums to pay the expenses of the department of education incurred prior to the first of September.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The sum of four hundred and fifty-six dollars and twelve cents (\$456.12) in money of the United States is hereby appropriated, out of any money in the insular treasury, not otherwise appropriated, to be paid to the following persons, for supplies furnished or services rendered the department of education:

E. C. McCullough.....	\$47. 89
Bazar de Velasco.....	175. 00
Cunningham, Curtis & Welch.....	74. 48
Payot, Upham & Co.....	107. 12
Lucy H. Willis.....	51. 63

SEC. 2. The Military Governor is authorized and directed to draw his warrants in favor of the persons named in the preceding section for the respective sums therein set forth and the insular treasurer is directed to pay the same.

SEC. 3. This act shall take effect on its passage.

Enacted October 3, 1900.

[No. 12.]

AN ACT prescribing the method to be adopted by the insular treasurer in keeping and rendering accounts of his receipts and disbursements.

By the authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The accounts of the insular treasurer shall show the kind of money, whether insular or that of the United States, in which each item of his receipts and disbursements of public funds has been made, and the account upon which the same has been received or disbursed.

SEC. 2. For the purpose of all reports required by law, the insular treasurer shall prepare, on the books of the treasury, tabulated statements, showing the several sources from which revenue has been received and the several purposes for which the same has been disbursed, with three columns of figures, the first column showing the amounts of insular money actually received or disbursed, the second column showing the amounts of United States money so received or disbursed, and the third column showing the aggregate amounts so received or disbursed stated in the money of the United States, which last-named amount shall be ascertained as provided in the next section.

SEC. 3. The items in the third column shall be made by reducing the items in the first column to United States money at the ratio for the quarter established by order of the Military Governor, and adding to the amounts thus obtained the corresponding items in the second column, but the ratio of reduction for the quarter beginning October 1, 1900, and ending January 1, 1901, shall be two dollars of insular money for one dollar of United States money of his receipts and disbursements.

SEC. 4. All reports made by the treasurer shall contain transcripts of the tabulated statements herein prescribed, so as to show the several amounts of all receipts and disbursements in United States money.

SEC. 5. The balance of United States money shown in the third column to be in the treasurer's possession at the close of each quarter shall be carried forward to the account for the new quarter, but for the purposes of the tabulated statements and reports herein prescribed, shall be reduced to its value in United States money at the ratio established for the new quarter, as herein provided, if that ratio shall be different from the one prevailing during the previous quarter.

SEC. 6. The treasurer shall account for the actual money received and disbursed by him, in the kinds of moneys so received and disbursed, irrespective of its reduced equivalent in United States money, and his accounts shall be audited upon this basis.

SEC. 7. This act shall take effect on its passage.

Enacted October 3, 1900.

[No. 13.]

AN ACT appropriating three hundred and eighty-seven thousand and sixty-four dollars and thirty-three cents, Mexican, for the payment of sundry expenses incurred for the benefit of the insular government for the month of September, 1900.

By the authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The following sums, in Mexican money, are hereby appropriated, out of any money in the insular treasury not otherwise appropriated, for the payment of current expenses of the insular government for the month of September, 1900, for the purposes and objects hereinafter expressed, namely:

For eighty per cent of the estimated value of the work done on the new Divisoria market, from August 1, 1900, to August 31, 1900, six thousand, seven hundred and twenty dollars.

For last payment on completion of contract of work on Divisoria market, six thousand, seven hundred and twenty dollars.

For deposit of twenty per cent, on payment of the work done, twenty thousand, one hundred and sixty dollars.

For wind-bracing Divisoria market, balance due, three hundred and twenty-five dollars.

Total, thirty-three thousand, nine hundred and twenty-five dollars.

For refitting and equipping the gunboat *Arayat*, as follows:

For construction and repair, twenty-one thousand, three hundred and nine dollars and eighty-five cents.

For steam engineering, ten thousand, nine hundred and seventy-four dollars and seventy cents.

For ordnance, sixty-five dollars and forty-eight cents.

For yard and docks, thirty-one dollars and nineteen cents.

For equipment, two thousand, four hundred and thirty-seven dollars and sixteen cents.

Total, thirty-four thousand, eight hundred and eighteen dollars and thirty-eight cents.

For payment of clerical assistance in the mining bureau, as follows:

One chief clerk and stenographer, two hundred dollars.

One mining engineer and assayer, two hundred dollars.

One interpreter and translator, two hundred dollars.

One record clerk, fifty-five dollars.

One helper for engineer, twenty dollars.

One porter (janitor), ten dollars.

One laborer, ten dollars.

Total, six hundred and ninety-five dollars.

For the purchase of books for the mining bureau, one hundred and seventy-nine dollars and ten cents.

For the salary of Dr. Domingo Santos, sanitary officer at Batangas, from May 14th to July 14th, fifty dollars per month, one hundred and one dollars and sixty-six cents.

For the salary of Dr. Domingo Santos, sanitary officer at Batangas, for two days in August, and for the month of September, fifty-three dollars and sixty-four cents.

Total, one hundred and fifty-five dollars and thirty cents.

For the payment of wages and salaries for the employees under the captain of the port at Aparri, as follows:

Cape Engano light-house:

One chief keeper, pay fifty dollars; allowance thirty dollars, eighty dollars.

One second-class keeper, pay forty-one dollars, allowance fifteen dollars, fifty-six dollars.

One fourth-class keeper, pay twenty-five dollars, allowance fifteen dollars, forty dollars.

One orderly, pay fifteen dollars.

Total for keeping Engano light-house, one hundred and ninety-one dollars.

For Linao light-house:

One first keeper, fifty dollars.

One fourth keeper, twenty-five dollars.

Total for Linao light-house, seventy-five dollars.

Total for captain of the port at Aparri, two hundred and sixty-six dollars.

For payment of additional native police force at Malabon and vicinity, from September 11 to September 30, 1900, as follows:

Three sergeants, at forty dollars per month, eighty dollars and one cent.

Three corporals, at thirty dollars per month, sixty dollars.

Fifty-four privates, at twenty-four dollars per month, eight hundred and sixty-four dollars.

Total for additional Malabon police, one thousand and four dollars and one cent.

For additional amount necessary to meet the cost of disinfectants purchased in America, authorized in original order, two hundred and forty-eight dollars and fifty-four cents.

For expenses of the department of public instruction, not provided for by previous appropriation, for the month of September, as follows:

Salaries of teachers in night school, one principal, at forty-eight dollars, forty-eight dollars.

Three teachers of English, at thirty-six dollars per month, one hundred and eight dollars.

Three teachers of English, at twenty-four dollars per month, seventy-two dollars.

Total addition for teachers in night school, two hundred and twenty-eight dollars.

For wages of English supply teacher, eighty dollars.

Total for department of public instruction, three hundred and eight dollars.

For the chief quartermaster of the United States Army for the Division of the Philippines:

For printing all orders and blanks required in the division, and for the purchase of rubber stamps and such stationery as had not been received from the United States, ten thousand dollars.

For electric lighting and supplies, one thousand dollars.

For the purchase of office furniture, fixtures, hire of interpreters, and payment of claims, four thousand dollars.

For the payment of cablegrams on official business, and hire of telephones, twenty-five thousand dollars.

For cleaning cesspool vaults and earth closets in Manila, five thousand dollars.

For repairs to Santa Mesa Hospital, five hundred and seventy-five dollars.

To complete work on Government building at Sual, two hundred and fifty dollars.

For hire of buildings in Manila for quarters, hospitals, storehouses and offices, thirteen thousand and five hundred dollars.

For repairs of Government buildings and similar miscellaneous items, ten thousand dollars.

For hire of cascoes used as ferries, and water transportation at outlying points, and for hire of authorized vehicles in Manila, five thousand dollars.

For payment of Macabebe scouts, three thousand dollars.

For repair of road from Calamba to dock, five thousand dollars.

For repair of road from Bonang to Cabagua and Santa Rosa, one thousand dollars.

For expenditure of the department of the Visayas, heretofore authorized under general order number thirty-seven as amended, sixty-three thousand, one hundred and sixty-five dollars.

For expenditure of the department of southern Luzon, heretofore authorized under general order number thirty-seven as amended, thirty-five thousand dollars.

For expenditures of the department of northern Luzon, heretofore authorized under general order number thirty-seven as amended, seventy-five thousand dollars.

For repairs to military prison at San Isidro, two thousand, nine hundred and seven-five dollars.

For expenses at depot quartermaster's, in Manila, for gunboats, pony corral, stable, cold-storage plant, first reserve hospital, printing establishment, purchase of coal and mineral oil, and miscellaneous supplies, fifty-six thousand dollars.

Total appropriation for the use of the chief quartermaster, three hundred and fifteen thousand, four hundred and sixty-five dollars.

SEC. 2. The insular treasurer is hereby authorized and directed to pay the warrants of the military governor for the sums so appropriated.

SEC. 3. This act shall take effect on its passage.

Enacted October 3, 1900.

[No. 14.]

AN ACT providing for the temporary assignment of judges of the courts of the first instance to preside in the trial of actions properly triable in provinces where no courts of the first instance have been established.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Whenever applications in writing shall be made to the supreme court, representing that the petitioner desires to bring an action in a court of the first instance within one of the provinces of the Philippine Islands in which there is then no court of the first instance, and which action would be properly triable in such court, if existing, and praying that provision may be made for the hearing and determination of the action, the president of the supreme court may, in his discretion, if he is satisfied that no injustice will thereby be done, temporarily assign any judge of a court of first instance to preside in the trial of the proposed action.

SEC. 2. Upon the assignment of a judge in accordance with the provisions of the preceding section, the judge so assigned shall have full authority to hear and determine the action, and all questions arising therein, to the same extent and with the same effect as if there had been established by law a court of first instance of the province in which the action would properly have been triable and he were the permanent judge thereof; and the same rights of appeal shall appertain to the action.

SEC. 3. The action shall be brought and the record thereof made in the regular court of the assigned judge, and process shall issue therefrom to the province in which the case would be properly triable were there a court of first instance established in such province, and the trial may take place either in such province or at the place where the assigned judge regularly under the law holds court as the president of the supreme court, having regard to the convenience of the trial judge and justice to the parties shall order.

SEC. 4. The assignment and order made by the chief justice under the preceding section shall be in writing and spread upon the minutes of the supreme court and upon the records of the court of first instance, the judge of which is so assigned.

SEC. 5. This act shall take effect on its passage.

Enacted October 10, 1900.

[No. 15.]

AN ACT to increase the monthly salaries of the native Filipino public school teachers of Manila and vicinity.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Until the salaries of all school teachers can be properly adjusted by general law establishing a proper school system in the islands, the monthly salaries of the native Filipino school teachers now teaching in the public schools of the city of Manila and in the suburbs of Pandacan, Pasay, Singalon, and Santa Ana shall be increased thirty-three and one-third ($33\frac{1}{3}$) per cent over and above their present salaries.

SEC. 2. The increase provided for in the first section of this act shall apply to the salaries to be paid for the month of October, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted October 10, 1900.

[No. 16.]

AN ACT for the reorganization of the forestry bureau of the Philippine Islands.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Until otherwise provided by law, the employees of the forestry bureau shall be:

(a) An officer in charge, detailed by the Military Governor from the Army of the United States and drawing no salary.

(b) An inspector, at one hundred and fifty (\$150) per month.

(c) A botanist, at one hundred dollars (\$100) per month.

(d) A chief clerk and stenographer, at one hundred dollars (\$100) per month.

(e) A translator, at one hundred dollars (\$100) per month.

(f) A law clerk, at seventy-five dollars (\$75) per month.

(g) A record clerk, at seventy-five (\$75) per month.

SEC. 2. In addition to the above there may be employed in the bureau ten assistant foresters at fifty dollars (\$50) per month, and thirty rangers at twenty-five dollars (\$25) per month, or any less number of each class as the officer in charge of the bureau may in his discretion deem necessary.

SEC. 3. In this act whenever a sum of money is mentioned it shall be understood to refer to the money of the United States.

SEC. 4. This act shall take effect on its passage.

Enacted October 10, 1900.

[No. 17.]

AN ACT for the reorganization of the mining bureau of the Philippine Islands.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Until otherwise provided by law, the employees of the mining bureau shall be:

(a) An officer in charge, detailed by the Military Governor from the Army of the United States and drawing no salary.

(b) A chief clerk, interpreter and stenographer, at one hundred and twenty-five dollars (\$125) per month.

(c) A mining engineer and assayer, at one hundred and twenty-five dollars (\$125) per month.

(d) A record clerk, at twenty-seven dollars and fifty cents (\$27.50) per month.

(e) An engineer's helper and assistant record clerk, at twelve dollars and fifty cents (\$12.50) per month.

(f) A janitor, at seven dollars and fifty cents (\$7.50) per month.

(g) A laborer, at five dollars (\$5) per month.

SEC. 2. In this act whenever a sum of money is mentioned it shall be understood to refer to the money of the United States.

SEC. 3. This act shall take effect on its passage.

Enacted October 10, 1900.

[No. 18.]

AN ACT appropriating sixteen hundred and seventeen dollars and ninety-five cents (\$1,617.95), in money of the United States, to pay expenses incurred and salaries earned, not provided for in the general appropriation bill.

By authority of the President of the United States, be it enacted by the United States Philippine Commission that:

SECTION 1. The sum of one thousand six hundred and seventeen dollars and ninety-five cents (\$1,617.95) in money of the United States

is hereby appropriated out of any money in the insular treasury, not otherwise appropriated, to be paid as follows:

To E. W. Vaile, director-general of posts, the sum of nine hundred seventy-two dollars and fifteen cents (\$972.15), expenses incurred by him in the purchase and maintenance of two horses, harness, and a carriage used from the 12th day of June, 1899, to the 30th day of September, 1900, for official transportation. This appropriation is made on condition that the horses, harness and carriage now used by him in the business of his office belong to the island government and are subject to the control of the proper authorities thereof, and that said Vaile execute an instrument properly evidencing the same.

To Fred W. Atkinson, general superintendent of public instruction, four hundred eighty-nine dollars and twenty cents (\$489.20), salary for the month of September, 1900.

To L. H. Willis, stenographer in the office of the general superintendent of public instruction, eighty-one dollars and sixty cents (\$81.60), salary for the month of September, 1900.

To Charles Rocha, interpreter in the office of the general superintendent of public instruction, the sum of seventy-five dollars (\$75), salary for the month of September, 1900.

SEC. 2. The military governor is authorized and directed to draw his warrants for the foregoing sums of money in favor of the respective persons named, and the insular treasurer is directed to pay the same.

SEC. 3. This act shall take effect on its passage.

Enacted October 10, 1900.

[No. 19.]

AN ACT increasing the force of employees in the office of the collector of customs for the islands, and of the captain of the port at Manila, and increasing the salaries of employees in the offices of the military secretary and of the officer in charge of insurgent records.

By authority of the President of the United States, be it enacted by the United States Philippine Commission that:

SECTION 1. Twenty additional fourth-class inspectors may be employed in the office of the collector of customs of the islands at Manila at a salary of sixty (60) dollars per month each.

SEC. 2. Two building inspectors, in addition to the present force, may be employed in the office of the city engineer of Manila under the provost-marshal-general at salaries of one hundred (100) dollars a month each.

SEC. 3. One additional property clerk may be employed in the office of the captain of the port at Manila at a salary of one hundred (100) dollars per month.

SEC. 4. The salary of the chief clerk and translator in the office of the officer having charge of the insurgent records shall be increased from one thousand (1,000) dollars to fourteen hundred (1,400) a year, and in the same office the salary of the Tagalog translator shall be increased from thirty (30) dollars to fifty (50) dollars per month.

SEC. 5. The salary of the chief clerk of the military secretary's office shall be increased from sixteen hundred (1,600) dollars to eighteen

hundred (1,800) dollars a year, and the salary of the assistant chief clerk in the same office shall be increased from one thousand (1,000) dollars to twelve hundred (1,200) dollars a year.

SEC. 6. In this act whenever a sum of money is mentioned it shall be understood to mean money of the United States.

SEC. 7. This act shall take effect on its passage.

Enacted October 10, 1900.

[No. 20.]

AN ACT to reorganize the office of the auditor of the islands.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Until further provision shall be made by law, the office of the auditor of the islands shall be conducted by the following officers and employees at the following salaries stated in money of the United States:

1. The auditor for the islands at an annual salary of four thousand (\$4,000.00) dollars.

2. One first assistant auditor at an annual salary of three thousand (\$3,000.00) dollars.

3. One second assistant auditor at an annual salary of two thousand seven hundred and fifty (\$2,750.00) dollars.

4. One first-class clerk and statistician at an annual salary of eighteen hundred (\$1,800.00) dollars.

5. One chief bookkeeper at an annual salary of fifteen hundred (\$1,500.00) dollars.

6. Three examiners at annual salaries of fourteen hundred (\$1,400.00) dollars each.

7. One assistant bookkeeper at an annual salary of twelve hundred (\$1,200.00) dollars.

8. Three stenographers at annual salaries of twelve hundred (\$1,200.00) dollars each.

9. Three clerks at annual salaries of twelve hundred (\$1,200.00) dollars each.

10. Three clerks at annual salaries of six hundred (\$600.00) dollars each.

SEC. 2. In addition to other duties required by law the auditor shall for statistical and other purposes provide and keep books and records, showing in detail and by tabular analysis the sources of the revenues of the military government of the islands and the objects to which the same have been appropriated and disbursed as taken from the vouchers on file in his office and shall make monthly, quarterly and annual reports of the same to the commission for its guidance in making future appropriations.

SEC. 3. This act shall take effect on its passage.

Enacted October 10, 1900.

[No. 21.]

AN ACT appropriating seven thousand five hundred dollars (\$7,500.00) in the money of the United States for constructing an additional crematory in the city of Manila.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The sum of seven thousand five hundred dollars (\$7,500.00) in the money of the United States is hereby appropriated, out of any money not otherwise appropriated in the treasury of the Philippine Islands, for the purpose of constructing an additional crematory in the city of Manila for the consumption of garbage, night soil and other offensive matter.

SEC. 2. The crematory herein provided for shall be constructed under the direction of the Military Governor upon any public lands in the city of Manila, available for the purpose, and pursuant to such plans and specifications as he may deem best.

SEC. 3. The insular treasurer is hereby authorized and directed to pay the warrants of the Military Governor for the sum so appropriated.

SEC. 4. This act shall take effect on its passage.

Enacted October 10, 1900.

[No. 22.]

AN ACT appropriating one million dollars (\$1,000,000.00) in the money of the United States for improving the port of Manila.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The sum of one million dollars (\$1,000,000.00) in the money of the United States is hereby appropriated to be paid out of any money in the insular treasury, not otherwise appropriated, to be immediately available and to be expended by the military governor, through the chief engineer, United States Army, for the Division of the Philippine Islands, for continuing the improvements of the harbor of Manila, including the outer harbor and the Pasig River from the Bridge of Spain to the mouth, in general accordance with the project adopted and partly carried out by the Spanish Government, the plans and specifications for which are on file in the office of the chief engineer.

SEC. 2. The appropriation shall be first used to finish the breakwaters already partially built, and to dredge within them so that all shipping, of whatever draft, frequenting this port may be able to lie under their protection, to clear and dredge the present canal connecting the projected harbor with the Pasig River; and to keep dredged the Pasig River below the Bridge of Spain, and the bar at the mouth of the river.

SEC. 3. After the work provided for in section 2 shall have proceeded so far that connection of the new port by a bridge with the business portion of Manila shall be needed, the chief engineer, under the direction of the military governor, shall construct a suitable railroad, wagon and passenger drawbridge across the Pasig River, near its mouth, so as to interfere as little as possible with navigation. The chief engineer shall acquire, either by purchase or by appropriation in the manner provided by law, the necessary land, not owned by the

government of these islands, for approaches and piers of the bridge. No purchase of lands herein directed shall be concluded until the title thereto shall be examined by the fiscal of the supreme court of the Philippine Islands and be declared good and sufficient, and the terms of the purchase shall be approved by the Military Governor.

SEC. 4. Such minor structures, permanent or temporary and such inside quay walls may be constructed or continued, where partially constructed, as will, as far as practicable, give relief to the present overcrowded condition of the port of Manila and which do not unduly interfere with, delay or injure the final improvements contemplated by this act.

SEC. 5. The work herein provided for shall, as far as practicable, be done and the necessary materials purchased by contract or contracts with private individuals or corporations. Bids for doing the same shall be advertised for and the contracts for doing the same shall be awarded to the lowest responsible bidder or bidders except as hereinafter provided.

When the chief engineer shall decide that public exigency requires the immediate delivery of any article or performance of any service the article or service required may be procured by open purchase or hire at the places and in the manner in which articles are usually bought and sold or such services engaged between individuals, provided the price of such article or service does not in any single instance exceed five thousand dollars (\$5,000.00) Mexican.

The chief engineer may advertise and contract for the doing of the work prescribed by this act either as a whole or in parts, as he may deem most advantageous to the public interests.

In making such advertisements or contracts he shall observe the following general rules and regulations, viz:

(a) Advertisement shall be made by him in some newspaper or newspapers of general circulation in the cities of New York, Chicago, and San Francisco in the United States, in Manila and in such other places as he may deem advantageous, for the period of thirty days, specifying therein the nature and character of the work to be let, stating that the plans and specifications for the same can be examined at the office of the chief engineer in Manila, and, in his discretion, at other designated points, soliciting bids for doing the same or so much as shall be specified in the advertisement and fixing the time or places when and where the bids shall be opened: Provided That whenever the chief engineer shall advertise for a minor part of said work which will not involve a cost of more than fifty thousand dollars, he shall not be required to make such advertisements in the United States, if, in his judgment, so doing would be productive of unnecessary expense or delay.

(b) At the time and place or places fixed in the advertisement, all bids for doing the work or the part advertised to be done, shall be opened by the chief engineer, who shall award the contract for doing the same to the lowest responsible bidder, provided the chief engineer deems the bid reasonable.

(c) If the chief engineer considers the lowest responsible bid to be excessive, he is hereby authorized to reject the same and he may, in the same manner, again advertise, one or more times, for new bids and open the same and award the contract as in the first instance to the lowest responsible bidder, if in his judgment the same is reasonable

and if not he shall reject the same, provided that after once advertising without obtaining a satisfactory bid, the chief engineer, if he considers it more economical and advantageous to the public interests, shall report the fact to the Military Governor, who shall, if he considers further advertising undesirable, order the work to be done directly by the chief engineer, under such rules as the military governor may establish for the purchase of materials, employment of labor and other details.

(d) The chief engineer shall furnish, on application, to any person desiring it, all information in regard to the nature and character of the work advertised to be let and shall permit the examination of the plans and specifications and in general shall furnish any person desirous to bid upon the work, such information as will enable him to bid understandingly.

(e) No person shall be informed directly or indirectly by the chief engineer or his subordinates, of the name of any bidder or one intending to bid or of any one to whom any information has been given.

(f) Bids shall be prepared in duplicate or triplicate, if required, in strict accordance with the requirements of the advertisement and specifications, and shall refer to the advertisement and to the plans or specifications. Each bid shall give the place of residence and post-office address of the bidder and shall be signed by him with his usual signature in full.

(g) A bid by a person who affixes to his signature the word "President," "Secretary" or "Agent" or other designation without disclosing his principal, shall be considered as the bid of the individual; a bid by a corporation shall be signed in the name of the corporation, followed by the signature of the president, secretary or other person authorized to bind it in the matter, who shall file evidence of his authority to do so; a bid by a firm shall be signed in the firm's name, either by a member thereof or an agent, who shall also state the names of the members thereof. If an agent signs, he shall file evidence of his authority to bind the firm.

(h) In all bids, numbers and prices shall be written in words as well as expressed in figures. It will be sufficient if specifications are referred to and are declared to form a part of the bid.

(i) Erasures or interlineations shall be explained by the bidder in the bid over his signature.

(j) A guaranty, signed by two responsible persons, that such bidder, if the work be awarded to him, will enter into contract and give bond for the performance of such work and that upon failure of the bidder to do so after ten days' notice of the acceptance of his bid, the guarantors shall be bound for the increased amount of any contract with another party, entered into by the chief engineer for the doing of such work, shall be required to accompany such bid, whenever, in the opinion of the chief engineer, it is necessary to protect the public interests, and when so required, no bid, unaccompanied by a guaranty, made in the manner and form as directed in the advertisement, shall be considered.

(k) The guaranty shall be in duplicate or in triplicate if required by the chief engineer and shall be made out with the necessary justification in accordance with blank forms furnished by him. The guarantors must severally justify in double the amount of penalty of the guaranty. The affidavit of justification may be taken before any per-

son authorized by the laws of the United States or the Philippine Islands to administer an oath. The justification will be followed by the certificate of a judge or clerk of a United States court, a United States commissioner or by a judge or clerk of any court of record in the Philippine Islands, with the seal of the court attached, that the guarantors are known to him and to the best of his knowledge and belief each is worth, over and above debts and liabilities, the sum stated in the guaranty. If necessary separate certificates may be furnished to each guarantor.

(l) Bids, with their guaranties, shall be securely sealed in suitable envelopes, indorsed and addressed as required in the advertisement, and must be in the possession of the officer addressed before the hour appointed for the opening. No responsibility shall attach to an officer for the premature opening of any bid not so indorsed as clearly to show its character.

(m) Whenever the chief engineer awards any contract for doing any work herein provided for, he shall reduce it to writing in due form, it shall contain all provisions necessary to secure proper performance of the work and shall be signed by him and the person to whom the contract is awarded, and acknowledged by the latter either before a judge or clerk of a United States Court, a United States Commissioner, or a judge or clerk of any court of record in the Philippine Islands, who shall in due form certify that such acknowledgment was made before him, under the seal of such court or office.

(n) Any contract herein provided for shall be made and executed in triplicate. One copy shall be retained by the chief engineer, one shall be filed with the Military Governor, and the third shall be retained by the other contracting party.

(o) Bond or bonds for the faithful performance of any contract so entered into by the chief engineer as hereinbefore provided, shall be given by the person to whom the contract is awarded, with two good and sufficient sureties, where the sureties are individuals, in the penal sum of not less than one-tenth nor more than the full contract price of the work, and conditioned for the faithful performance of the contract according to its tenor and effect, which bond or bonds shall be executed and acknowledged and the sureties justified as provided in subsection "k" hereof.

(p) Any company duly incorporated under the laws of the United States or any State of the United States, authorized to become surety on bonds under the laws of the United States and the rules and regulations of the War Department, may be accepted as surety.

(q) Individuals offering themselves as sureties shall not be accepted unless they shall be citizens of the United States or residents of the Philippine Islands owing allegiance to the United States who can justify as required in subsection "o," or subjects or citizens of other governments, residents in the Philippine Islands, having sufficient property therein subject to execution to meet the obligation of the bond. No contract or bond shall be binding on the Government until approved by the Military Governor.

(r) Transfers of contracts or of interest in contracts are forbidden.

(s) All contracts to be made under this act shall contain a provision by which there shall be retained from all partial payments at least ten per cent of the amount due until the acceptance of the work under contract and the final payment therefor, as additional security for the performance of the contract.

SEC. 6. The chief engineer is authorized and directed, so soon as he can do so without interfering with the work above provided to be done, to revise the Spanish plans and specifications and recommend to the Commission, through the Military Governor, such amendments and modifications thereof as, in his judgment, would be advisable.

SEC. 7. The chief engineer shall make to the Military Governor detailed monthly reports of the progress of the work directed hereunder, containing a statement of expenditures made during the month, together with suggestions of further legislation, if he thinks any to be necessary to accomplish the purposes of this act. The Military Governor shall transmit the chief engineer's reports to the commission with such recommendations and comments as he shall deem proper. The reports shall be filed in the office of the secretary of the Commission and shall be open to public inspection.

SEC. 8. The Military Governor is authorized to draw warrants for the amount herein provided, and the insular treasurer is directed to pay the same.

SEC. 9. This act shall take effect on its passage.

Enacted, October 15, 1900.

[No. 23.]

AN ACT appropriating two hundred and eighteen thousand three hundred and ninety-six dollars and twenty-five cents (\$218,396.25) in Mexican money, and three hundred and sixty-four thousand five hundred and ninety-two dollars and twenty-four cents (\$364,592.24) in United States money, for the payment of sundry expenses incurred for the benefit of the insular government for the month of October, 1900.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The following sums, in Mexican money, are appropriated, out of any money in the insular treasury not otherwise appropriated, for the payment of current expenses of the insular government for the month of October, 1900, for the purposes and objects hereinafter expressed, namely:

For the chief quartermaster of the United States Army for the Division of the Philippines:

For electric lighting and supplies heretofore authorized, one thousand dollars.

For repair of hospital at Lilmanan, three hundred dollars.

For repairs of road from San Quintin to San Nicolas, five hundred dollars.

For disbursement in office of chief quartermaster, in payment of carriage hire and cascoes used as ferries at Parañaque, five hundred dollars.

For expenditure by officers in Manila and in the departments, for authorized purchases and hire of authorized labor and transportation and rent of buildings, as provided in General Order No. 93, as follows:

For the department of northern Luzon, thirty thousand dollars.

For the department of southern Luzon, twenty-five thousand dollars.

For the department of the Visayas, sixty-five thousand dollars.

For the department of Mindanao and Jolo, twenty-five thousand dollars.

To meet other requisitions, seventeen thousand, six hundred and sixteen dollars.

To meet miscellaneous requisitions during the month, ten thousand dollars.

Total of Mexican money for the chief quartermaster, one hundred and seventy-four thousand, nine hundred and sixteen dollars.

For the chief signal officer:

For purchases and services in connection with the construction and maintenance of telegraph, telephone and cable lines, two thousand, five hundred dollars.

For the office of the provost-marshal-general:

For clothing for native police, three thousand, nine hundred and twenty dollars.

For streets, parks, fire and sanitation, and water supply, four thousand, six hundred and thirty dollars.

For refunding to the municipality of Malabon certain license fees accruing after July 1, 1900, thirty-nine dollars and fifty cents.

Total of Mexican money for the provost-marshal-general, eight thousand, five hundred and eighty-nine dollars and fifty cents.

For the forestry bureau:

For salaries of officials authorized for October, six hundred and fifty dollars.

Traveling and incidental expenses for September, one hundred dollars.

Traveling and incidental expenses for October, one hundred dollars.

Total of Mexican money for the forestry bureau, eight hundred and fifty dollars.

For the office of the provost-marshal of Cavite:

For salaries of interpreter, translator, clerk, and janitor, one hundred and forty dollars.

For new bid on desk, twenty dollars.

Total of Mexican money for the provost-marshal of Cavite, one hundred and sixty dollars.

For the office of the captain of the port at Iloilo:

For authorized salaries and office expenses, one thousand and thirty dollars.

For authorized salaries and expenses of light-houses at Iloilo, Siete Pecados, Calabasas, Gigantes, Luzaran, Marigonigo, six hundred and thirty-five dollars.

For authorized salaries on the government tug "Nesan," seven hundred dollars.

For authorized salaries for water-front police, four hundred and twenty dollars.

For authorized salaries on government launch "Vicenta," two hundred and thirty-two dollars and fifty cents.

For authorized salaries on river dredger "Rosario," three hundred and seventy-five dollars.

For engine-room supplies, one hundred and fifty dollars.

For removing deck house and placing two tanks on tug "Nesan," two hundred dollars.

For regular authorized labor, five hundred and sixty-two dollars and fifty cents.

For labor on quay wall and front, one hundred and sixty-two dollars and fifty cents.

For stone and cement for quay wall and front, three hundred dollars.
Total of Mexican money for the captain of the port at Iloilo, four thousand, seven hundred and sixty-seven dollars and fifty cents.

For the office of the captain of the port of Cebu:

For authorized salaries and wages, six hundred and fifteen dollars.

For the office of the captain of the port of Aparri:

For supplies and necessary material, one hundred dollars and thirty-five cents.

For authorized salaries at Cape Engaño light-house, one hundred and ninety-one dollars.

For authorized salaries for Linao light-house, seventy-five dollars.

Total of Mexican money for the captain of the port at Aparri, three hundred and sixty-six dollars and thirty-five cents.

For the office of the captain of the port at Dagupan:

For authorized salaries, two hundred and twenty-five dollars.

For the office of the captain of the port at Capiz:

For incidental expenses, eight dollars and forty cents.

For salaries, seventy-six dollars.

Total of Mexican money for the captain of the port at Capiz, eighty-four dollars and forty cents.

For the office of the captain of the port at Batangas:

For authorized salaries, forty-five dollars.

For the office of the captain of the port of Dapitor:

For rent of one boarding boat, five dollars.

For authorized salaries, thirty-two dollars and fifty cents.

Total of Mexican money for the captain of the port of Dapitor, thirty-seven dollars and fifty cents.

For the major-general commanding and military governor:

For payment in full satisfaction and liquidation of the claim of the Government of Spain, for reimbursement for cattle, saddles, carts, harness, etc., delivered by the Spanish authorities to the United States military authorities on the 13th and 14th of August, 1898, being the sum agreed upon for that purpose by John A. Hull, judge-advocate, United States Volunteers, and the Spanish board of liquidation, twenty-five thousand dollars.

For maintenance of public schools at San Pedro Macati, in the department of southern Luzon, from the first day of October, 1900, to the first day of January, 1901, being eighty dollars per month, two hundred and forty dollars.

Total appropriation of Mexican money, two hundred and eighteen thousand, three hundred and ninety-six dollars and twenty-five cents.

SEC. 2. The following sums in United States money are hereby appropriated, out of any money in the insular treasury, not otherwise appropriated, for the payment of current expenses of the insular government for the month of October, 1900, for the purpose and objects hereinafter expressed, namely:

For the chief quartermaster of the United States Army, for the division of the Philippines:

For printing and stationery, five thousand dollars.

For the purchase of office furniture and fixtures, and hire of interpreters, two thousand dollars.

For the payment of cablegrams, telegrams and telephones, twelve thousand, five hundred dollars.

For cleaning of cesspools, vaults, and closets in Manila, two thousand, five hundred dollars.

For rents and repairs to buildings in Manila, fifteen thousand, five hundred and forty-two dollars.

For funds for the department of northern Luzon, twenty thousand dollars.

For funds for the department of southern Luzon, five thousand dollars.

For funds to meet other authorized requisitions, five thousand dollars.

(The last three items being in accordance with General Order No. 93.)

For funds for the depot quartermaster, Manila, for expenses of Navy gunboats, pony corral, stable, cold storage plant, first reserve hospital, purchase of coal and oil, twenty-eight thousand dollars.

For funds to meet miscellaneous requisitions during the month, seventeen thousand dollars.

Total of United States money for the chief quartermaster, one hundred and twelve thousand, five hundred and forty-two dollars.

For the office of the disbursing quartermaster, civil bureau:

For authorized salaries for the court of first instance at Ilocos Sur, four hundred and seventy-two dollars and fifty cents.

For authorized salaries for the court of justice at Vigan, Ilocos Sur, ninety-seven dollars.

For authorized salaries for the court of the first instance at Dagupan, three hundred and seventy-two dollars and fifty cents.

For authorized salaries for the court of justice at Dagupan, ninety-seven dollars.

For authorized salaries for the court of first instance at Tueguegarao, three hundred and sixty-five dollars and fifty cents.

For authorized salaries for the court of justice at Tueguegarao, ninety-seven dollars.

For authorized salaries for the court of first instance at Bacalor, three hundred and sixty-five dollars and fifty cents.

For authorized salaries for the court of justice at Bacalor, ninety-seven dollars.

For authorized salaries for the court of first instance at Iloilo, three hundred and sixty-five dollars and fifty cents.

For authorized salaries for the court of justice at Iloilo, ninety-seven dollars.

For authorized salaries for the court of first instance at Cebu, three hundred and sixty-five dollars and fifty cents.

For authorized salaries for the court of justice at Cebu, ninety-seven dollars.

For authorized salaries for the court of first instance at Cavite, two hundred and seventy-seven dollars and seventy-five cents.

For authorized salaries for the court of justice at Cavite, seventy-five dollars.

For authorized salaries for the court of first instance at San Isidro, three hundred and one dollars and seventy-five cents.

For authorized salaries for the court of justice at San Isidro, seventy-five dollars.

For authorized salaries for the court of first instance at Laoag, three hundred and one dollars and seventy-five cents.

For authorized salaries for the court of justice of Laoag, seventy-five dollars.

For authorized salaries for the court of first instance at Balanga, two hundred and sixty dollars and twenty-five cents.

For authorized salaries for the court of justice at Balanga, seventy-five dollars.

For pay of civil employees in offices of board of officers on claims, chief quartermaster, judge-advocate, military secretary, officer in charge of insurgent records, supreme court, inspector-general, as authorized, one thousand, three hundred and forty-four dollars.

For pay of laborers, janitors, and for towels, two hundred and twenty-eight dollars and ninety-seven cents.

For payment of claims presented by the board of officers on claims, five thousand dollars.

For supplies for issue and miscellaneous expenses, ten thousand dollars.

For balance of stationery bill dated March 5, 1900, on authority granted April 20, 1900, fifteen thousand, five hundred and six dollars and seventy-four cents.

For rents and repairs, one thousand, two hundred and ten dollars.

For purchase of road tools for provost-marshal-general, authorized August 20, 1900, two thousand, three hundred and forty-two dollars and fifty cents.

For pay of civil employees in office of disbursing quartermaster, four hundred and eighty-nine dollars and seventeen cents.

For pay of civil employees in office of judge-advocate, three hundred dollars.

For pay of civil employees in office of board of officers on claims, one hundred dollars.

For pay of civil employees in office of adjutant-general, seven hundred and seventy-six dollars and sixty-seven cents.

For pay of civil employees in office of military governor, one thousand and sixteen dollars and sixty-six cents.

For pay of civil employees in office of officer in charge of insurgent records, one hundred and fifty-eight dollars and thirty-three cents.

For pay of civil employees in the supreme court, seven hundred and ninety-one dollars and sixty-seven cents.

For pay of civil employees in the office of inspector-general, one hundred and ninety-one dollars and sixty-seven cents.

For payment of salaries, claims, and miscellaneous bills, impossible to itemize, one thousand dollars.

Total of United States money for the disbursing quartermaster, civil bureaus, forty-four thousand, seven hundred and eighty-six dollars and eighty-eight cents.

For medical supply depot:

For payment of twenty-five Chinese coolies, under authority granted July 30, 1900, three hundred and ten dollars.

For the chief ordnance officer:

For authorized salaries and wages, gravel purchased for repairing roads inside arsenal, for hard wood for flagstaff at depot, galvanized-iron roofing for arsenal buildings, four hundred and sixty-three dollars and seventy cents.

For the chief signal officer:

For purchases and wages in construction and maintenance of telephone, telegraph and cable lines, one thousand, five hundred and forty-seven dollars.

For the provost-marshal-general:

For the department of public health:

For maintenance of patients, payment of wages, salaries, and for supplies, San Lazaro hospital, six hundred and twenty dollars.

For extra hose and additional apparatus for odorless excavator, ordered on April 21, by the Military Governor, one thousand, three hundred and ninety-eight dollars and seventy-five cents.

Total for the department of public health, two thousand and eighteen dollars and seventy-five cents.

For the department of water supply:

For salaries, maintenance, and office expenses, one thousand, nine hundred and forty-six dollars.

For the department of city public works:

For salaries, wages, office expenses, expenditure on bridge of Spain, Santolan road, and Luneta sea wall, three thousand, five hundred and ninety dollars.

For the department of cemeteries:

For wages, rent, and burial of paupers, supplies, advertising, and incidental expenses, three hundred and sixty dollars and fifty cents.

For the department of native police:

For payment of native police, interpreters, medical supplies, and contingent fund, eleven thousand and eighty-two dollars and fifty cents.

For the department of city schools:

For salaries of teachers of English, and in primary schools, and girls' municipal school, and in high school, and in Ateneo, and porters for the same, three thousand three hundred and fourteen dollars and thirty-three and one-half cents.

For salaries in nautical school, three hundred and thirty-five dollars and eighty-three cents.

For salaries in superintendent's office, three hundred and thirty-five dollars.

For carromatta hire, seventy-five dollars.

For school supplies, two hundred and thirty-five dollars.

For new furniture for schools, two hundred and fifty dollars.

For authorized salaries for teachers in night schools, one hundred and thirty-three dollars.

For additional teachers in night schools, one hundred and thirty-three dollars.

For increase in English teaching force, one hundred and eighty dollars.

For salaries in proposed new municipal schools, one hundred and ninety dollars.

Total of United States money for the department of city schools, five thousand one hundred and eighty-one dollars and sixteen and one-half cents.

For the department of municipal records:

For salaries of judges in the supreme court, one thousand five hundred and twenty dollars and eighty-two cents.

For salaries in the attorney-general's department, one thousand three hundred and six dollars and sixty-two cents.

For salaries and allowances in civil branches, one hundred and seventy-five dollars and thirty-four cents.

For salaries and allowance in criminal branch, three hundred and thirty dollars and thirty-four cents.

For salaries and allowance in the general offices, four hundred and seventy-eight dollars and eighty-two cents.

For salaries and allowance in the medico-legal department, one hundred and fifty dollars.

For salaries in the court of first instance in Binondo, two hundred and twenty-nine dollars and fifty cents.

For salaries in the court of first instance in Tondo, two hundred and twenty-nine dollars and fifty cents.

For salaries in the court of first instance in Quiapo, two hundred and twenty-nine dollars and fifty cents.

For salaries in the court of first instance in Intramuros, two hundred and seventy-one dollars and seventeen cents.

For salaries in the superior provost court, one hundred and thirty-seven dollars and fifty cents.

For salaries in the inferior provost court, eighty-seven dollars and fifty cents.

For salaries in the office of collector of taxes, one hundred and thirty dollars.

For salaries, stationery and contingent fund in the office of the department of municipal records, two hundred and fifty-five dollars.

For salaries in department of prison records, seventy-five dollars.

For one clerk, department of receipts and disbursements, one hundred dollars.

Total of United States money for the department of municipal records, five thousand, seven hundred and six dollars and sixty-one cents.

For the department of illumination and telephones:

For maintaining of street and harbor lights, two thousand nine hundred and ninety-six dollars and fifty cents.

In public buildings, general officers' residences, police stations, public markets, Carcel de Bilibid, five hundred and eleven dollars and ten cents.

For rental of telephones, one hundred and thirty-two dollars and fifty cents.

For new expenses in this department, eighty-six dollars and forty cents.

Total of United States money for the department of illumination and telephones, three thousand, seven hundred and twenty-six dollars and fifty cents.

For the department of licenses and municipal revenue:

For salaries and disbursements in the department of licenses, slaughterhouse, markets, and incidental expenses, one thousand, eight hundred and forty-two dollars.

For the department of secret service:

For the payment of agents, interpreters, driver, transportation, clerical assistance and information, six hundred and thirty-five dollars.

For the department of prisons:

For the presidio at Manila:

For subsistence, light, salaries, supplies, transportation, hospital, and repairs, two thousand, eight hundred and thirteen dollars and twenty-five cents.

For the carcel publica:

For salaries, light, subsistence, supplies and repairs, one thousand, nine hundred and forty-one dollars and seventeen cents.

For bilibid:

For material and repairs, twenty-five dollars.

Total for department of prisons, four thousand, seven hundred and seventy-nine dollars and forty-two cents.

For the department of quartermaster:

For rent of barracks, buildings for civil police and board of health, schoolhouses, observatory, markets, for expenses of city morgue, and miscellaneous expenses and necessary new expenses, eight thousand, six hundred and eight dollars and thirty-one cents.

For the department of the board of health:

For payment of wages and salaries, for apparatus and general expenses, six thousand, two hundred and forty-four dollars and thirty-five cents.

For the assistant adjutant-general's office:

For salaries of interpreters and clerks, for the purchase of three typewriters, for reimbursements for damages of a house on Calle San José, Ermita, per order of court, for support of orphans at Sta. Ysabel College, and political prisoners' meals, for printing, stationery, advertising and contingent expenses, two thousand and twenty-nine dollars and forty-five cents.

For the department of inspection:

For physician to prisoners of war at Fort Santiago, for subsistence and treatment of prisoners and others at San Juan de Dios Hospital, and for subsistence and treatment of indigent and insane natives and Spaniards at Hospitio de San José, two thousand, five hundred dollars.

For the department of streets, sanitation, etc.:

For employees in fire, street and sanitation work, seven thousand two hundred and fifty-three dollars.

For employees and carts for city parks and paseos, one thousand, five hundred and twenty-two dollars and sixty cents.

For cleaning matadero and city markets, three hundred and twenty-one dollars and thirty-five cents.

For cleaning streets, disposing of garbage, etc., four thousand and forty-six dollars.

For wages to crew of launches and stone scows, one hundred and twenty-six dollars and twenty-five cents.

For road material, hire of carts for the same, constructing new luneta, forage and shoeing for horses, continuation of opening, cleaning, and repairing drains and sewers; for material, expenses, and maintenance and repair of tug, garbage scows, and bancas; material for fire station, street cleaning, and sanitation; additional sanitary inspector, superintendent of parks; increase of salary of chief street and sanitary inspector, thirteen thousand one hundred and nineteen dollars and sixty-seven cents.

Total of United States money for the department of streets, sanitation, etc., twenty-six thousand, three hundred and eighty-eight dollars and eighty-seven cents.

For department of cemeteries:

For cleaning and painting Paco cemetery, two hundred dollars.

Total of United States money for the provost-marshal-general on original requisitions, eighty-six thousand, eight hundred and thirty-nine dollars and forty-three cents.

Also for the provost-marshal-general, for the purchase of one hundred and thirty-six wheel mules, eighteen lead mules, thirty-five sanitary dump carts, twenty escort wagons, sixty-one "S. S." wheel wagon harness, eighteen "S. S." lead wagon harness, eighty sets of

cart harness, as per special recommendation of the Military Governor, dated October 8, 1900, thirty-three thousand, two hundred and seventy dollars.

Grand total of United States money for the provost-marshal-general, one hundred and twenty thousand one hundred and nine dollars and forty-three cents.

For the general superintendent of education:

For the purchase of maps and globes, two thousand dollars.

For bills incurred by the Military Governor prior to September 1, 1900, for schoolbooks, to Ginn & Co., and American Book Co., thirty thousand and ninety-one dollars and fifty cents.

For salaries of the general superintendent, chief clerk, property clerk, stenographer, interpreter, janitors and packing, English teachers, one thousand, nine hundred and nine dollars and ninety-nine cents.

For English instruction in the schools outside of Manila not now provided with such instruction, two thousand dollars.

Total for the general superintendent of education, thirty-six thousand and one dollars and forty-nine cents.

For the collector of customs:

For regular supplies, two thousand, seven hundred and fifty dollars.

For incidental expenses, one hundred and two dollars and thirty-seven and one-half cents.

For rents and repairs to buildings, two hundred and thirty dollars and fifty cents.

For transportation, one hundred and eighty-nine dollars.

For salaries and wages, three thousand, six hundred and eighty-nine dollars.

For salaries, eight thousand, one hundred and fifty dollars.

For miscellaneous expense, seven hundred and seventy dollars and fifty cents.

For refunds, three hundred and twenty-four dollars and fifty-two cents.

For repair of old godowns, one thousand dollars.

For extra inspector hire at the port of Cebu, for the month of September, at one hundred dollars a month, one hundred dollars.

For extra inspector hire at the port of Cebu, for the month of October, at one hundred dollars a month, one hundred dollars.

Total of United States money for the collector of customs, seventeen thousand, four hundred and five dollars and ninety cents.

For the collector of internal revenue:

For deficiency estimate for September, one thousand, six hundred and thirty dollars and fifty-five cents.

For regular supplies, two hundred and forty-six dollars and eighty-eight cents.

For incidental expenses, eighteen dollars and ninety-three cents.

For rents and repairs, two hundred and fifty-two dollars.

For miscellaneous disbursements, forty-two dollars and five cents.

For salaries and wages, three thousand, two hundred and four dollars and forty-one cents.

For tax refunds, two hundred and fifteen dollars and ninety-four cents.

For transportation, thirty-one dollars and sixty-two cents.

Total of United States money for the collector of internal revenue, five thousand, six hundred and forty-two dollars and thirty-eight cents.

For the auditor for the islands:

For salaries and wages, two thousand, four hundred and ninety-two dollars and fifty cents.

For printing, seven hundred and fifty dollars.

Total of United States money for the auditor of the islands, three thousand, two hundred and forty-two dollars and fifty cents.

For the office of the treasurer:

For salaries and wages, three hundred and twenty-seven dollars and ninety-two cents.

For the office of patents, copyrights, and trade-marks:

For clerk hire, fifty dollars.

For the forestry bureau:

For authorized salaries and wages, eight hundred and forty-five dollars and twenty-five cents.

For incidental expenses for September, fifty dollars.

For incidental expenses for October, one hundred dollars.

Total of United States money for the forestry bureau, nine hundred and ninety-five dollars and twenty-five cents.

For the mining bureau:

For authorized salaries and wages, three hundred and fifty-two dollars and fifty cents.

For post-office box rent, four dollars.

Total of United States money for the mining bureau, three hundred and fifty-six dollars and fifty cents.

For the provost-marshal at Cavite:

For subsistence for military prisoners, three hundred and forty-eight dollars and seventy-five cents.

For repairs, nine dollars and forty-four cents.

Total of United States money for the provost-marshal at Cavite, three hundred and fifty-eight dollars and nineteen cents.

For the director-general of posts:

For supplies, furniture, transit charges, stamps, rent, and repairs, one thousand, six hundred and twenty dollars and twenty-three cents.

For transportation, two hundred dollars.

For salaries, eight thousand, nine hundred and thirty dollars and eighty-seven cents.

For miscellaneous expenses, fifteen dollars.

For payment of outgoing foreign mails, for quarter ending September 30, 1900, seven hundred and fifty dollars.

Total of United States money for the director-general of posts, eleven thousand, five hundred and sixteen dollars and ten cents.

For the captain of the port at Manila:

For office supplies, advertising, repairs; for light-house and signal stations, machine shops; public works and floating property, branch hydrographic office; office of launches and machine shop mechanical departments, three thousand dollars.

For salaries of office employees, one thousand and eighty-seven dollars and fifty cents.

Wages of crews for launches, four hundred and thirty-five dollars and fifty cents.

Disbursements for light-houses and signal stations, one thousand dollars.

Labor in machine shops, one thousand and sixty-four dollars and fifty-four cents.

- Dredging and clearing channel, dry dock, etc., one thousand, one hundred and twenty-five dollars.

Total of United States money for the captain of the port at Manila, seven thousand, seven hundred and twelve dollars and fifty cents.

For the chief quartermaster, third district, department of southern Luzon:

For repair of Tribunal Building at San José de Lagonoy, building now used as barracks, one thousand, two hundred and twenty-four dollars and fifty cents.

Total appropriation of United States money, three hundred and sixty-four thousand, five hundred and ninety-two dollars and twenty-four cents.

SEC. 3. The insular treasurer is hereby authorized and directed to pay, in the money by this act provided, the warrants of the Military Governor for the sums so appropriated.

SEC. 4. The public good requiring the speedy enactment of this appropriation bill, the passage of the same is hereby expedited in accordance with section 2 of "An act prescribing the order of procedure by the Commission in the enactment of laws," passed September 26, 1900.

SEC. 5. This act shall take effect on its passage.

Enacted, October 15, 1900.

[No. 24.]

AN ACT establishing a court of first instance for the province of Bohol.

By authority of the President of the United States, be it enacted by the United States Philippine Commission that:

SECTION 1. A court of first instance, of the third class, for the province of Bohol, is hereby established at Tagbilaran, in the island of Bohol, with the same attributes and connection with the supreme court of the Philippine Islands as the courts of first instance in the province of Manila.

SEC. 2. A clerk and the necessary subordinate officials of this court shall be appointed by the judge thereof.

SEC. 3. The duly appointed attorney-general for said province is hereby authorized to perform the duties of registrar of property pending the appointment of such registrar for said province.

SEC. 4. The clerk of this court is hereby authorized to perform the duties of notary public pending the appointment of a notary public for said province.

SEC. 5. For maintenance of said court the following salaries are hereby provided:

For the judge, at the rate of \$2,250.00 a year.

For the attorney-general of the province, at the rate of \$1,800.00 a year;

For an interpreter, at the rate of \$72.00 a year;

For a clerk, at the rate of \$1,200.00 a year;

All payable in Mexican money or its equivalent in United States money.

SEC. 6. Before entering upon the performance of his duties, each of the officers named in the last preceding section shall take the oath of office prescribed in General Orders, No. 20, issued from the office of the United States Military Governor of the Philippine Islands, series

of 1899. The oath of office to the judge shall be administered by the commanding officer of the United States forces on the island of Bohol. The judge, upon qualifying, is authorized to administer the oath of office to the other officials named in the preceding section.

SEC. 7. This act shall take effect on its passage.

Enacted, October 17, 1900.

[No. 25.]

AN ACT providing for the appointment and removal of subordinate officers and employees in certain departments and bureaus of the government of the Philippine Islands.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All appointments to, and removals from, subordinate civil positions authorized by law in the offices of—

- (a) The military secretary;
- (b) The treasurer for the islands;
- (c) The auditor for the islands;
- (d) The collector of customs for the islands;
- (e) The collector of inland revenue for the islands;
- (f) The director-general of posts for the islands;
- (g) The civil-service board;
- (h) The bureau of forestry;
- (i) The bureau of mines;
- (j) The bureau of statistics;
- (k) The general superintendent of public instruction;
- (l) Wardens of penitentiaries and prisons;
- (m) The provost-marshal-general;
- (n) The captain of the port;

shall be made by the respective heads of such offices, subject to the approval of the Military Governor.

SEC. 2. All appointments and removals made under the previous section shall be reported by the Military Governor to the Commission.

SEC. 3. Nothing herein shall be construed to take any of the appointments to be made to positions described in section one out of the provisions of the civil-service act, or to prevent the Commission from revoking action taken under section one, or making appointments to such positions, or from making removals therefrom of its own motion under the general powers conferred upon it by the instructions of the President of the United States.

SEC. 4. This act shall take effect on its passage.

Enacted, October 17, 1900.

[No. 26.]

AN ACT authorizing the employment by the Philippine civil-service board of certain employees and empowering the board to fix their salaries within an aggregate limit.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The Philippine civil-service board is hereby authorized to employ, subject to the limitations of the civil-service act and of an

act entitled "An act providing for the appointment and removal of subordinate officers and employees in certain departments and bureaus of the government of the Philippine Islands," passed October 17, 1900, two examiners, one Spanish interpreter, two stenographers and typewriters, two clerks, and two messengers, and to fix their salaries; provided, the aggregate amount of such salaries shall not exceed in one year eight thousand, seven hundred dollars (\$8,700) in the money of the United States.

SEC. 2. Upon the appointment of such employees and the fixing of their salaries the Philippine civil-service board shall certify its action through the Military Governor to the Commission.

SEC. 3. The Philippine civil-service board is authorized to incur such necessary expense for the printing of circulars, pamphlets, examination papers and other documents as the board shall deem proper, subject to the approval of the Military Governor.

SEC. 4. This act shall take effect on its passage.

Enacted, October 17, 1900.

[No. 27.]

AN ACT authorizing an increase of the clerical force in the office of the disbursing quartermaster, civil bureaus.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Authority is hereby given for the employment of two additional clerks in the office of the disbursing quartermaster, civil bureaus, one at a salary of one hundred dollars per month, and one at a salary of fifty dollars per month, in money of the United States.

SEC. 2. This act shall take effect on its passage.

Enacted, October 24, 1900.

[No. 28.]

AN ACT establishing a court of first instance, for the provinces of La Union and Benguet.

By the authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. A court of first instance of the second class for the provinces of La Union and Benguet is hereby established at San Fernando, in the province of La Union, with the same attributes and connection with the supreme court of the Philippine Islands as the courts of first instance in the province of Manila.

SEC. 2. A clerk and the necessary subordinate officials of this court shall be appointed by the judge thereof.

SEC. 3. The duly appointed attorney-general for said province is hereby authorized to perform the duties of registrar of property pending the appointment of such registrar for said provinces.

SEC. 4. The clerk of this court is hereby authorized to perform the duties of notary public pending the appointment of a notary public for said provinces.

SEC. 5. For maintenance of the court, the following salaries are hereby provided:

For the judge, at the rate of \$1,350.00 a year.

For the attorney-general of the province, at the rate of \$1,125.00 a year.

For an interpreter, at the rate of \$43.20 a year.

For a clerk, at the rate of \$600.00 a year.

All payable in United States money.

SEC. 6. Before entering upon the performance of his duties, each of the officers named in the last preceding section shall take the oath of office prescribed in General Orders, No. 20, issued from the office of the United States Military Governor for the Philippine Islands, series of 1899. The oath of office to the judge may be administered by the commanding officer of the United States forces in the province of La Union, or by a judge of the supreme court of the Philippine Islands. The judge, upon qualifying, is authorized to administer the oath of office to the other officials named in the preceding section.

SEC. 7. This act shall take effect on its passage.

Enacted, October 24, 1900.

[No. 29.]

AN ACT appropriating six hundred and forty-six dollars and eighty-eight cents for the payment of salary and expenses of Frank M. Kiggins, from July 10 to September 20, 1900, inclusive, and the sum of six hundred and twenty dollars and seventy cents for the payment of salary and expenses of Carl C. Plehn, from the 1st day of August to the 30th day of September, 1900, inclusive, both in money of the United States.

By the authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The sum of six hundred and forty-six dollars and eighty-eight cents in money of the United States, is hereby appropriated, out of any funds in the insular treasury not otherwise appropriated, for the purpose of paying Frank M. Kiggins, assistant to the Commission in organization of the civil service, for services rendered and expenses incurred by him under the direction of the Commission preliminary to formally assuming the duties of a member of the civil-service board for the period from July 10 to September 20, 1900, inclusive.

SEC. 2. The sum of six hundred and twenty dollars and seventy cents in money of the United States, is hereby appropriated out of any funds in the insular treasury not otherwise appropriated, for the purpose of paying Carl C. Plehn, statistician, for services rendered and expenses incurred by him under the direction of the Commission for the period from August 1 to September 30, 1900, inclusive.

SEC. 3. The military governor is hereby authorized and directed to draw his warrants in favor of the persons named in the preceding sections, for the respective sums therein set forth, and the insular treasurer is directed to pay the same.

SEC. 4. This act shall take effect on its passage.

Enacted, October 24, 1900.

[No. 30.]

AN ACT authorizing an increase of the salary of the interpreter and translator in the office of the superintendent of police for the city of Manila.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The salary of the chief interpreter and translator in the office of the superintendent of police in the city of Manila is hereby increased to one hundred dollars per month, in money of the United States.

SEC. 2. This act shall take effect on the first day of November, 1900.

Enacted, October 24, 1900.

[No. 31.]

AN ACT fixing the salary of the chief statistician.

By the authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The annual salary of the chief statistician shall be three thousand five hundred (\$3,500) dollars in money of the United States.

SEC. 2. This act shall relate to the first day of October, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, October 24, 1900.

[No. 32.]

AN ACT making permanent the temporary authority to appoint a property clerk in the department of education contained in an act passed September twelfth, 1900.

By the authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The authority conferred by an act of the United States Philippine Commission, passed September 12, 1900, to appoint temporarily a property clerk in the department of education is hereby made permanent.

SEC. 2. The authority herein conferred shall relate to October 8, last.

SEC. 3. If the person appointed under and by authority of the act of September 12, 1900, shall be reappointed under the present act, he shall have the benefit of the provisions of section 22 of the civil-service act.

SEC. 4. This act shall take effect on its passage.

Enacted, October 24, 1900.

[No. 33.]

AN ACT abolishing the office of the captain of the port at every port in the Philippine Islands, except Manila, and transferring the duties of such office to the proper collector or inspector of customs.

By the authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The office of the captain of the port at every port in the Philippine Islands, except Manila, is hereby abolished.

SEC. 2. The duties now performed by the captain of the port at every port of the Philippine Islands, except Manila, shall be performed at each port of entry by the collector of customs thereof, and at each of the other equipped ports of the islands by the inspector of customs thereof.

SEC. 3. This act shall take effect on its passage.

Enacted, October 24, 1900.

[No. 34.]

AN ACT fixing all salaries paid to officers and employees in the civil service in money of the United States.

By the authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All salaries paid to officers and employees in the civil service in these islands shall hereafter be paid in money of the United States.

SEC. 2. All general orders and laws now in force fixing such salaries in Mexican money are hereby amended so that the salaries therein provided shall, in each case, be fixed in money of the United States at one-half the number of dollars now expressed in Mexican money.

SEC. 3. This act shall take effect on November 1, 1900.

Enacted, October 24, 1900.

[No. 35.]

AN ACT authorizing the employment of an additional clerk and constable in the office of the justice of the peace at Cebu.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Authority is hereby given for the employment of an additional clerk at a salary of six dollars per month and of a constable at a salary of four dollars per month, in the money of the United States, in the court of the justice of the peace at Cebu.

SEC. 2. This act will take effect on its passage.

Enacted, October 27, 1900.

[No. 36.]

AN ACT regulating the system of keeping accounts of public revenues and the returns thereof, and repealing certain orders and circulars relating to those subjects.

By the authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The accounts of all collecting, disbursing and accounting officers or agents authorized to receive or disburse money or to audit accounts in these islands, shall be kept, and their reports shall be rendered, in accordance with the requirements of the act passed October 3, 1900 (No. 12), prescribing the method to be adopted by the insular treasurer in keeping and rendering accounts of his receipts and disbursements, and the liability of such officers or agents shall be determined in the same manner as the liability of the insular treasurer under said act.

SEC. 2. All collectors of subports and all other officers or agents authorized to receive money arising from the revenues of the islands, of whatsoever kind, shall pay, in the kinds of moneys in which the payments were received and collected, the full amounts received and collected by them respectively to the treasurer of the islands, and shall render to the auditor monthly accounts therefor within twenty days after the expiration of the month to which they pertain, accompanied with properly itemized and certified statements of the returns of the revenue collected, showing when, by whom, and on what account paid.

SEC. 3. The first paragraph of the executive order of May 3, 1899, reading:

“The collectors of subports shall deposit all moneys collected by them with the collector of the islands, and a receipt from the collector of the islands shall be taken in duplicate for all such deposits.”

And that portion of General Order No. 71, issued from the military governor's office on the 23d day of December, 1899, which reads:

“For the present all money accounts will be kept in Mexican currency.”

Also all those portions of General Order No. 54, issued from the office of the Military Governor on April 18, 1900, and of Circular No. 2, issued from the office of the collector of internal revenue of the islands, with the approval of the military governor, on the 16th day of August, 1900, and all other orders or portions of orders which are inconsistent with this act, are hereby repealed.

SEC. 4. This act shall take effect on its passage.

Enacted, October 29, 1900.

[No. 37.]

AN ACT making appropriations for the payment of vaccinators within the department of northern Luzon, and for the reestablishment of the “average” and “reserve” fund of the Pilots' Association of Manila, and for the payment of salaries and expenses of the Philippine Commission, and for repayment of surtaxes erroneously collected in the Second district, department of northern Luzon.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The following sums are hereby appropriated in money of the United States out of any money in the insular treasury not

otherwise appropriated, to be expended for the purposes hereinafter stated:

The sum of five hundred dollars for the payment of the balance due public vaccinators for the month of October, 1900, in the department of the northern Luzon.

The sum of four thousand dollars, for the reestablishment of the "average" and "reserve" fund of the Pilots' Association for the Port of Manila, as authorized and provided in article 40 of the "Regulations for the pilotage and moorage of the river Pasig and bay of Manila, approved by the admiral of the station on the 18th day of October, 1900."

The sum of forty thousand dollars to be paid to Frank A. Branagan, disbursing officer of the United States Philippine Commission, for the payment of salaries and expenses of the Commissioners and employees and miscellaneous expenses of the Commission, for the quarter ending December 31, 1900.

SEC. 2. The sum of three thousand, five hundred and one dollars and fifty-two cents in Mexican money is hereby appropriated out of any money in the insular treasury not otherwise appropriated, for the payment of surtaxes erroneously collected in the various municipalities of the Second district, department of northern Luzon, to such municipalities.

SEC. 3. The insular treasurer is hereby authorized and directed to pay the warrants of the military governor for the sums so appropriated.

SEC. 4. This act shall take effect on its passage.

Enacted, October 29, 1900.

[No. 38.]

AN ACT appropriating thirteen thousand seven hundred and thirty-four dollars and eighty-three cents for the construction of a suitable vault for the use of the treasurer of the Philippine Islands, and twelve thousand, four hundred and twenty-five dollars for the purchase of a site for a new market in the city of Manila, both in the money of the United States.

By the authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The following sums in money of the United States are hereby appropriated out of any money in the insular treasury not otherwise appropriated, for the purposes and objects hereinafter expressed, namely:

The sum of thirteen thousand, seven hundred and thirty-four dollars and eighty-three cents, to be expended in the construction of a fire and burglar proof vault in the treasury building of the Philippine Islands in the city of Manila.

The sum of twelve thousand, four hundred and twenty-five dollars, to be expended in payment of the purchase money of a suitable site for the construction of an additional market within the city of Manila, and for payment of the other expenses attendant upon such purchase.

SEC. 2. The insular treasurer is hereby authorized and directed to pay the warrants of the military governor for the sums so appropriated.

SEC. 3. This act shall take effect on its passage.

Enacted, October 29, 1900.

[No. 39.]

AN ACT authorizing and directing the construction of a warehouse on the custom-house grounds, Manila, and the grading and paving of a certain part of those grounds.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The Military Governor is authorized and directed to construct a warehouse on the grounds of the custom-house, Manila, extending along Calle Numancia, Calle de Urbiztondo and Custom-House road, in accordance with the plans entitled—"New bodega for the custom-house at Manila, P. I.," with the accompanying specifications, issued from the office of the assistant chief quartermaster, Manila, October 22, 1900.

SEC. 2. The Military Governor is authorized and directed to grade and pave that part of the custom-house grounds lying between the outer line of the proposed warehouse and the streets along which it extends.

SEC. 3. The work hereinbefore authorized and directed shall be done by contract to be awarded to the lowest responsible bidder, after bids have been invited by public advertisement. Authority is hereby given to the military governor to reject any and all bids; provided, however, that should no satisfactory bid be received in public competition, he is authorized to let the work by private contract, or to do the work by government employees without contract.

SEC. 4. This act shall take effect on its passage.

Enacted, October 31, 1900.

[No. 40.]

AN ACT prescribing the method to be adopted in making requisitions for funds from the insular treasury, and repealing portions of executive order of May 8, 1899.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Requisitions for advances from funds in the hands of the treasurer for paying necessary and proper expenses chargeable to the revenues of the islands shall be made by the respective officers or agents authorized to disburse the same in such form as shall be needed to defray the necessary expenses for three months, and shall be accompanied with itemized estimates of the amounts required, specifying character of expenditures and the funds or heads of the account from which payable. The first requisition under this section shall be for the period of three months, commencing on the first day of January, 1901, and succeeding requisitions shall be in like manner for like succeeding periods.

SEC. 2. All portions of the rules and regulations accompanying executive order of May 8, 1899, inconsistent with this act, are hereby repealed.

SEC. 3. This act shall take effect on its passage.

Enacted, October 31, 1900.

[No. 41.]

AN ACT providing for the employment of special counsel to defend claims against the United States before the board of officers on claims.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. There shall be appointed by the United States Philippine Commission a person learned in the law to act as special counsel for the United States in the defense of claims made against the Government of the United States before the board of officers on claims heretofore appointed by the military governor.

SEC. 2. The employment of such special counsel shall be for six months, from October 15, 1900, to April 15, 1901, and the compensation for such six months' service shall be fifteen hundred dollars (\$1,500), in money of the United States.

SEC. 3. This act shall take effect on its passage.

Enacted, October 31, 1900.

[No. 42.]

AN ACT appropriating one hundred thousand seven hundred dollars and thirty cents (\$100,700.30) in Mexican money, and three hundred seventy-seven thousand two hundred and fourteen dollars and seventy-five cents (\$377,214.75) in United States money, for the payment of sundry expenses incurred for the benefit of the insular government for the month of November, 1900, and other designated months.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The following sums in Mexican money are appropriated out of any money in the insular treasury, not otherwise appropriated, for the payment of the current expenses of the insular government for the month of November, 1900, and other designated months, for the purposes and objects hereinafter expressed, viz:

For the chief quartermaster of the United States Army for the division of the Philippines:

For electric lighting and supplies, and rents and repairs to buildings, six thousand eight hundred and thirty-nine dollars and fifty cents (\$6,839.50); for authorized expenditures in the department of the Visayas, the departments of Mindanao and Jolo, for emergency requisitions during the month, for pay of doctors for smallpox patients at Vigan, and for a deficiency in the pay of Macabebe scouts for the months of September and October, seventy-nine thousand seven hundred and seven dollars and fifty cents (\$79,707.50).

Total of Mexican money for the chief quartermaster, eighty-six thousand five hundred forty-seven dollars (\$86,547).

For the purchase of medical supplies for the naval storehouse, Cavite, one hundred forty-six dollars and forty cents (\$146.40).

For the chief signal officer:

For supplies and labor in the construction and maintenance of telegraph, telephone, and cable lines in the Philippine Islands, twenty-five hundred dollars (\$2,500).

For the provost-marshal-general:

For the department of streets, parks, fire, and sanitation, seven hundred and eighty dollars (\$780); for coal for the department of water supply, four thousand dollars (\$4,000).

Total for the provost-marshal-general in Mexican money, forty-seven hundred and eighty dollars (\$4,780).

For the forestry bureau:

For salaries of six assistant foresters, six hundred dollars (\$600); for salaries of thirteen rangers, six hundred and fifty dollars (\$650); for traveling and other expenses incident thereto, four hundred dollars (\$400).

Total for the forestry bureau in Mexican money, sixteen hundred and fifty dollars (\$1,650).

For the bureau of mining:

For the salary of an interpreter and translator from October 1st to October 9th, inclusive, sixty dollars (\$60).

For the provost-marshal of Cavite:

For salaries of janitor, for police for the United States military prison and for incidental expenses, two hundred and seventy-five dollars (\$275).

For the captain of the port at Capiz:

For salaries and wages, eighty-two dollars (\$82).

For the captain of the port at Balanga:

For salary of health officer for October and November and for wages of crew for boarding boat and maintaining harbor lights, one hundred and fifty-five dollars (\$155).

For the captain of the port at Dapitan:

For salaries, wages and miscellaneous expenses, thirty-seven dollars and fifty cents (\$37.50).

For the captain of the port at Dapitan:

For salaries, wages, and miscellaneous expenses for the month of April, 1900, thirty-seven dollars and fifty cents (\$37.50).

For the captain of the port at Aparri:

For salaries, wages, and incidental expenses for the office of the captain of the port, for the Engaño light-house, and for the Linao light-house, seven hundred and thirty-six dollars (\$736.00).

For a refund of an overpayment to the treasurer by W. S. Conrow, collector of internal revenue at Catbalogan, for the period ending June 30, 1900, eight dollars and sixty cents (\$8.60).

For the quartermaster and disbursing officer of the United States military prison at San Isidro:

For salaries, two hundred and seventy-five dollars (\$275); for salaries for December, two hundred and seventy-five dollars (\$275); for subsistence for prisoners for thirty-one days of December, thirty-one hundred and fifteen dollars and fifty cents (\$3,115.50).

Total in Mexican currency for the quartermaster and disbursing officer of San Isidro prison, thirty-six hundred and sixty-five dollars and fifty cents (\$3,665.50).

For J. H. Baker, capt., 46th Inf., U. S. V., to repay overremittance to the treasurer, nineteen dollars and eighty cents (\$19.80).

Total for appropriations in Mexican currency for the month of November and other designated months, one hundred thousand seven hundred dollars and thirty cents (\$100,700.30).

SEC. 2. The following sums in money of the United States are hereby appropriated, out of any money in the insular treasury not otherwise appropriated, for the payment of current expenses of the insular government for the month of November, 1900, and other designated months, for the purposes and objects hereinafter expressed, viz:

For the chief quartermaster for the division of the Philippines:

For regular supplies, for telegrams and telephones, for cleaning of cesspools, for rents and repairs to buildings, for transportation, for miscellaneous expenses of the department of northern Luzon, for miscellaneous expenses of the department of southern Luzon, for expenses of navy gunboats, for expenses of pony corral and of other stables, for expenses of cold-storage plant, for expenses of first reserve hospital, for the purchase of coal and mineral oil and for miscellaneous expenses and to meet emergency requisitions during the month, one hundred and thirty-nine thousand nine hundred and fifty-six dollars and seventy-five cents (\$139,956.75).

For the disbursing quartermaster of civil bureaus:

For authorized salaries for the judges, officers, and employees of the court of first instance at Vigan, the court of justice at Vigan, the court of first instance at Dagupan, the court of justice at Dagupan, the court of first instance at Tuguegarao, the court of justice at Tuguegarao, the court of first instance at Bacolor, the court of justice at Bacolor, the court of first instance at Iloilo, the court of justice at Iloilo, the court of first instance at Cebu, the court of justice at Cebu, the court of first instance at Cavite, the court of justice at Cavite, the court of first instance at San Isidro, the court of justice at San Isidro, the court of first instance at Laoag, the court of justice at Laoag, the court of first instance at Balanga, the court of justice at Balanga, the sum of four thousand three hundred and thirty dollars and fifty cents (\$4,330.50).

For pay of civil employees in the offices of the following officers:

The board of officers on claims, one hundred and sixty dollars (\$160); chief quartermaster, forty dollars (\$40); assistant to chief quartermaster, two hundred thirty-three dollars and fifty cents (\$233.50); judge-advocate, seven hundred twenty-seven dollars and fifty cents (\$727.50); disbursing quartermaster, four hundred eighty-nine dollars and seventeen cents (\$489.17); adjutant-general, seven hundred and seventy-six dollars and sixty-seven cents (\$776.67); military secretary, eleven hundred and sixteen dollars and sixty-six cents (\$1,116.66); officer in charge of insurgent records, two hundred eighty-eight dollars and thirty-three cents (\$288.33); the supreme court, ten hundred and ninety-four dollars and sixty-seven cents (\$1,094.67); inspector-general, two hundred and forty-one dollars and sixty-seven cents (\$241.67).

For payment of salaries, claims, and miscellaneous bills impossible to itemize, one thousand dollars (\$1,000).

For the pay of laborers for the disbursing quartermaster, two hundred and twenty-four dollars and seventy-two cents (\$224.72); for janitors and four assistant janitors at intendencia building and miscellaneous expenses, forty-one dollars and seventy-five cents (\$41.75); for supplies for issue and miscellaneous expenses impossible to itemize, twenty-five thousand dollars (\$25,000); for rents and repairs of buildings in Manila and elsewhere, four hundred and ninety dollars (\$490).

Total for the disbursing quartermaster of civil bureaus, thirty-six thousand two hundred and fifty-five dollars and fourteen cents (\$36,255.14).

For the medical supply depot of Manila:

For laborers, three hundred dollars (\$300).

For medical supply depot, department of northern Luzon:

For supplies; two hundred and sixty-five dollars (\$265); for eighty

vaccinators, at fifteen dollars per month, twelve hundred dollars (\$1,200).

Total for medical supply depot of northern Luzon, fourteen hundred and sixty-five dollars (\$1,465).

For the medical supply depot, southern Luzon:

For eighty vaccinators, at fifteen dollars per month, twelve hundred dollars (\$1,200); for medical supplies for indigent sick natives, fifteen hundred dollars (\$1,500).

Total for medical supply depot of southern Luzon, twenty-seven hundred dollars (\$2,700).

For chief ordnance officer:

For clerical hire, labor, and materials in repairs, four hundred and ninety-eight dollars and seventy-five cents (\$498.75).

For the chief signal officer:

For supplies and labor in the construction and maintenance of telegraph, telephone and cable lines in the Philippine Islands, fifteen hundred and ninety dollars (\$1,590).

For the office of the provost-marshal-general and departments reporting to him:

For department of fire, streets, parks, and sanitation:

For salaries and wages, including herein an increase of thirty dollars a month in the salary of the inspector of the district of Santa Cruz, Quiapo, and San Miguel, fourteen thousand and five dollars and seventy-five cents (\$14,005.75); for horseshoeing, two hundred and twenty-nine dollars and fifty cents (\$229.50); for road material, opening, cleaning and repairing of drains and sewers, repairs to steam tugs, garbage scows and bancas, tools, supplies and other expenses of fire stations, street cleaning and sanitation, thirteen thousand, three hundred and seventy-five dollars (\$13,375); for hire of transportation, seven hundred and five dollars (\$705); for removing night soil from city markets, one hundred dollars (\$100); for constructing new luneta, thirty-five hundred dollars (\$3,500).

Total for the department of fire, streets, parks, and sanitation, thirty-one thousand, nine hundred and fifteen dollars and twenty-five cents (\$31,915.25).

For the department of illuminations and telephones, three thousand, seven hundred and ninety dollars and twenty-seven cents (\$3,790.27).

For the department of municipal records:

For salaries of the judges of all branches of the supreme court, fifteen hundred and twenty dollars and eighty-two cents (\$1,520.82); for salaries of the attorney-general's department, thirteen hundred and six dollars and sixty-two cents (\$1,306.62); for the employees of the civil and criminal branches of the general offices and of the medico-legal department of the supreme court, eleven hundred and thirty-four dollars and fifty cents (\$1,134.50); for the salaries of the judges, justices of the peace, bailiffs, and other employees of the courts of first instance of Binondo, Tondo, Quiapo, Intramuros, of the superior provost court and of the inferior provost court, including herein monthly salaries for new employees whose employment is hereby authorized as follows: Sixteen copyists, four for each justice of the peace in Manila, at ten dollars (\$10) a month each; eight bailiffs, two for each justice of the peace in Manila, at six dollars (\$6) a month each; and two interpreters, at forty-one dollars and sixty-six cents (\$41.66) each, fourteen hundred and seventy-five dollars and ninety-nine cents (\$1,475.99); for the sala-

ries of sixteen copyists, at ten dollars (\$10) a month each, and eight bailiffs, at six dollars (\$6) a month each, for three months, who in courts of the justices of the peace of Manila, though without authority of law, rendered regular public service as such during the months of August, September, and October, six hundred and twenty-four dollars (\$624); for salaries of the collector of taxes and two clerks, one hundred and thirty dollars (\$130); for the salary of clerks and other employees of the department of municipal records, stationery and contingent fund, two hundred and fifty-five dollars (\$255); for the salary of the clerks of the department of prison records, seventy-five dollars (\$75); for the salary of a clerk in the department of receipts and disbursements, one hundred dollars (\$100).

Total for the department of municipal records, five thousand, seven hundred and six dollars and sixty-one cents (\$5,706.61).

For the department of water supply:

For salaries and wages, seventeen hundred and seventy-one dollars (\$1,771); for maintenance, supplies, and office expenses, one hundred and seventy-five dollars (\$175);

Total for the department of water supply, nineteen hundred and forty-six dollars (\$1,946).

For the department of city public works:

For salaries and wages, nine hundred and seven dollars and fifty cents (\$907.50); for office expense, twenty-five dollars (\$25); for widening the Bridge of Spain, four thousand dollars (\$4,000); for repairing city bridges, five hundred dollars (\$500); for repair of Santolan road, one hundred and fifty dollars (\$150); for repairing Luneta sea wall, one thousand dollars (\$1,000); for the Divisoria market, five hundred dollars (\$500); for map of Manila, one hundred dollars (\$100); for the construction of Santa Cruz Bridge, five hundred dollars (\$500); for the maintenance of stock, twenty-five dollars (\$25);

Total for the department of city public works, seven thousand, seven hundred and seven dollars and fifty cents (\$7,707.50).

For the department of cemeteries:

For salaries and wages, rent of keepers' houses, burial of paupers, materials, and miscellaneous expense, three hundred and four dollars and fifty cents (\$304.50).

For the department of police:

For salaries and wages of the officers and privates of the Manila police force, for interpreters and other employes, for medical supplies and contingent fund, for additional detectives, hereby authorized—one detective at one hundred dollars per month, two detectives at twenty-five dollars per month, and one detective at fifteen dollars per month—eleven thousand, two hundred and forty-two dollars and fifty cents (\$11,242.50).

For the department of secret service:

For salaries and wages, pension and miscellaneous expenses, six hundred and seventy-two dollars and fifty cents (\$672.50).

For the department of city schools in Manila:

For salaries and expenses of the city schools of Manila, five thousand, three hundred and sixty-five dollars and eighty-three and one-half cents (\$5,365.83½); for salaries in the nautical school, three hundred and thirty-five dollars and eighty-three cents (\$335.83); for salaries in the superintendent's office, three hundred and seventy-two dollars and fifty cents (\$372.50); for books, stationery, and incidental expenses,

including carromata hire for superintendent of city schools, two hundred and twenty dollars (\$220); for books, stationery, and incidental expenses, including carromata hire for superintendent of nautical school, eighty dollars (\$80); for supplies for municipal schools, two hundred and fifty dollars (\$250); for supplies for nautical school, ten dollars (\$10); for thirty-three and one-third per cent ($33\frac{1}{3}\%$) increase in salaries of native Filipino teachers for the month of October, three hundred and seven dollars and thirty-four cents (\$307.34); for additional teacher of English in nautical school, seventy-five dollars (\$75);

Total for department of city schools of Manila, seven thousand and sixteen dollars and fifty and one-half cents (\$7,016.50 $\frac{1}{2}$).

For department of licenses and municipal revenue:

For salaries and wages of clerks, inspectors, and employes in the license office, including hire of cart, horse, and driver for thirty days, eight hundred and seventy-six dollars (\$876); for salaries of employes in the slaughterhouse, two hundred and seventy-one dollars (\$271); for salaries of employes in the markets, three hundred and twenty-six dollars (\$326); stationery, printing, fuel, and other miscellaneous expense, three hundred and forty-seven dollars and fifty cents (\$347.50).

Total for the department of licenses and municipal revenue, eighteen hundred and twenty dollars and fifty cents (\$1,820.50).

For the department of prisons:

For subsistence of prisoners and lights at Presidio de Manila, thirteen hundred and twenty-nine dollars and thirty-seven cents (\$1,329.37); for salaries of police officers and other employes, one thousand and ten dollars (\$1,010); sundry office supplies, transportation, and miscellaneous repairs, eighty dollars (\$80).

Total for Presidio de Manila, two thousand four hundred and nineteen dollars and thirty-seven cents (\$2,419.37).

For subsistence of prisoners and lights at Cárcel Pública, twelve hundred and twenty-one dollars and twenty-five cents (\$1,221.25); for salaries of clerks and employes, three hundred and sixty-five dollars (\$365); sundry office supplies and miscellaneous repairs, sixty-two dollars (\$62).

Total for Cárcel Pública, sixteen hundred and forty-eight dollars and twenty-five cents (\$1,648.25).

For Bilíbid United States military prison:

For repairs and supplies, twenty-four dollars and fifty cents (\$24.50).

Total for department of prisons, four thousand and ninety-two dollars and twelve cents (\$4,092.12).

For the quartermaster's department of the provost guard:

For rent of barracks for civil and military police in Manila, including also the rent of three buildings in Malabon, for the months of October and November, twenty-four hundred and fifty-one dollars and sixteen cents (\$2,451.16); for rent of schoolhouses, including Manila Central Observatory, one thousand and fifty-seven dollars and sixty-seven cents (\$1,057.67); for rent of market sites, twenty-five dollars (\$25); for expenses of city morgue, transportation, rent and petroleum, seventy-two dollars and fifty cents (\$72.50); for miscellaneous rents, operating Manila Central Observatory, pension of Jacinta Brilianti, janitor, service of headquarters of provost-marshal-general, hire of cooks for insurgent prisoners, incidental expenses of headquarters of provost-marshal-general, and advertising, three thousand and five dollars and forty-eight cents (\$3,005.48); for hire of one clerk, pur-

chase of four handcarts, rations for civil and military prisoners, rice for indigent citizens, additional rents and minor repairs to civil and military police stations in Manila, two thousand three hundred and thirty-five dollars and eighty-three cents (\$2,335.83);

Total for the department of quartermaster of provost guard, eight thousand, nine hundred and forty-seven dollars and sixty-four cents (\$8,947.64).

For the department of board of health for the city of Manila:

For salaries and wages of employes, including one physician at Malabon, three thousand, two hundred and thirty-eight dollars and fifty cents (\$3,238.50); for transportation, three hundred and sixty dollars (\$360); for medicines for municipal dispensary, preparation of vaccine virus, incidental expenses of veterinary department, incidental expenses of board of health, incidental expenses of chemical department, incidental expenses of bacteriological department, incidental expenses antiplague virus farm, running expenses smallpox hospital, running expenses plague hospital, fuel for plague hospital crematory, fuel for steam disinfecting plant, and printing tags, nine hundred and ninety-seven dollars and fifty cents (\$997.50);

Total for the department of board of health, four thousand, five hundred and ninety-six dollars (\$4,596).

For the department of the board of health for the month of October:

For clothing of R. C. Gibson and John R. Russell, teamsters, and other property destroyed during the quarantine of the quartermaster's corral for plague, by way of reimbursement, forty-nine dollars and fifty cents (\$49.50).

For the office of the adjutant-general of the provost-marshal-general:

For salaries, three hundred and thirty-seven dollars and fifty cents (\$337.50); for fifty orphans at six dollars and fifty cents (\$6.50) each per month at the College of Santa Isabel, and for meals of political prisoners at Anda Street police station, five hundred and seventy-three dollars (\$573); for printing, stationery and advertising, three hundred and eighty-seven dollars and fifty cents (\$387.50); for contingent expenses, one hundred and fifty dollars (\$150).

Total for the office of the adjutant-general of provost-marshal guard, fourteen hundred and forty-eight dollars (\$1,448).

For the department of inspection:

For physician to prisoners of war at Fort Santiago, subsistence and treatment of prisoners of war and others at San Juan de Dios Hospital and for subsistence and treatment of indigent and insane natives and Spaniards at Hospicio de San Jose, twenty-five hundred dollars (\$2,500).

For chief surgeon provost guard:

For pay of laborers, 1st reserve hospital, 2d reserve hospital, hospital No. 3, and convalescent hospital, Corregidor, three hundred and eighty-four dollars (\$384).

Total for provost-marshal-general, ninety-five thousand, fifty-four dollars and seventy-two cents (\$95,054.72).

For the general superintendent of education:

For regular supplies, including school books, blackboards, slating, chalk, pens, ink and books for teachers and department, twenty thousand and one hundred dollars (\$20,100); for salaries of general superintendent of education and employes of his office, nine hundred and fifteen dollars and forty cents (\$915.40); for salaries of English teach-

ers, two thousand dollars (\$2,000); for monthly increase in salary of stenographer from the rate of one thousand dollars per year to twelve hundred dollars per year, sixteen dollars and twenty cents (\$16.20).

Total for general superintendent of education, twenty-three thousand and thirty-one dollars and sixty cents (\$23,031.60).

For the collector of customs of the islands and of the chief port:

For regular supplies, twenty-seven hundred and fifty dollars (\$2,750); incidental expenses, one hundred and two dollars and thirty-eight cents (\$102.38); rents and repairs of buildings, two hundred and ninety-three dollars (\$293); transportation, two hundred and eighty-four dollars (\$284); salaries and wages, including extra inspector hire at Cebu and Siassi, eleven thousand eight hundred and sixty-four dollars (\$11,864); for miscellaneous expenses, five thousand and twenty dollars and fifty cents (\$5,020.50); for refund to Macondray & Co., fifty dollars (\$50); to Holliday, Wise & Co., three dollars and sixty-three cents (\$3.63); to Baer, Senior & Co., twenty-nine dollars and two cents (\$29.02); total of refunds, eighty-two dollars and sixty-five cents (\$82.65).

Total for collector of customs and of the chief port, twenty thousand, three hundred and ninety-six dollars and fifty-three cents (\$20,396.53).

For the collector of internal revenue of the islands:

For regular supplies of the Manila office and the office of the sixth district of northern Luzon, three hundred and nineteen dollars and thirty-six cents (\$319.36); for incidental expenses of the same, thirty-seven dollars and thirty-five cents (\$37.35); for rents and repairs to various buildings used by officials of internal-revenue department in the islands, three hundred and sixty-six dollars and seventy-five cents (\$366.75); for tax refunds, six dollars and twenty-five cents (\$6.25); for official transportation, eighty-one dollars and forty-four cents (\$81.44); for miscellaneous expenses of Manila office and office of the sixth district of northern Luzon, eleven dollars and forty cents (\$11.40); for salaries and wages in all the internal-revenue offices of the islands, thirty-five hundred and forty-nine dollars and forty-one cents (\$3,549.41).

Total for the collector of internal revenue for the month of November, forty-three hundred and seventy-one dollars and ninety-six cents (\$4,371.96).

For the payment of salaries and expenses due for the months of July, August, September, and October by way of deficiency, for rents and repairs, one hundred and thirty dollars and twenty-five cents (\$130.25); for incidental, miscellaneous and transportation expenses, seven dollars and thirteen cents (\$7.13); for salary and wages, including a payment for November wages due in the 4th district of southern Luzon, eight hundred and fifty-six dollars and fifty cents (\$856.50).

Total for deficiency appropriation to the collector of internal revenue for the Philippine Islands, nine hundred and ninety-three dollars and eighty-eight cents (\$993.88).

Grand total for the collector of internal revenue, five thousand, three hundred and sixty five dollars and eighty-four cents (\$5,365.84).

For the auditor of the Philippine Islands:

For salaries as provided by law, nineteen hundred and eighty-seven dollars and fifty-one cents (\$1,987.51); for printing, seven hundred and fifty dollars (\$750); for the payment of T. F. Morrison, late assistant auditor for posts, for salary from November 1 to November 15, one hundred and twenty-five dollars (\$125); for the payment of W. F.

Norris, late legal examiner, for salary from November 1 to November 15, one hundred and twenty-five dollars (\$125); for the amount due W. F. Norris for "per diem" expenses, for the months of September, October, November and December, 1899, three hundred and thirty-five dollars and fifty cents (\$335.50).

Total for the auditor of the islands, thirty-three hundred and twenty-three dollars and one cent (\$3,323.01).

For the treasurer of the Philippine Islands:

For salaries and wages, two hundred and eleven dollars and twenty-five cents (\$211.25).

For the department of office of patents, copyrights and trade-marks: Salary of one clerk, seventy-five dollars (\$75).

For the forestry bureau:

For incidental expenses, one hundred and twenty-five dollars (\$125); for salaries and wages, eight hundred and sixty-nine dollars and fifty cents (\$869.50).

Total for the bureau of forestry, nine hundred and ninety-four dollars and fifty cents (\$994.50).

For the bureau of mining:

For salaries and wages, three hundred and two dollars, and fifty cents (\$302.50).

For the provost marshal at Cavite:

For subsistence of prisoners, three hundred and thirty-seven dollars and fifty cents (\$337.50).

For the department of posts:

For light, forage and stable sundries, one hundred and sixty dollars (\$160); for incidental and miscellaneous expenses, one hundred and fifteen dollars (\$115); for rents and repairs to buildings, seven hundred and seventy-one dollars and forty cents (\$771.40); for salaries, nine thousand and three hundred and fourteen dollars and eighty-six cents (\$9,314.86); for transportation two hundred dollars (\$200).

Total for the department of posts, ten thousand, five hundred and sixty-one dollars and twenty-six cents (\$10,561.26).

For the captain of the port of Manila:

For office, harbor works and floating property, light-houses and signal stations, machine shops and branch hydrographic office, ten thousand six hundred and fifty dollars (\$10,650); for salaries, office employes, launch crews, in light-houses and signal stations, in machines and repair shops, in dredging and cleaning of channel, in harbor improvements and public works and branch hydrographic office, four thousand nine hundred and seventy-eight dollars and eighty-five cents (\$4,978.85).

Total for the captain of the port at Manila, fifteen thousand six hundred and twenty-eight dollars and eighty-five cents (\$15,628.85).

For the captain of the port at Iloilo:

For salaries on harbor improvement and public works, on the government tugs, government launch and government dredger, six hundred and fifty-three dollars and seventy-five cents (\$653.75); for salaries of water-front police, two hundred and ten dollars (\$210); for labor, two hundred and eighty-seven dollars and fifty cents (\$287.50); for supplies and material, five hundred and fifty dollars (\$550); for salaries and wages of office employes, five hundred and two dollars and fifty cents (\$502.50); for office supplies, twelve dollars and a half (\$12.50); for salaries and wages at the light-houses of Iloilo, Siete

Pecados, Calabasas, Gigantes, Manigonigo, Luzaran, two hundred and ninety-two dollars and fifty cents (\$292.50); for supplies for light-houses, twenty-five dollars (\$25).

Total for the captain of the port at Iloilo, twenty-five hundred, thirty-three dollars and seventy-five cents (\$2,533.75).

For captain at the port at Cebu:

For salaries in the office of the captain of the port and for the employes in the light-houses of Macton, Bagacay, Fort San Pedro, Luis and Lapati, and San Nicolas, and for the harbor master in the port of Cebu, two hundred and ninety dollars (\$290); for supplies to light and light-houses, seventeen dollars and fifty cents (\$17.50); for harbor improvement, five hundred dollars (\$500).

Total for the captain of the port at Cebu, eight hundred and seven dollars and fifty cents (\$807.50).

For the captain of the port at Dagupan:

For salaries and wages, one hundred and twelve dollars and fifty cents (\$112.50).

For the chief paymaster of northern Luzon, for the payment of the squadron of Philippine cavalry for the months of July, August, September and October, fifteen thousand seven hundred and twelve dollars and eighty cents (\$15,712.80).

Making in all a grand total appropriation for all purposes in money of the United States of three hundred and seventy-seven thousand two hundred and fourteen dollars and seventy-five cents (\$377,214.75).

SEC. 3. The moneys herein appropriated shall be paid out of the treasury upon warrants issued by the auditor and countersigned by the military governor, as provided in the rules and instructions issued by the Secretary of War to carry into effect the Executive orders of the President for the administration of the military government of the Philippines. All acts heretofore passed by the Commission directing the insular treasurer to pay warrants of the Military Governor or any other official shall not be construed as intending to dispense with the requirement of the rules and instructions of the Secretary of War already referred to, but as indicating the officer at whose direction or request such warrant in the form provided in the rules and instructions shall be drawn.

SEC. 4. The public good requiring the speedy enactment of this appropriation bill, the passage of the same is hereby expedited in accordance with section 2 of "An act prescribing the order of procedure by the Commission in the enactment of laws," passed September 26, 1900.

SEC. 5. This act shall take effect on its passage.

Enacted, November 5, 1900.

[No. 43.]

AN ACT appropriating twenty-five thousand nine hundred and forty dollars (\$25,940) in Mexican money and twelve thousand nine hundred and seventy dollars (\$12,970) in money of the United States.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The sum of twenty-five thousand nine hundred and forty dollars (\$25,940) in Mexican money and the sum of twelve thousand

nine hundred and seventy dollars (\$12,970) in money of the United States are hereby appropriated out of any moneys in the insular treasury, not otherwise appropriated, for the payment of the current expenses of the insular government in the department of Mindanao and Jolo, for the purposes and objects hereinafter expressed, viz:

For rents and repairs to buildings, for salaries and subsidies, for pay of crews and purchase of coal, waste, oil, etc., for small gunboats, and for contingencies for the period embraced between November 1 and December 31, 1900.

SEC. 2. The public good requiring the speedy enactment of this appropriation bill, the passage of the same is hereby expedited in accordance with section 2 of "An act prescribing the order of procedure by the Commission in the enactment of laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, November 6, 1900.

[No. 44.]

AN ACT providing for the service of process in provinces where civil courts have not been organized.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Whenever, in any action, civil or criminal, now pending, or that may hereafter be pending, in any court of the Philippine Islands, it is necessary and proper in accordance with existing law, that an attachment, or execution, or summons, or other process, should be served within any province in which civil courts have not yet been established, or shall not have been established when the occasion may arise for the service of such process, it shall be the duty of the judge, or justice of the peace, before whom the action is pending forthwith to make application in writing to the chief justice of the supreme court, requesting the appointment of a special officer authorized to make service of such process. The application shall state the names and residences of the parties to the action, and the facts, showing the necessity for the application, and the character of the process to be served.

SEC. 2. Upon the receipt of such application it shall be the duty of the chief justice of the supreme court to issue a special commission under the seal of the supreme court, to some discreet and disinterested person, authorizing such person to serve the process named in the application.

SEC. 3. The person so officially authorized, shall make service of the process in the province in which he is authorized to make such service by his commission, in the same manner as though he were a regular officer, proceeding under the action of a court of that province; and shall make return under oath, in writing, of all his proceedings on the process, to the court from which it issued, and shall be in all respects treated as an officer of that court, to the same extent and with the same liabilities as though the process had been one to be served within

the province in which the court is situated. He shall at the same time return his commission to the custody of the court from which the process issued.

SEC. 4. This act shall take effect on its passage.

Enacted, November 12, 1900.

[No. 45.]

AN ACT imposing a customs tax upon exports of Mexican money.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. An export tax of ten per cent is hereby imposed upon all Mexican money hereafter exported from the Philippine Islands, provided that this act shall not apply to any sum not exceeding twenty-five dollars in Mexican money carried by a person departing from the islands.

SEC. 2. All Mexican money exported, or attempted to be exported, from the islands, in violation of this act, shall be forfeited to the Government in the manner hereinafter provided.

SEC. 3. It shall be the duty of the customs officials to seize all Mexican money attempted to be exported without payment of the tax herein imposed, and to hold the same until disposed of by order of court. The collector of customs for the islands shall immediately cause proceedings to be instituted, in a provost court of the city of Manila, organized under General Order, No. 64, of the Headquarters Division of the Philippines, issued August 10, 1900, against the money so seized, to enforce the forfeiture herein prescribed. If the owner of the money is known, and is within the islands, he shall be summoned to show cause in said court why the forfeiture should not be decreed. If he is unknown, or is not within the Philippine Islands, he shall be notified of the pendency of such proceedings by publishing a notice once a week, for three successive weeks, in two daily papers published one in the English language and one in the Spanish language, in the city of Manila, which notice shall state the amount of money seized, the time and place and cause of seizure, and the time and place of the trial. If upon trial it shall be established that the money was being exported, or that the attempt was being made to export it, without payment of the tax herein imposed, a decree of forfeiture shall be entered. If these facts are not established, a decree shall be rendered for the return of the money to its owner.

SEC. 4. Any person exporting, or attempting to export, Mexican money without payment of the tax hereby imposed, shall also be subject to a fine not exceeding one thousand dollars, or to an imprisonment not exceeding six months, or both, in the discretion of the court. All proceedings for the enforcement of the penalties herein prescribed shall be in the provost court mentioned in section three of this act.

SEC. 5. This act shall take effect on its passage.

Enacted, November 12, 1900.

[No. 46.]

AN ACT authorizing the designation by commanding generals of military departments of civilians to perform ad interim the duties of inspectors of customs and to fix temporary compensation.

By authority of the President of the United States, be it enacted by the United States Philippine Commission that:

SECTION 1. Whenever, through the withdrawal of garrisons from towns of the archipelago open to coasting trade, the office of inspector of customs becomes vacant, commanding generals of military departments are authorized to designate civilians, preferably the chief officers of towns, to perform ad interim the duties of said office.

SEC. 2. Civilian incumbents of said office, designated under section 1 of this act, shall, during the period of their service as such, be compensated therefor at a rate to be fixed by department commanders and not exceeding forty dollars (\$40) gold per month.

SEC. 3. This act shall take effect on its passage.

Enacted, November 12, 1900.

[No. 47.]

AN ACT amending the civil service act by extending the benefits of section 22 of said act to certain persons discharging the duties of civil positions in the military government by detail from the military or naval service of the United States.

By authority of the President of the United States, be it enacted by the United States Philippine Commission that:

SECTION 1. The civil-service act is hereby amended, by adding thereto the following section to be known as section 30:

“SEC. 30. A person who, when the civil-service board informs the Military Governor and the Commission of its readiness to certify an eligible list as provided in section 25, is performing the duties of any of the executive positions described in section 5 by detail from the military or naval service of the United States shall, upon receiving an honorable discharge therefrom, become a civil servant holding the position, the duties of which he has been performing, with the same immunity from competitive examination as that secured to certain civilian employees by section 22, subject, however, to the proviso of that section.”

SEC. 2. This act shall take effect on its passage.

Enacted, November 12, 1900.

[No. 48.]

AN ACT providing for the establishing of local civil governments in the townships of the province of Benguet.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Whereas the inhabitants of the province of Benguet are at present almost entirely Igorrotes, and a large amount of control and direction by officers appointed by the insular government is deemed

best suited to present conditions there, the following simple form of municipal government is adopted, to remain in force until such time as the Igorrotes develop greater capacity for self-government, or the civilized population becomes sufficiently numerous to require new and more liberal provisions. This act shall apply to all the townships of the province, namely, Baguio, Trinidad, Galiano, Itogon, Tublay, Atok, Kapangan, Balakbak, Palina, Ampusungan, Loo, Baguias, Kabayan, Adao, Bokod, Daklan, Sablan and Ambuklao.

SEC. 2. Each of these townships shall be divided into barrios. For the purposes of the first election, the barrios as established under Spanish sovereignty shall be recognized; but when local civil government shall have been established in any township, this government shall readjust the division of the township into barrios, definitely fixing the boundaries of these barrios, as provided in section 25. The barrio of the township in which the "tribunal" was formerly situated shall be known as the chief barrio.

SEC. 3. All property vested in any pueblo under its former organization shall continue to be vested in the same township after its organization under this act.

SEC. 4. The government of each township established under this act is hereby vested in a president and a council composed of one representative from each barrio of the township, who shall be designated "councillor."

SEC. 5. In addition to the officers provided for in section 4, there shall be in each township a secretary, a constable, a messenger, and such other nonelective officers and employes as the council shall deem necessary and provide for and the provincial governor shall authorize.

SEC. 6. The salaries of all officers and employes, whether elective or appointive (except councillors, who shall receive no salary), shall be fixed by the council, subject to the approval of the provincial governor, provided, that no secretary shall receive less than fifteen dollars (\$15) Mexican per month.

SEC. 7. The term of office of the president, secretary, councillors, constable and messenger, shall be for one year, and until their successors shall have been duly chosen; provided, however, that those first elected shall hold office until the first Monday in January, 1902, and until their successors shall have been duly chosen.

SEC. 8. The president and the vice-president shall be elected at large by a plurality vote of the duly qualified electors of each of the several barrios. The secretary, the constable and the messenger shall be appointed by the president, by and with the consent of a majority of all the members of the council.

SEC. 9. A person elected by the people to fill any municipal office shall not be permitted to decline the same, but shall discharge the duties thereof, unless before election he shall claim exemption on the ground: (a) that he has discharged the duties of the same office for two previous terms; or (b) that he is physically disabled. Any person who shall violate the foregoing provision or who shall wilfully misrepresent his physical condition in order to secure exemption from holding municipal office shall, upon conviction in a court of competent jurisdiction, suffer imprisonment for the term of three months.

SEC. 10. The electors exercising the privilege of choosing elective officers shall be male persons eighteen or more years of age, who have had a legal residence in the township in which they exercise the suf-

frage for a period of six months immediately preceding the election, and who are not citizens or subjects of any foreign power.

SEC. 11. Each elector shall, before voting, take the following affirmation, which shall be administered by the provincial secretary:

ELECTOR'S AFFIRMATION.

I, _____, do solemnly affirm that I am a male resident of the township of _____, in the province of Benguet, and shall have resided therein for the period of six months next preceding the next township election; that at the date of said election I shall be eighteen (18) or more years of age; that I am not a citizen or subject of any foreign power; furthermore, that I recognize and accept the supreme authority of the United States of America and will maintain true faith and allegiance thereto; that I will obey the laws, legal orders and decrees duly promulgated by its authority; and that I impose this obligation voluntarily and without mental reservation or purpose of evasion.

SEC. 12. The following persons shall be disqualified from voting:

1. Those who are delinquent in payment of public taxes assessed subsequently to December 1, 1900.

2. Those who shall have been deprived of the right to vote by sentence of a court of competent jurisdiction since August 13, 1898.

3. Insane or feeble-minded persons.

SEC. 13. The first election in each township shall be held in its chief barrio at the time which the provincial governor shall designate, and the officers elected thereat shall immediately enter upon their duties. Subsequent elections shall be held in the chief barrio on the first Tuesday in December of each year, beginning with 1901, and the officers elected thereat shall enter upon the discharge of their duties on the first Monday of the January following.

SEC. 14. A president, vice-president, councillor, constable or messenger shall be a duly qualified elector of the province, and shall have had a legal residence therein for one year prior to the election.

SEC. 15. A secretary shall be able to read, write and speak intelligently the Ilocano and the Spanish or English languages. He need not be a native of the province or a resident therein at the time of his appointment.

SEC. 16. In no case shall there be elected or appointed to a township office ecclesiastics; soldiers in active service; persons receiving salaries from provincial, departmental or government funds; those who are delinquent in the payment of public taxes assessed after December 1, 1900; or contractors for public works within the province.

SEC. 17. The president shall be the chief executive of the township.

1. He shall cause the local ordinances and the orders of the provincial governor to be executed, and shall supervise the discharge of official duties by all subordinates.

2. He shall receive, receipt for and keep in the town house or presidencia all moneys accruing from taxes, license or other fees, and fines.

3. He shall pay on the last day of each month the salaries of all regularly appointed local officers and employés, and, upon an order passed by a majority vote of the council and approved by the provincial governor, shall make such other payments as may be thus duly authorized.

4. He shall render to the council during the first week of each month a true account of all collections and disbursements made during the preceding month. If said account is approved by the council, a true copy of it shall be forwarded to the provincial governor for his infor-

mation. Should any member or members of the council disapprove of the account, the reasons for such disapproval shall be indorsed thereon by the secretary, and a true copy of the account with the indorsement thereon shall then be forwarded as above provided.

5. He shall be the presiding officer of a court consisting of himself and two councillors to be chosen as hereinafter provided in section 24. The secretary shall be the recording officer of this court, which shall hear and adjudge alleged violations of local ordinances and, after hearing the accused and his witnesses, shall, upon conviction by a majority vote of its members, impose punishment not exceeding a fine of fifteen dollars (\$15.00) Mexican. In case the person convicted is unable or unwilling to pay this fine, he shall satisfy its amount by labor upon public works within the township at the rate of twenty cents Mexican per day, provided that females shall not be compelled to perform work unsuitable for their sex.

6. The president shall receipt for every fine or fee or tax collected by him on official paper, stamped for convenient amounts by the governor of the province and furnished by the governor to the president. The amount stamped on the receipt shall be equal to the amount paid, and the liability of the president shall be determined by the aggregate amounts of the stamps on the official paper furnished to him and not returned.

7. This court shall have no jurisdiction in civil cases, except on the application of the interested parties and upon their making an agreement in writing to accept the award of the court, when it may hear and adjudge any case not involving property exceeding in value the sum of two hundred dollars (\$200.00) Mexican. The judgment shall be recorded by the secretary and shall be final.

8. The members of this court shall receive no compensation for their services.

9. Whenever it shall come to the knowledge of the president that a crime or misdemeanor not within the jurisdiction of the court provided for in section 17, paragraph 5, has been committed within the township, the president shall direct the seizure of the alleged offender, shall make a preliminary investigation into the facts, and, if the guilt of the prisoner shall appear probable, shall order the arresting officer to proceed immediately with the prisoner and the president's report of his investigation to the governor of the province.

10. He shall preside at all meetings of the council; but he shall not vote, except in the case of a tie, when he shall give the casting vote.

11. He shall appoint, by and with the consent of a majority of all the members of the council, the secretary, the constable, the messenger and any other nonelective officers or employes that may be provided for by general law or by duly approved ordinance; and, at any time, for cause, he may suspend any such officer or employe for a period not exceeding ten days, which suspension may be continued for a longer period by the council; and, by and with the consent of a majority of the council, he may discharge any such officer or employe.

12. He shall make all such appointments at the first meeting of the council after his election, except for those offices in which a vacancy may occur during his term. In case the council shall reject any such appointments made by him, he shall submit the names of other persons for appointment at the next regular meeting of the council. In case a vacancy occurs in any of the above-named offices during the

term of office of the president, he shall submit an appointment to the council at the first regular meeting after the occurrence of the vacancy.

SEC. 18. The vice-president shall act as substitute for the president in case of the absence of the latter, or of his temporary inability to discharge the duties of his office. Should a permanent vacancy in the office of president occur, the vice-president shall fill the post for the unexpired portion of the term, and a new vice-president shall be chosen by a majority vote of all the members of the council.

SEC. 19. 1. The secretary shall be the recording officer of the court provided for in section 17, paragraph 5, and shall make and keep a record of all its proceedings and findings.

2. He shall be the clerk of the council, whose meetings it shall be his duty to attend. He shall make and keep a journal of all proceedings and acts of the council.

3. He shall keep a civil register for the township and shall record therein all births, marriages and deaths, with their respective dates. Marriages celebrated in accordance with Igorrote customs shall be registered, but it is not hereby intended to change existing law as to lawful marriages.

4. He shall issue a true copy of any single record in the civil register upon application and the presentation by the applicant of official stamped paper bearing stamps to the value of five cents, Mexican, on which the copy of the record shall be inscribed. Stamped paper to be used for such records shall be purchased from the president, who shall be supplied with it for this purpose by the provincial governor.

5. He shall read all communications and orders from the provincial governor to the president and the council at its next regular meeting after they are received, unless the matter treated of be urgent, in which case he shall lay the facts before the president and request him to call a special meeting of the council, at which the communication shall be read.

6. Upon the request of the president, he shall prepare at his dictation and for his signature any official communications which the president may desire to send, or any documents or reports which the president is required to furnish. The secretary shall also prepare for the signature of the president receipts for all taxes, license fees and fines paid in.

7. During the first week of every month he shall forward to the provincial governor true copies of all records made and receipts prepared by him during the preceding month.

8. He shall each year prepare a list of the persons from whom taxes are due, as provided in section 34.

9. On or before the 31st of December of each year, he shall prepare a list of the inhabitants of the township, grouping them by barrios and families. This list shall give the name, sex and approximate age of each person, the amount of taxes paid by him during the current year, and such other details as the provincial governor shall direct. The fact that a man's name has been entered on this list as an inhabitant of a given township shall not restrict his right to transfer his residence to another township.

10. He shall forward to the provincial secretary, on or before the 15th of January of each year, a complete copy of the entries in the civil register for the township during the year ending on the preceding 31st of December, and a true copy of the list provided for in para-

graph 9 for the same year, and shall certify the same as true copies of the original records in his office.

11. He shall perform all such other duties as may be imposed by general legislation, or by the direction of the provincial governor, communicated through the president of the township.

SEC. 20. The constable shall wear, as an outward sign of his office, a metal badge, on which shall be stamped the word "constable," and the name of the township in which he holds office. He shall be charged with the duty of maintaining public order and shall have power to call on all law-abiding citizens for assistance to this end. He shall be empowered to make arrests in criminal cases, and shall perform such other duties as may be imposed by general legislation, or by direction of the provincial governor, communicated through the president of the township.

SEC. 21. The messenger shall be charged with the duty of carrying to adjacent townships such communications and other matter as may be entrusted to him for this purpose by the president; and with such other duties as the council may impose by duly approved ordinance.

SEC. 22. There shall be a regular meeting of the council on Saturday of every week. Special meetings may be called by the president, or by any two members of the council, by giving verbal notice to each of the councillors.

SEC. 23. A majority of the council shall constitute a quorum to do business; but a smaller number may adjourn from time to time and may compel the attendance of absentees, under such penalties as may be prescribed by duly approved ordinance, or by order of the provincial governor.

SEC. 24. At the first regular meeting after the election of a new president the council shall pass on his appointments to nonelective offices and shall choose, by a majority vote of all its members, two of the councillors to serve with the president as members of the court provided for in section 17, paragraph 5.

SEC. 25. At the earliest practicable date, the council shall definitely fix the limits of the barrios of the township, prescribing for them such boundaries that the barrios taken collectively shall include the entire territory of the township.

SEC. 26. 1. Each councillor shall inform the people of his barrio as to the acts of the council and as to governmental measures which directly concern them. He shall serve in the council as the representative of the people of his barrio and shall bring their especial needs to the attention of that body.

2. He shall promptly inform the president of any unusual or untoward event occurring in his barrio.

3. He shall notify the people of his barrio of the days on which they should present themselves before the president to pay taxes, and shall himself be present on such occasions to identify them.

SEC. 27. The council shall, by a majority vote of all its members:

1. Fix the salaries of all duly authorized employes, subject to the limitations expressed in section 6.

2. Fill a permanent vacancy in the office of vice-president or of councillor from among persons having the necessary qualifications. A person thus substituted as vice-president or councillor shall serve only for the unexpired portion of the term for which his predecessor was elected and until his successor shall have been chosen.

3. Make appropriations for lawful and necessary expenditures, subject to the approval of the provincial governor.
4. Manage the property of the township.
5. Erect all needful buildings for the use of the township.
6. Provide for the construction and care of the trails and bridges in the chief barrio of the township, and of those necessary to connect it with the several outlying barrios.
7. Provide regulations for the sanitation of the township, and order the removal of nuisances and causes of disease.
8. Regulate the running at large of domestic animals.
9. Adopt such measures to prevent the introduction and spread of diseases as may from time to time be necessary.
10. Prohibit gambling, cock fighting, opium smoking or the sale of opium for smoking.
11. Provide for the taxation of the retail sale, in quantities of less than five gallons, of any intoxicating, fermented, malt or vinous liquors, except the native beverage made from rice and known as "tapuy," and impose such other license fees as may be authorized by general law.

SEC. 28. The council may, by a majority vote of all its members:

1. Order the suspension or removal at any time, for cause, of any nonelective officer or employé.
2. Make such provisions for the care of the poor, the sick or of orphans as it may deem necessary.
3. Provide for the establishment and maintenance of schools for primary instruction.
4. Construct and maintain waterworks for the purpose of supplying the inhabitants of the township with water; and provide for the equitable distribution and use of water for purposes of irrigation within the township.
5. Make such ordinances and regulations, not contrary to law, as may be necessary to carry into effect and discharge the powers and duties conferred by this act, and such as shall seem necessary and proper to provide for the health and safety, promote the prosperity, improve the morals, peace, good order, comfort and convenience of the township and the inhabitants thereof and for the protection of the property therein.

SEC. 29. Until a time to be hereafter determined by the insular government, when the councils of the townships in the province of Benguet shall have gained sufficient knowledge and experience properly to exercise, without intervention, the powers herein conferred, all ordinances and rules passed by them shall be subject to the approval of the provincial governor, and without such approval shall be invalid. Should any township council prove unfit to exercise the powers herein conferred or should it fail to exercise them, the provincial governor shall adopt suitable measures for the carrying out of the provisions of this act.

SEC. 30. Every person eighteen or more years of age who owns property in the province, or who has within his control any owner of property in the province who is less than eighteen years of age shall appear before the president of the township in which such property lies between the first and fifteenth days of January, 1901, and of each year thereafter, and shall declare the value of his property and the value of that of any property owner less than eighteen years of age who is within his control; provided, that, if it shall be inconvenient

or impossible for him to appear before the president, he shall make a sworn declaration in writing as to the value of such property and shall cause this statement to be delivered to the president between the dates above fixed. His declaration shall be accepted as true, unless the provincial inspector or some other resident of the province shall question its correctness and bring the matter to the attention of the provincial governor, in which case the provincial governor, the provincial secretary, and the president of the township in which the property lies shall form a board of assessors to determine its value. This board shall be empowered to call and examine witnesses, and, after giving the owner and his witnesses, if any, opportunity to be heard, shall fix the value of the property alleged to be incorrectly valued. Its decisions shall be final.

SEC. 31. Any property owner who fails to declare the value of his property within the period fixed in section 30, or that of the property of any resident of the province less than eighteen years of age within his control, as provided in section 30, shall immediately be warned by the councillor of his barrio that, unless he makes his declaration before the 31st of January, he will be subject to a fine of five dollars (\$5) Mexican; and, should he fail to make the declaration within the period specified, the fine shall be adjudged against him by the court provided for in section 17, paragraph 5, and shall be collected by the president, or, in lieu of the payment thereof, he shall be compelled to work it out on public works within the township at the rate of twenty cents Mexican per day. In the event of his not making his declaration before January 31, the value of his property shall be fixed by the board of assessors provided for in section 30.

SEC. 32. Every resident of the province who does not own real or personal property to the total value of two hundred dollars (\$200) Mexican shall be excused from the payment of any property tax; but, if such resident is a male and eighteen or more years of age, he shall, in lieu thereof, pay an annual tax of one dollar (\$1) Mexican.

SEC. 33. Every resident of the province who is the owner of real or personal property to the value of more than two hundred dollars (\$200) Mexican shall pay as an annual property tax an amount equal to one-half of one per cent. of the value of such property.

SEC. 34. On the basis of the declarations made and of the findings of the board of assessors, if any, the secretary shall prepare, on or before February 15th of each year, a list of the persons from whom a tax is due, with the amount of such tax due from each of them. This list shall be kept open to public inspection in his office. All persons from whom a property tax is due shall be notified by the councillors of their respective barrios to appear before the secretary and learn the amount of such tax, which shall be stated to them verbally by the secretary if they can not read.

SEC. 35. Taxes may be paid between February 15th and July 31st of each year, on a day or days during each month to be fixed by the provincial governor.

SEC. 36. All persons who have not paid their taxes in full on or before the 31st of July of each year shall be deemed delinquent taxpayers, after such delinquency shall have been adjudged, upon due notice to the alleged delinquent, by the court provided for in section 17, paragraph 5. If any taxpayer shall fail to pay the delinquent taxes adjudged against him within twenty-four hours after judgment, he shall be made

to satisfy the amount due by labor upon public works within the township at the rate of twenty cents Mexican per day, either performing such work in person or providing a substitute to perform it: Provided, that at any time after he or his substitute shall have begun work he may secure release from obligation to work by payment of the amount of the tax originally due in full.

SEC. 37. Compelling the inhabitants of the province of Benguet to render involuntary service as "polistas," or in any other capacity, is absolutely prohibited, except for the satisfaction of unpaid taxes, license fees or fines, as hereinbefore provided.

SEC. 38. Any person violating the provisions of section 37 shall be guilty of a misdemeanor and shall be punished for each offense by a fine of not more than five hundred dollars (\$500.00) Mexican, or imprisonment for not more than one year, or both, in the discretion of the court.

SEC. 39. On the first day of January of each year, the newly elected presidents shall assemble at the capital of the province to meet and confer with the provincial governor. At this time they shall have the right to elect a popular representative for the province, who shall be chosen by a majority vote of all the presidents present, and who may, or may not, be a resident of the province. The presidents shall also assemble at the capital on the fourth day of July of each year to meet and confer with the provincial governor.

SEC. 40. If the people of the province shall at any time feel themselves to be seriously aggrieved, and shall be unable to obtain relief from the provincial governor, it shall be the duty of the popular representative, either in person or by written communication, to lay their case directly before the chief executive of the insular government. All official communications from the popular representative to the chief executive shall be promptly transmitted by the government officials through whose hands they may pass. Should the popular representative desire to visit Manila, on official business, his journey shall be facilitated by all government officials with whom he may come in contact. He shall in all cases, except treason, felony and breach of the peace, be privileged from arrest at any time when arrest will interfere with discharging the duties of his office and for any communication or statement which he may make to the chief executive he shall not be held to account by any official, whether civil or military.

SEC. 41. Under no circumstances shall the traveling or other expenses of the popular representative, or any compensation to him, form a charge on the treasuries of the townships or on any one of them or on the provincial treasury.

SEC. 42. Should any dispute arise as to the boundaries of townships, the provincial governor shall hear the persons interested and shall decide the matter in dispute. His decision shall be final.

SEC. 43. Until the present military government shall be replaced by a civil central government of these islands, or until the Commission shall otherwise enact, the Military Governor shall determine what, if any, police force shall be created in the townships of Benguet, in addition to the constables provided for in section 17, paragraph 11, and in section 20. He shall also determine what arms constables, police, other officers or inhabitants of the townships shall be allowed to carry or to have in their possession. In case the Military Governor shall deem it necessary, the police force of any township shall be

directly subject to the orders of the Military Governor or his authorized subordinates.

SEC. 44. The provincial governor shall have power to suspend any township official charged with misconduct in office or disloyalty to the United States, and, after proper notice and hearing, to remove or reinstate him. Such suspension, removal or reinstatement shall be reported to the Commission, who may approve or revoke the same. The Military Governor may suspend any township official for disloyalty to the United States, and shall report his action to the Commission, who after hearing the charge on which the suspension was made, shall remove or reinstate such official.

SEC. 45. This act shall take effect upon the establishment of civil government in the province of Benguet.

Enacted, November 22, 1900.

[No. 49.]

AN ACT providing for the establishment of a civil government for the province of Benguet.

By the authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. A civil government is hereby established for the province of Benguet.

SEC. 2. The officers of this government shall be:

(a) A provincial governor, at a salary of fifteen hundred dollars (\$1,500.00) per year;

(b) A provincial secretary, at a salary of one thousand dollars (\$1,000.00) per year; and

(c) A provincial inspector, at a salary of four hundred dollars (\$400.00) per year;

All in money of the United States.

SEC. 3. These officers shall be appointed by the United States Philippine Commission.

SEC. 4. These officers shall reside and have their offices in the township of Baguio, which shall be the capital of the province.

SEC. 5. The governor shall be the chief executive of the province. Until such time as a departmental government shall be established which shall include the province of Benguet, he shall report directly to the chief executive of the insular government. On or before the first day of February of each year he shall make a written statement to such chief executive of the condition of the province.

SEC. 6. He shall make known to the people of his province, by proclamation or communications delivered to the presidents of the several townships, all general laws or governmental orders which concern them, and each president shall deliver all such proclamations and communications to the township secretary, to be by him filed and preserved.

SEC. 7. He shall pass upon every ordinance or act of the several township councils of the province, approving it, should he deem it satisfactory. Should he consider it unsatisfactory, he shall return it to the council, suggesting suitable amendments. The council shall inform

him of its action, and he shall then approve the ordinance or act as amended, or modify it, as he may deem necessary.

SEC. 8. Should the council of any township fail to fix the limits of the barrios of the township; to fix the salaries of duly authorized officers and employés; to make appropriations for lawful and necessary township expenditures; to provide for the construction and care of trails and bridges in the chief barrio of the township, and of those necessary to connect it with the outlying barrios; to regulate the sanitation of the township and order the removal of nuisances and causes of disease; to regulate the running at large of domestic animals; to adopt suitable measures to prevent the spread of disease; to prohibit gambling, cock fighting, opium smoking or the sale of opium for smoking; to provide and enforce regulations for the taxation of the retail sale, in quantities of less than five gallons, of any intoxicating, fermented, malt or vinous liquors, except the native beverage made from rice and known as "tapuy;" to impose such other license fees as may be required by general law; to provide for the care of the poor, the sick or of orphans; to provide for the establishment and maintenance of schools for primary instruction; to provide for the construction and maintenance of necessary waterworks for supplying the inhabitants of the township with water, and for insuring the equitable distribution and use of water for the purpose of irrigation in the township; or, in general, to provide for carrying into effect and discharging the powers and duties conferred on them by the "Act providing for the establishment of local civil governments in the townships of the province of Benguet;" or should it fail to enact such measures as are necessary and proper to provide for the health and safety, promote the prosperity, improve the morals, good order, peace, comfort and convenience of the township and the inhabitants thereof and for the protection of the property therein:

Then the governor shall issue to the president of such township suitable written orders for securing these ends, and these orders shall have the effect of law. But, the constant aim of the governor shall be to aid the people of the several townships of the province to acquire the knowledge and experience necessary for successful local popular government, and his supervision and control shall be confined within the narrowest limits consistent with the requirement that the powers of government in the townships shall be honestly and effectively exercised, and that law and order and individual freedom shall be maintained.

SEC. 9. Until such time as a treasurer shall be appointed for the province, the governor shall act as provincial treasurer, subject to the provisions of general law. He shall audit the monthly accounts of the several townships, and shall cause investigation to be made should he find reason to believe that the finances of any township are dishonestly or negligently administered. Should such investigation reveal ground for action, he shall cause proceedings to be instituted against the offending person or persons.

SEC. 10. He shall have power to suspend any township official charged with misconduct in office or disloyalty to the United States, and, after proper notice and hearing, to remove or reinstate him. Such suspension, removal or reinstatement shall be reported to the commission, who may approve or revoke the same.

SEC. 11. He shall provide the presidents of the several townships with official paper stamped by him for convenient amounts, to be used in receipting for all fines, fees or taxes and in the issuing of true copies of entries in the civil register. He shall hold each president responsible for the aggregate amount of stamps on official paper furnished to him and not returned.

SEC. 12. He shall fix the dates for the first township elections in the several townships, and the day or days during each month from January 15th to July 31st of each year on which the people of the several townships may appear before the presidents to pay their taxes; provided, that the last day so fixed shall be the 31st of July of each year.

SEC. 13. He shall be *ex officio* a justice of the peace in and for the province of Benguet. All the powers and duties of that office, which are now or may hereafter be provided by law, are vested in him. He shall have the power, and it shall be his duty, to issue a warrant for the arrest of a person charged with the commission of any offense. If the offense is one which a justice of the peace may finally try and decide, he shall try and decide it; and if the accused is convicted, he shall impose the proper punishment. If he shall find that the offense is one which can only be tried by a court of the first instance, he shall make such investigation, and shall be governed by the same rules, as judges of the first instance in similar cases. If he finds that there is probable cause for believing the accused to be guilty, he shall bind him over for trial by the judge of the first instance for the provinces of Union and Benguet, and shall at once forward to that official all the records in the case. He is hereby empowered to take bail of such accused person, should the case be bailable by law, in the same manner as a judge of the first instance.

SEC. 14. He shall be the presiding officer of the board of assessors provided for in section 19.

SEC. 15. He shall have the general control of all constabulary and police forces in the province, subject to the supervision of the chief executive of the insular government.

SEC. 16. He shall not leave the province, except in case of emergency, without the consent of the chief executive of the insular government. During such absence the provincial secretary shall act in his stead. In case of the death of the provincial governor, or of his inability to perform his duties through illness, they shall be discharged by the provincial secretary until such time as the Commission shall appoint some person to perform them or the provincial governor shall be able to resume their performance.

SEC. 17. The provincial secretary shall be the custodian of all official records. He shall receive and shall translate for the provincial governor all communications from the several townships in the province, and shall serve as interpreter for the governor, in official proceedings, whenever requested to do so. He shall make written translations of all official orders or communications which the provincial governor may desire to have translated. He shall act as recorder in all judicial and official proceedings presided over by the provincial governor. He shall be a member of the board of assessors provided for in Section 19 and shall serve as its recording officer. He shall receive from the township secretaries the certified copies of the civil registers and other statistical lists required to be kept by them, and shall file the same

and make a compilation thereof for the use of the provincial governor, and the same shall be a record, open to the inspection of the public. He shall be *ex officio* a notary public in and for the province. All the powers and duties of that office which are now or may hereafter be provided by law, are vested in him.

SEC. 18. The provincial inspector shall visit and inspect the several townships of the province at stated intervals to be determined by the provincial governor, and on special occasions, whenever the governor may so direct. He shall examine the records and accounts of the several townships, with a view to ascertaining whether the affairs of the townships are being honestly and efficiently administered, and shall report the results of his investigations to the provincial governor. He shall hear all complaints which the inhabitants of any township may desire to make, and shall truthfully and fully report them to the provincial governor. He shall investigate any suspected cases of dishonesty in the declarations, as to the value of their property required of property owners as a basis for taxation, and shall report the result of every such investigation to the provincial governor, together with any instances of serious misconduct on the part of residents of the province which may be brought to his attention. He is hereby empowered to summon witnesses and hear testimony for the promotion of these ends.

SEC. 19. Should any owner of property within the province fail to declare the value of his property before the 31st day of January of any year, or should the provincial inspector or any resident of the province complain that a property owner has made a false declaration as to the value of his property, the provincial governor, the provincial secretary, and the president of the township in which the property is situated shall constitute a board of assessors to determine the value of the property in question. The provincial governor shall be the presiding officer of this board, and the provincial secretary shall be its recording officer. The board is hereby empowered to call and examine witnesses and to fix the value of property, when such value has not been declared or is alleged to have been incorrectly stated. Its decisions shall be final. The recording officer of the board shall make and keep a record of all its proceedings and findings.

SEC. 20. The chief of the bureau of forestry shall assign a forester to the province, who shall have his office at Baguio. He shall perform the duties prescribed by general law for foresters, except that he shall collect no revenue for firewood used by native residents to cook their food or warm their houses, or for timber actually used by them in the construction of their dwelling houses, or in fencing plots of cultivated ground, but they shall be allowed the necessary timber and firewood for these purposes free of charge; provided, that the usual charges shall be collected on all timber or firewood sold by one person to another or offered for sale.

SEC. 21. This act shall take effect on its passage.

Enacted, November 23, 1900.

[No. 50.]

AN ACT appropriating six hundred dollars (\$600.00) money of the United States to pay the salary of a meteorological observer at Baguio, province of Benguet island of Luzon.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The sum of six hundred dollars (600.00) money of the United States is hereby appropriated, out of any money not otherwise appropriated in the insular treasury for the purpose of paying the salary of a meteorological observer at Baguio, province of Benguet, island of Luzon.

SEC. 2. The sum hereby appropriated shall be paid to Frank A. Branagan, disbursing officer of the Commission, who shall disburse the sum to the observer in monthly instalments of fifty dollars, beginning August 1, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, November 23, 1900.

[No. 51.]

AN ACT appropriating seven hundred and fifty dollars (\$750) in money of the United States, to be paid to the widow of Eduardo Kintero, chief of police of Tacloban, Leyte, or to the commanding officer of the district for her benefit.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Whereas, Eduardo Kintero, chief of police of Tacloban, Leyte, was murdered while in the discharge of his official duties on April 21, 1900, because of the efficient administration of his office and his loyalty to the United States; and his untimely death leaves his wife and seven young children in needy circumstances:

The sum of seven hundred and fifty dollars (\$750) in money of the United States is hereby appropriated out of any money in the insular treasury, not otherwise appropriated, to be paid, in the discretion of the Military Governor, either to the widow of Eduardo Kintero or to the commanding officer of the district to be held and expended by him for her benefit.

SEC. 2. This act shall take effect on its passage.

Enacted, November 23, 1900.

[No. 52.]

AN ACT providing for examinations of banking institutions in the Philippine Islands, and for reports by their officers.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All persons or corporations engaged in banking in the Philippine Islands, whether doing business as branches of a principal bank in another country or not, shall, on or before the fifteenth day of January, April, July and October in each year, make reports to the treasurer for the islands, which shall conform as nearly as may be to the

reports required to be made by national banks of the United States under the laws of the United States and the regulations of the Comptroller of the Currency to such Comptroller, which reports, when made by corporations doing business in the Philippine Islands as branches of a principal bank in another country, shall specifically state all the details of the business conducted during the preceding quarter in the Philippine branch thereof, and shall also report the financial condition of its principal bank at the latest practicable period prior to the date of such reports. They shall also contain such further and other data as may be called for by the treasurer for the islands, either on regular forms or by special inquiries.

SEC. 2. The treasurer for the islands shall prepare a form upon which reports shall be made, and shall furnish copies of such form to every bank in the Philippine Islands.

SEC. 3. It shall be the duty of the treasurer for the islands, or of an authorized deputy by him appointed, personally, at least once in every six months, and at such other times as he may deem expedient, to make an examination of the books of every such bank, of its cash and available assets in the Philippine Islands, and of its general condition and method of doing business, and he shall make report of the same to the Military Governor and to the United States Philippine Commission, and to the Comptroller of the Currency of the United States.

SEC. 4. Every such bank shall afford to the treasurer for the islands, and to his authorized deputy, full opportunity to examine its books, its cash, its available assets, and general condition, at any time when requested so to do by the treasurer.

SEC. 5. Any owner, agent, manager, or other officer in charge of any such bank, who, upon written request by the treasurer, wilfully refuses either to file the report required by this act, on the form required by the treasurer, or to permit the examination required in sections 3 and 4, shall be guilty of a misdemeanor, and shall be punished by a fine of not more than five thousand dollars, or by imprisonment for not more than one year, or both, in the discretion of the court.

SEC. 6. In case of the commission of the offence prescribed in section 5, it shall be the duty of the treasurer forthwith, in writing, to inform the attorney-general of the islands of that fact. Upon receiving such written information from the treasurer, it shall be the duty of the attorney-general not only to institute a prosecution for the enforcement of the penalties provided in section 5, but also to petition the Military Governor to forbid the bank so offending to continue to do a banking business in the Philippine Islands and to enforce the provisions of this act. Upon receiving such petition, it shall be the duty of the Military Governor to investigate the facts set forth in said petition by hearing upon due notice to the bank, and if he finds them to be true, he may forthwith forbid the bank to continue to do a banking business in the islands and direct the treasurer to take charge of the assets of the bank, reduce the same to money, and pay its debts in the order following:

1. Debts due the United States and the government of the Philippine Islands.
2. Debts due to all persons resident or doing business in the Philippine Islands, and

3. All other debts:

In a manner as near as may be to that provided for the liquidation of the affairs of a national bank by a receiver, under the national banking laws of the United States.

SEC. 7. The certificate of the governor, that he finds the facts set forth in such petition to be true, and has directed the treasurer to perform the duties prescribed in section 6, shall be a sufficient warrant and justification for the treasurer in performing all the duties therein prescribed.

SEC. 8. This act shall take effect on its passage.

Enacted, November 23, 1900.

[No. 53.]

AN ACT to prevent discrimination against money of the United States by banking institutions.

By the authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Every bank of deposit in the Philippine Islands shall accept deposits both in the money of the United States and in Mexican or other local money, and shall honor checks on or repay such deposits in the kind of money in which they are made.

SEC. 2. A wilful violation of the requirements of this act shall subject the manager or officer of the bank causing such violation, or taking part in it, to a punishment for each offense by a fine of not more than five thousand dollars, or by imprisonment for not more than one year, or both, in the discretion of the court.

SEC. 3. Nothing herein contained shall prevent a bank or its officers from declining in good faith to accept deposits so small in amount as to be unprofitable, but a discrimination in that respect between Mexican or other local money and that of the United States shall be deemed to be a violation of the requirements of this act.

SEC. 4. This act shall take effect on its passage.

Enacted, November 28, 1900.

[No. 54.]

AN ACT appropriating fifty-eight thousand six hundred and twenty-five dollars and sixty-four cents (\$58,625.64) in Mexican money, and five hundred and ninety thousand six hundred and forty-eight dollars and sixty-nine cents (\$590,648.69) in money of the United States, for the payment of sundry expenses incurred for the benefit of the Insular Government for the month of December, 1900, and other designated months.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The following sums in Mexican money are appropriated out of any money in the Insular Treasury, not otherwise appropriated, for the payment of the current expenses of the Insular Government for the month of December, 1900, and other designated months, for the purposes and objects hereinafter expressed, viz:

For the Chief Quartermaster of the United States Army for the Division of the Philippines:

For hire of laborers, repairs to buildings, buildings for ice plants at Calamba, Batangas, Legaspi, Nueva Caceres and Catbalogan, for steam power plant for water system at Jolo, for funds to meet emergencies during the month and for incidental expenses, forty thousand dollars (\$40,000).

For the Provost Marshal General:

For coal for the Department of Water Supply, four thousand dollars (\$4,000); for rent of land on which the Paco Crematory is located, for the months of October, November and December, 1900, ninety dollars. (\$90);

Total for the Provost Marshal General, four thousand and ninety dollars (\$4,090).

For the Provost Marshal at Cavite:

For salaries of interpreter, translator and clerk, one hundred and fifty dollars (\$150); for medicines for sick United States military prisoners confined in the United States Military Prison at Cavite for the months of November and December, sixty dollars (\$60);

Total for the Provost Marshal at Cavite, two hundred and ten dollars (\$210).

For the Forestry Bureau:

For carriage hire from October 11th to December 31st, at five dollars (\$5) per day, four hundred and ten dollars (\$410).

For the Collector of Internal Revenue of the Islands:

For a refund of sur-taxes erroneously collected in the First and Third Districts, Northern Luzon, First and Third Districts, Southern Luzon, First and Second Districts, Departments of Mindanao and Jolo, and Fourth District, Department of Visayas, twelve thousand, nine hundred and seventy-five dollars and sixty-four cents (\$12,975.64).

For the District Commander at Isabela:

For rent of offices, salaries of interpreters and clerk and for oil for offices for the month of October, one hundred and sixty-five dollars (\$165);

For rents of offices and for salary of interpreter for the month of November, one hundred and twenty-five dollars (\$125);

For rebuilding bridge over Isabela River at Tabuc, and for repairs to reservoir, six hundred and fifty dollars (\$650);

Total for the District Commander at Isabela, nine hundred and forty dollars (940).

Total for appropriations in Mexican Currency for the month of December, 1900, and other designated months, fifty-eight thousand six hundred and twenty-five dollars and sixty-four cents (\$58,625.64).

SEC. 2. The following sums in money of the United States are hereby appropriated out of any money in the Insular Treasury, not otherwise appropriated, for the payment of current expenses of the Insular Government for the month of December, 1900, and other designated months, for the purposes and objects hereinafter expressed, viz:

For the Chief Quartermaster for the Division of the Philippines:

For telegrams and telephones, for the cleaning of cesspools, for rent and repairs to buildings, for alteration of the Cuartel Malate into a military prison, for funds for the Department of Northern Luzon, for funds for the Department of Southern Luzon, for funds for the

Department of Visayas, for expenses of Navy Gunboats, of pony corral and other stables, for the purchase of coal and mineral oil, for miscellaneous expenses and to meet emergency requisitions and expenditures during the month, one hundred and seventy-one thousand, one hundred and five dollars and twenty-one cents, (\$171,105.21); for construction of a warehouse on the grounds of the Custom House, Manila, fifty-seven thousand and five hundred dollars, (\$57,500); for the purchase of two launches, one to be used at Isabela, District of Basilan, and the other at Vigan, Island of Luzon, twenty-five thousand dollars (\$25,000);

Total for the Chief Quartermaster for the Division of the Philippines, two hundred and fifty-three thousand, six hundred and five dollars and twenty-one cents (\$253,605.21).

For the Disbursing Quartermaster of Civil Bureaus:

For authorized salaries for the judges, officers and employés of the Court of First Instance at Vigan, the Court of Peace at Vigan, the Court of First Instance at Dagupan, the Court of Peace at Dagupan, the Court of First Instance at Tuguegarao, the Court of Peace at Tuguegarao, the Court of First Instance at Bacolor, the Court of Peace at Bacolor, the Court of First Instance at Iloilo, the Court of Peace at Iloilo, the Court of First Instance at Cebu, the Court of Peace at Cebu, the Court of First Instance at Cavite, the Court of Peace at Cavite, the Court of First Instance at San Isidro, the Court of Peace at San Isidro, the Court of First Instance at Laoag, the Court of Peace at Laoag, the Court of First Instance at La Union, the Court of First Instance at Balanga, the Court of Peace at Balanga, the Court of First Instance at Bohol, five thousand six hundred and twenty-five dollars and fifteen cents (\$5,625.15).

For pay of Civil Employés in the offices of the following officers:

The Board of Officers on Claims, two hundred and twenty-nine dollars and ninety-nine cents (\$229.99); the Chief Quartermaster, forty dollars (\$40); the Assistant to the Chief Quartermaster, three hundred and sixty-five dollars and fifty cents (\$365.50); the Judge Advocate, including an increase of twenty dollars in salaries in the Department of Archives, hereby authorized, five hundred and forty-seven dollars and fifty cents (\$547.50); the Military Secretary, including an increase in the salary of a stenographer and interpreter from one hundred and twenty-five dollars (\$125) to one hundred and fifty dollars (\$150) per month, hereby authorized, twelve hundred and seventy-four dollars (\$1,274); the Officer in Charge of Insurgent Records, four hundred and thirty-two dollars and thirty-two cents (\$432.32); the Supreme Court, one thousand and ninety-four dollars and sixty-seven cents (\$1,094.67); the Inspector General, two hundred and forty-one dollars and sixty-seven cents (\$241.67); the Adjutant General, one thousand and seventy-six dollars and sixty-seven cents (\$1,076.67); the Disbursing Quartermaster, nine hundred and sixty-four dollars and seventeen cents (\$964.17);

For laborers, janitors and for washing towels, three hundred and ninety-two dollars and fifteen cents (\$392.15); for supplies for issue and for miscellaneous expenses impossible to itemize, twenty-five thousand dollars (\$25,000); for rents and repairs of buildings, seven hundred and forty dollars (\$740); for the purchase of buoys for the port at Isabela, nine hundred dollars (\$900); for transportation, one thousand dollars (\$1,000);

Total for the Disbursing Quartermaster of Civil Bureaus, thirty-nine thousand and eight hundred and ninety-eight dollars and seventy-nine cents (\$39,898.79).

For the Medical Supply Depot of Manila:

For laborers, three hundred and ten dollars (\$310).

For the Medical Supply Depot, Department of Northern Luzon:

For the pay of eighty (80) vaccinators, at fifteen dollars (\$15) per month, twelve hundred dollars (\$1,200); for the payment of native physicians, two hundred and fifty-seven dollars and fifty cents (\$257.50); for the purchase of medical supplies and of medicines, three hundred and sixty-five dollars (\$365); for contingent expenses that may be approved by the Department Commander, six hundred and thirty-five dollars (\$635);

Total for the Medical Supply Depot of Northern Luzon, twenty-four hundred and fifty-seven dollars and fifty cents (\$2,457.50).

For the Medical Supply Depot of Southern Luzon:

For the pay of thirty (30) vaccinators at fifteen dollars (\$15) per month, four hundred and fifty dollars (\$450); for medical supplies for sick and indigent natives, five hundred dollars (\$500);

Total for the Medical Supply Depot of Southern Luzon, nine hundred and fifty dollars (\$950).

For the Pathological Laboratory:

For the pay of one native laborer from October 15th to December 31st, twelve dollars and sixty-seven cents (\$12.67).

For the Chief Ordnance Officer:

For salaries, three hundred dollars and twenty-five cents (\$300.25); for printing of blanks and for sundry materials and tools that may be required in an emergency, one hundred and ninety-five dollars (\$195);

Total for the Chief Ordnance Officer, four hundred and ninety-five dollars and twenty-five cents (\$495.25).

For the Chief Signal Officer:

For the hire of native labor for city and suburban construction and repair of telegraph and telephone lines and for care of central office, power house and shop, and for messengers, and for hire of native employes in cable work, three hundred and fifteen dollars (\$315); for supplies in connection with the construction and maintenance of telegraph, telephone and cable lines in the Philippine Islands, five thousand dollars (\$5,000);

Total for the Chief Signal Officer, five thousand, three hundred and fifteen dollars (\$5,315).

For the Office of the Provost Marshal General and Departments reporting to him:

For the Department of Streets, Parks, Fire and Sanitation:

For salaries and wages, nine thousand, one hundred and eight dollars and ten cents (\$9,108.10): for cleaning Matadero and city markets, four hundred and twenty-one dollars and thirty-five cents (\$421.35); for cleaning streets, disposing of garbage, etc., four thousand, two hundred and seventy-seven dollars and twenty-five cents (\$4,277.25); for labor on Calle Rosario and the Escolta, one hundred and fifty dollars (\$150); for operating rock quarry at Binangonan, three hundred and ninety dollars (\$390); for road material, for forage, horse shoeing, etc., for opening, cleaning and repairing of drains and sewers, for repairs to steam tugs, garbage scows and bancas, and for incidental expenses, fifteen thousand, two hundred dollars and fifty cents (\$15,200.50); for

the construction of city stables, seven thousand and ninety dollars (\$7,090);

Total for the Department of Streets, Parks, Fire and Sanitation, thirty-six thousand, six hundred and thirty-seven dollars and twenty cents (\$36,637.20).

For the Department of Water Supply:

For salaries and wages, seventeen hundred and seventy dollars and fifty cents (\$1,770.50); for maintenance, supplies and office expense, one hundred and seventy-five dollars (\$175);

Total for the Department of Water Supply, nineteen hundred and forty-five dollars and fifty cents (\$1,945.50).

For the Department of City Public Works:

For salaries and wages, nine hundred and seven dollars and fifty cents (\$907.50); for office expense, twenty-five dollars (\$25); for final payment for materials used in widening Bridge of Spain, three thousand, four hundred and twenty-three dollars and twenty-one cents (\$3,423.21); for repairing of city bridges, one thousand dollars (\$1,000); for repairing of Santolan road, one hundred and fifty dollars (\$150); for repairing of Luneta sea wall, one thousand dollars (\$1,000); for map of Manila, one hundred dollars (\$100); for the Quinta market, two thousand dollars (\$2,000); for the maintenance of stock, twenty-five dollars (\$25); for putting the roadway of the Bridge of Spain in immediate repair, fourteen hundred and fifty-four dollars and twenty cents (\$1,454.20); for the construction of timber defenses for the Ayala bridge, five thousand eight hundred and seventy-two dollars and fifty cents (\$5,872.50); for payment of estimated cost of construction of Santa Cruz bridge, ninety-seven thousand dollars (\$97,000);

Total for the Department of City Public Works, one hundred and twelve thousand, nine hundred and fifty-seven dollars and forty-one cents (\$112,957.41).

For the Department of Inspection:

For salary to physician of prisoners of war at Santiago, fifty dollars (\$50); for subsistence and treatment of prisoners of war and others at San Juan de Dios hospital, two hundred dollars (\$200); for subsistence and treatment of indigent and insane natives and Spaniards at Hospicio de San José, twenty-two hundred and fifty dollars (\$2,250);

Total for the Department of Inspection, twenty-five hundred dollars (\$2,500).

For the Department of Prisons:

For subsistence of prisoners and lights at Presidio de Manila, fourteen hundred and thirty-seven dollars and sixty-three cents (\$1,437.63); for salaries of police officers and other employés, nine hundred and thirty-seven dollars and fifty cents (\$937.50); for sundry office supplies, for transportation, for miscellaneous expenses and for printing, one hundred and ten dollars (\$110.00);

Total for the Presidio de Manila, twenty-four hundred and eighty-five dollars and thirteen cents (\$2,485.13).

For subsistence of prisoners and lights at the Carcel Pública, twelve hundred and thirty-seven dollars and twenty-three cents (\$1,237.23); for salaries of clerks and other employés three hundred and sixty-five dollars (\$365); for sundry office supplies and for miscellaneous repairs, forty-nine dollars and fifty cents (\$49.50);

Total for Carcel Pública, sixteen hundred and fifty-one dollars and seventy-three cents (\$1,651.73).

For Bilibid United States Military Prison, for repairs and supplies, thirteen dollars and twenty cents (\$13.20).

Total for the Department of Prisons, forty-one hundred and fifty dollars and six cents (\$4,150.06).

For the Department of Licenses and Municipal Revenue:

For salaries and wages, including an increase in the number and in the salaries of employes engaged in collecting the market tax, hereby authorized, for stationery, printing, and for incidental expenses, twenty-four hundred and seventy-nine dollars (\$2,479).

For the Department of Cemeteries:

For salaries and wages, rent of keeper's houses, burial of paupers, material and miscellaneous expenses, three hundred and four dollars and fifty cents (\$304.50).

For the Department of the Board of Health for the city of Manila:

For salaries and wages, including one physician at Malabon, three thousand two hundred and eighty-eight dollars and fifty cents (\$3,288.50); for transportation, three hundred and seventy-two dollars (\$372); for medicines for Municipal Dispensary, preparation of vaccine virus, incidental expenses of Veterinary Department, incidental expenses of Board of Health, incidental expenses of Chemical Department, incidental expenses of the Bacteriological Department, incidental expenses of the Anti-Plague virus farm, running expenses of Small-pox Hospital and of the Plague Hospital, fuel for the Plague Hospital Crematory, fuel for the steam disinfecting plant, for printing tags and for expenses of San Lazaro Leper Hospital, sixteen hundred and seventeen dollars and fifty cents (\$1,617.50); for salaries of the employes of the San Lazaro Hospital for November, one hundred and thirty-eight dollars (\$138); for reimbursement of clothing destroyed of I. A. Ogden and Bert Breenwood of quartermaster's corral during quarantine of that place for plague, fifty-three dollars and fifty-eight cents (\$53.58);

Total for the Department of the Board of Health for the city of Manila, five thousand four hundred and sixty-nine dollars and fifty-eight cents (\$5,469.58);

For the Department of Police:

For salaries and wages of officers and privates of Manila Police Force, for interpreter and other employes, for medical supplies and for contingent fund, eleven thousand two hundred and seventy-seven dollars and fifty cents (\$11,277.50); for one additional lieutenant of police, three sergeants, three corporals and fifty privates, whose employment is hereby authorized, seven hundred and forty-five dollars (\$745); for a fund for the secret service, hereby authorized, five thousand dollars (\$5,000); for the salary of an interpreter to be used at the San Miguel and Quiapo police stations, at a salary of thirty-seven dollars and fifty cents (\$37.50) per month, hereby authorized, thirty-seven dollars and fifty cents (\$37.50); for the salary of a stenographer and typewriter, at a salary of one hundred dollars (\$100) per month, hereby authorized, one hundred dollars (\$100); for expense authorized but not provided for in the general appropriation bill for November, five dollars (\$5.00);

Total for the Department of Police, seventeen thousand one hundred and sixty-five dollars (\$17,165);

For the Department of Illumination and Telephones:

For maintaining street and harbor lights, for maintaining lights in public buildings, residences of general officers, police stations, public

markets and the Carcel of Bilibid, three thousand five hundred and seventy-eight dollars and sixty-four cents (\$3,578.64); for the rent of telephones, for materials for repairs, etc., to existing insulations, and for increase of the service, two hundred and fifteen dollars and seven cents (\$215.07);

Total for the Department of Illumination and Telephones, three thousand seven hundred and ninety-three dollars and seventy-one cents (\$3,793.71).

For the Department of Secret Service:

For salaries and wages, for transportation and for miscellaneous expenses, seven hundred and sixty-two dollars and fifty cents (\$762.50).

For the Office of the Adjutant General of the Provost Marshal General:

For salaries, including an increase in the salary of the interpreter and translator from seventy-five dollars (\$75) to one hundred dollars (\$100), hereby authorized, three hundred and sixty-two dollars and fifty cents (\$362.50); for fifty (50) orphans at six dollars and fifty cents (\$6.50) per month, each, at Santa Isabela College, three hundred and twenty-five dollars (\$325); for meals of political prisoners confined at Anda Police Station, two hundred and forty-eight dollars (\$248); for stationery, printing and advertising and for contingent expenses, seven hundred dollars (\$700);

Total for the Office of the Adjutant General of the Provost Marshal General, sixteen hundred and thirty-five dollars and fifty cents (\$1,635.50).

For the Department of City Schools in Manila:

For salaries and expenses of the City Schools in Manila, four thousand seven hundred and ninety-two dollars and fifty-four cents (\$4,792.54); for salaries in the Nautical School, three hundred and eighty-nine dollars and seventeen cents (\$389.17); for salaries in the Superintendent's Office, three hundred and seventy-two dollars and fifty cents (\$372.50); for books, stationery and incidental expenses, including Carromata hire for the Superintendent of City Schools and the Superintendent of the Nautical School, three hundred and seventy-five dollars (\$375); for new furniture and repairs to furniture, for lumber for fencing for the girls' municipal school, for repairing boys' school at Quiapo, eleven hundred and eighty-four dollars (\$1,184); for clocks for municipal schools and for oil for floor of Nautical School, two hundred and ten dollars (\$210); for salaries of teachers in night schools, eight hundred dollars (\$800); for wages of janitors in municipal schools, twenty-five dollars (\$25);

Total for the Department of Municipal Schools, eight thousand one hundred and forty-eight dollars and twenty-one cents (\$8,148.21).

For the Quartermaster of the Department of the Provost Guard:

For rents of barracks for civil and military police in Manila, including rent of three buildings in Malabon, two thousand nine hundred and forty-one dollars and sixteen cents (\$2,941.16); for rent of school houses, including Manila Central Observatory, one thousand and fifty-seven dollars and sixty-seven cents (\$1,057.67); for rent of market sites, twenty-five dollars (\$25); for expenses of City Morgue, seventy-four dollars (\$74); for miscellaneous rents, for operating Manila Central Observatory, for pension of Jacinta Brillianti, for forage and shoeing for horses, for hire of four cooks for insurgent prisoners and for incidental expenses, thirty-one hundred and five dollars and ninety-eight

cents (\$3,105.98); for rations for civil and military prisoners, for rice for indigent citizens, for minor repairs to civil and military police stations, for purchase of four lamps for the city schools, twenty-five hundred and thirty-three dollars (\$2,533); for sending Doctor Charles N. Ferrier, veterinarian, to the Island of Masbate, for the purpose of investigating the condition of the health of cattle on that Island, seventy-three dollars (\$73);

Total for the Department of the Quartermaster of the Provost Guard, nine thousand eight hundred and nine dollars and eighty-one cents (\$9,809.81).

For the Department of Municipal Records:

For salaries of the judges of all branches of the Supreme Court, fifteen hundred and twenty dollars and eighty-two cents (\$1,520.82); for salaries of the Attorney General's Department, thirteen hundred and six dollars and sixty-two cents (\$1,306.62); for the employes in the civil and criminal branches of the general offices of the medico-legal department of the Supreme Court, eleven hundred and thirty-four dollars and forty cents (\$1,134.40); for the salaries of the judges, justices of the peace, bailiffs and other employes of the District Courts of First Instance of Binondo, Tondo, Quiapo and Intramuros and of the Courts of the Justices of the Peace at Binondo, Tondo, Quiapo and Intramuros, twenty-three hundred and one dollars and ninety-nine cents (\$2,301.99); for salaries of the Superior Provost Court, including an increase in the salary of Nicholas Arceo from fifty dollars (\$50) to seventy-five dollars (\$75) per month, hereby authorized, two hundred and fifty dollars (\$250); for salaries and expenses in the office of the Collector of Taxes in the Department of Municipal Records and the Department of Prison Records, four hundred and sixty dollars (\$460);

Total for the Department of Municipal Records, six thousand nine hundred and seventy-three dollars and ninety-three cents (\$6,973.93).

For the Department of Hospitals:

For salaries and wages in the First Reserve Hospital, Second Reserve Hospital, Hospital Number Three, and Convalescent Hospital, Corregidor, three hundred and eighty-four dollars (\$384);

Total for the Provost Marshal General: Two hundred and fifteen thousand one hundred and fifteen dollars and ninety-one cents (\$215,115.91).

For the General Superintendent of Education:

For salaries of General Superintendent of Education and employes in his office, nine hundred and fifty-eight dollars and ten cents (\$958.10); for the salary of the Superintendent of Manila Schools, of English teachers and of Assistant or provincial Superintendent, four thousand six hundred and seventy-four dollars and ninety-nine cents (\$4,674.99); for traveling expenses of teachers, four hundred and three dollars and eighty cents (\$403.80);

Total for the General Superintendent of Education, six thousand and thirty-six dollars and eighty-nine cents (\$6,036.89).

For the Collector of Customs of the Islands and of the Chief Port:

For regular supplies, twenty-seven hundred and fifty dollars (\$2,750); for incidental expenses, one hundred and five dollars and thirty-eight cents (\$105.38); for rents and repairs to buildings, six hundred and thirty dollars (\$630); for salaries and wages eleven thousand eight hundred and eighty-two dollars and fifty cents (\$11,882.50); for transpor-

tation, two hundred and ninety-nine dollars (\$299.00); for miscellaneous expenses, nineteen hundred and fifteen dollars and fifty cents (\$1,915.50); for refunds, including a refund of duties paid on a lost box by Adolfo Richter & Co., amounting to eight dollars and eighty-seven cents (\$8.87), eleven hundred and forty-eight dollars and fifty cents (\$1,148.50); for Collector of Customs for Cebu, for smoke stack for the launch "Mercedes," fifty dollars (\$50); for expenses incurred by the Captains of Port other than Manila, thirty-five hundred dollars (\$3,500); for the Captain of the Port at Iloilo for repairs to lighthouse Luzaran Point, Guimaras Island, seven hundred and eighteen dollars and eighty-six cents (\$718.86);

Total for the Collector of Customs for the Islands and of the Chief Port, twenty-two thousand nine hundred and ninety-nine dollars and seventy-four cents (\$22,999.74).

For the Collector of Internal Revenue of the Islands:

For regular supplies of the Manila Office, twenty-seven hundred and sixty-two dollars and twenty-four cents (\$2,762.24); for incidental expenses, thirty-two dollars (\$32); for rents and repairs to various buildings used by officials of the Internal Revenue Department of the Islands, three hundred and forty-nine dollars and eight cents (\$349.08); for tax refunds, two hundred and eighty-nine dollars and fifty-five cents (\$289.55); for transportation, fifty-one dollars and seventeen cents (\$51.17); for miscellaneous expenses, thirty-nine dollars and forty-seven cents (\$39.47); for salaries and wages, three thousand eight hundred and twenty-one dollars and fifteen cents (\$3,821.15);

Total for the Collector of Internal Revenue for the month of December, seven thousand three hundred and forty-four dollars and sixty-six cents (\$7,344.66).

For the payment of salaries and expenses for the month of July, August, September, October and November, by way of deficiency, for rent and repairs, two hundred and seventy-seven dollars and ninety-one cents (\$277.91); for transportation and miscellaneous expenses, twenty dollars and fifty-eight cents (\$20.58).

Total for the deficiency appropriations for the Collector of Internal Revenue for the Islands, two hundred and ninety-eight dollars and forty-eight cents (\$298.48);

Grand total for the Collector of Internal Revenue for the Islands, seven thousand six hundred and forty-three dollars and fourteen cents (\$7,643.14).

For the Auditor of the Philippine Islands:

For salaries as provided by law, including in addition a special increase in the salary of the chief book-keeper for the period from September 15th to September 30th of twelve dollars and fifty cents (\$12.50), and in the salaries of three examiners for the same period of eight dollars and twenty-five cents (\$8.25) each, for printing for the month of December, and for deficiency amount required to meet bills to November 30th, three thousand two hundred and ninety-one dollars and forty-two cents (\$3,291.42); for salary of the Auditor of the Islands from December 1st to December 15th, the date when his resignation takes effect and for estimated traveling expenses from Manila to Washington, three hundred and sixteen dollars and sixty-six cents (\$316.66);

Total for the Auditor of the Islands, three thousand, six hundred and eight dollars and eight cents (\$3,608.08).

For the Treasurer of the Philippine Islands:

For salaries and wages, two hundred and eleven dollars and twenty-five cents (\$211.25); for purchase of material and employment of labor for cleaning machinery at the mint, one hundred dollars (\$100);

Total for the Treasurer of the Islands, three hundred and eleven dollars and twenty-five cents (\$311.25).

For the Office of Patents, Copyrights, and Trademarks:

For salary of one clerk, seventy-five dollars (\$75).

For the Forestry Bureau:

For salaries and wages, fourteen hundred and nineteen dollars and fifty cents (\$1,419.50); for incidental expenses, one hundred and twenty-five dollars (\$125); for traveling and other expenses incident thereto, two hundred dollars (\$200);

Total for the Forestry Bureau, seventeen hundred and forty-four dollars and fifty cents (\$1,744.50).

For the Bureau of Mining:

For salaries and wages, three hundred and two dollars and fifty cents (\$302.50).

For the Provost Marshal at Cavite:

For subsistence of United States military prisoners, two hundred and thirty-two dollars and fifty cents (\$232.50); for transportation of the Provost Marshal while attending to official duties during the months of August, September, October, November and December, fifteen dollars (\$15.00);

Total for the Provost Marshal at Cavite, two hundred and forty-seven dollars and fifty cents (\$247.50).

For the Department of Posts:

For regular supplies, one hundred and seventy-five dollars (\$175); for incidental and miscellaneous expenses, one hundred and twenty-five dollars (\$125); for rents and repairs to buildings, nine hundred and three dollars and ninety-three cents (\$903.93); for transportation, two hundred dollars (\$200); for salaries, nine thousand two hundred and five dollars and eighty-nine cents (\$9,205.89).

Total for the Department of Posts, ten thousand six hundred and nine dollars and eighty-two cents (\$10,609.82).

For the Captain of the Port at Manila:

For regular supplies, seventy-four dollars and fifty cents (\$74.50); for salaries of office employes, launch crews, in light-house and signal stations, machine shops and repair shops, in dredging and cleaning of channel, in harbor improvements and public works and branch hydrographic office, four thousand six hundred and seventy-seven dollars and ninety-five cents (\$4,677.95);

Total for the Captain of the Port at Manila, four thousand seven hundred and fifty-two dollars and forty-five cents (\$4,752.45).

For the Chief Paymaster for the Department of Northern Luzon:

For the payment of the squadron of Philippine Cavalry for the months of November and December, ten thousand nine hundred and fifty-six dollars and forty cents (\$10,956.40).

For the Philippine Civil Service Board:

For the salary of the Chief Examiner from September 20th to December 31st, 1900, nine hundred and eighty-one dollars and ninety-five cents (\$981.95); for the salary of the Secretary from September 20th to December 31st, 1900, eight hundred and forty-one dollars and sixty-four cents (\$841.64), for the payment of the force for Octo-

ber and November, two hundred and fifty-seven dollars and fifty cents (\$257.50);

Total for the Philippine Civil Service Board, two thousand and eighty-one dollars and nine cents (\$2,081.09).

For the Chief Statistician:

For salary for October, November and December, eight hundred and seventy-five dollars (\$875).

For Major I. W. Littell, Quartermaster, U. S. Volunteers, Chief Quartermaster, Department of Southern Luzon:

To reimburse him for loss through theft by a trusted subordinate, two hundred and twenty dollars (\$220).

Total of appropriations for all purposes in money of the United States five hundred and ninety thousand six hundred and forty-eight dollars and sixty-nine cents (\$590,648.69).

SEC. 3. The appropriation for the Captain of the Port at Balanga in the General Appropriation Act of November, passed November 5, 1900, shall be amended so as to read as an appropriation for the Captain of the Port at Batangas. The total for the Department of Municipal Records in the same General Appropriation Act for November shall be amended so as to read, six thousand six hundred and twenty-one dollars and ninety-three cents (\$6,621.93).

SEC. 4. The public good requiring the speedy enactment of this Appropriation Bill, the passage of the same is hereby expedited in accordance with section 22 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 5. This act shall take effect on its passage.

Enacted, December 3, 1900.

[No. 55.]

AN ACT to provide for wholesome food supplies and to prevent cruelty to animals in transportation.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The owners or masters of steam, sailing, or other vessels, carrying or transporting cattle, sheep, swine, or other animals, from one port in the Philippine Islands to another, or from any foreign port to any port within the Philippine Islands, shall carry with them, upon the vessels carrying such animals, sufficient forage and fresh water to provide for the suitable sustenance of such animals during the ordinary period occupied by the vessel in passage from the port of shipment to the port of debarkation, and shall cause such animals to be provided with adequate forage and fresh water at least once in every twenty-four hours from the time that the animals are embarked to the time of their final debarkation.

SEC. 2. The owners or masters of vessels providing forage and water as prescribed in section 1, shall have a lien upon the animals so provided, for the cost of forage and water furnished under the provisions of this act.

SEC. 3. Any owner or master of a vessel, or custodian of such animals, who knowingly and wilfully fails to comply with the provisions of

section 1, shall, for every such failure, be liable to pay a penalty of not less than one hundred dollars nor more than five hundred dollars, United States money, for each offence. Prosecutions under this act may be instituted in any court of first instance or any provost court organized in the province or port in which such animals are disembarked.

SEC. 4. It shall be the duty of the Collector of Customs of the port from which any such animals are shipped, to refuse clearance to any vessel carrying any of the animals aforesaid, which are not provided with sufficient forage and fresh water for compliance with the requirements of section 1; and it shall be the duty of the Collector of the Port at which such animals are disembarked to ascertain whether the provisions of this act has been complied with, and if they have not, to cause prosecutions at once to be instituted by the promotor fiscal for the enforcement of the penalties herein provided. In ports in which there is no Collector of Customs, the duties above provided shall be performed by the Inspector of Customs for such port.

SEC. 5. This act shall take effect on January 1, 1901.

Enacted, December 5, 1900.

[No. 56.]

AN ACT providing for the retention in office of municipal councillors, elected under General Order of the Military Governor No. 40, series of 1900, until a new municipal law shall have been enacted and put in operation.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All Councillors in municipalities which have been organized under General Order of the Military Governor No. 40, series of 1900, shall continue to hold office until a new municipal law shall have been enacted by the Commission and their successors shall have been elected and shall have qualified in accordance with its provisions.

SEC. 2. That portion of Article 3 of said general order which provides that the seats of Councillors of the first class shall be vacated on the first Monday of January, 1901, and that portion of Article 8 of said order which provides that general municipal elections shall be held on the first Tuesday in December of each year, are hereby repealed, provided, that nothing herein shall be held to invalidate any elections which may have taken place before the passage of this act.

SEC. 3. This act shall take effect on its passage.

Enacted, December 12, 1900.

[No. 57.]

AN ACT requiring the Civil Service Board to report to the United States Philippine Commission a plan for the readjustment of salaries paid in the civil service.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The Civil Service Board shall proceed forthwith to investigate the fairness of the salaries now paid to all the members of the

Philippine Civil Service, and shall report at as early a day as possible a plan for the readjustment of such salaries under which the salaries paid shall be proportioned to the amount of labor and skill required and the responsibility imposed in the discharge of the duties of the respective positions, and which shall afford opportunity for a proper classification of positions under the Civil Service Act.

SEC. 2. In the prosecution of the investigation enjoined in the foregoing section, the Civil Service Board is authorized through the Military Governor to summon to appear before it the heads of the civil departments and such of their subordinates as may be deemed necessary, to answer questions and to produce papers relevant to the inquiry. The Board shall append to its report the evidence taken by it. In the execution of this act, the Board shall also consider the report of a Board of Army Officers to the Military Governor upon a readjustment of civil salaries and shall submit a comparison between its adjustment and that of said Board of Army Officers, and where there is a difference, its reasons.

SEC. 3. In its investigation and report the Board shall treat the offices, the duties of which are now discharged by the officers of the army or navy under detail, as if filled by civilians, and shall report the proper salaries for such offices. It shall also investigate and report the salaries that, upon the same basis, should be paid to civilians performing clerical or other similar duties in military offices, but who are paid from the Insular Civil Funds.

SEC. 4. This act shall take effect on its passage.

Enacted, December 12, 1900.

[No. 58.]

AN ACT authorizing the establishment of local police in cities and towns of the Philippine Islands and appropriating one hundred and fifty thousand dollars (\$150,000.00), money of the United States, for their maintenance.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The military governor is hereby authorized to establish a police force for the maintenance of law and order in such of the cities and towns of these Islands as may by him be deemed desirable and advantageous to the public interests.

SEC. 2. The sum of one hundred and fifty thousand dollars (\$150,000.00), money of the United States, is hereby appropriated out of any money in the Insular Treasury, not otherwise appropriated, for the purpose of paying the expenses incident to the organization and maintenance of the police established pursuant to the provisions of section 1 hereof.

SEC. 3. This act shall take effect on its passage.

Enacted, December 12, 1900.

[No. 59.]

AN ACT regulating the sale of intoxicating liquors within the city of Manila and its attached barrios.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All laws and regulations heretofore governing the issue of licenses for the sale of liquor within the jurisdictional limits of the city of Manila are hereby repealed and the following substituted therefor, but nothing herein shall be construed as affecting any outstanding license issued conformably to the laws and regulations formerly existing until such licenses shall have expired or have been revoked for cause.

SEC. 2. A license for a period of six (6) months may be issued to a person or persons of good character, authorizing him or them to keep and maintain, at a place to be specified in the license, a saloon, bar or drinking place for the sale of intoxicating liquors, including thereunder fermented vinous, fermented malt and spirituous beverages, in quantities less than one gallon (3.78 litres), upon payment in advance of the sum of six hundred (600) pesos. A license of this class shall be known as a "First Class Bar License."

SEC. 3. A license for a period of six (6) months may be issued to a person or persons of good character, authorizing him or them to keep and maintain, at a place to be specified in the license, a saloon, bar or drinking place for the sale of fermented malt or fermented vinous liquors only, in quantities less than one gallon (3.78 litres), upon payment in advance of the sum of three hundred and fifty (350) pesos. A license of this class shall be known as a "Second Class Bar License."

SEC. 4. A license for a period of six (6) months may be issued to a person or persons of good character, owning or managing a bona fide theatre, authorizing him or them to keep and maintain a bar in the theatre, for the sale of fermented vinous, fermented malt and spirituous liquors in quantities less than one gallon (3.78 litres), which liquors may be sold or served to bona fide guests of the theatre in their seats or elsewhere on the premises, under such restrictions as to hours as may be prescribed by the Provost Marshal General, upon payment in advance of the sum of eight hundred (800) pesos. A license of this class shall be known as a "Theatre Liquor License."

SEC. 5. No application for a license, or for a renewal thereof, to conduct a First or a Second Class Bar, shall be received until the applicant or applicants shall have, at his or their own expense, published a notice in six consecutive editions of one Spanish and one English newspaper, to be designated by the Provost Marshal General, which notice shall be in such form as the Provost Marshal General may determine, and shall set forth the fact that, on a certain date, it is proposed by such applicant or applicants to make application at the Department of Licenses and Municipal Revenue for a license to conduct a bar in the building situated on a specified street and at a specified number. Such notice shall be signed by the applicant or applicants and copies of the newspapers containing the notice shall be filed with the application.

SEC. 6. All saloons, bars and other drinking places shall be closed from such hour at night as the Provost Marshal may direct, or, in the

absence of such direction, from the "Curfew Hour," or, in the absence of such direction and if no "Curfew Hour" be established, then from 12 o'clock midnight until 6 o'clock A. M. the following day, except that when the following day shall be Sunday, they shall remain closed until 6 o'clock A. M. the following Monday; and it shall be unlawful for any person to sell, give away or otherwise dispose of any fermented, malt, vinous or spirituous or other intoxicating liquors between the above mentioned hours, except as hereinafter provided for, but the words "give away" where they occur in this act shall not apply to the giving away of intoxicating liquors by a person in his private dwelling unless such private dwelling becomes a place of public resort.

SEC. 7. (a) A license for a period of six (6) months may be issued to a person or persons of good character, owning or managing bona fide hotels, restaurants or cafés, authorizing him or them to sell, serve, give away or otherwise dispose of fermented vinous, fermented malt and spirituous beverages or liquors, in quantities less than one gallon (3.78 litres) to bona fide guests of such hotels, restaurants or cafés with bona fide meals at any and all hours, upon the payment in advance of the sum of two hundred and fifty (250) pesos. A license of this class shall be known as a "First Class Restaurant Liquor License."

(b) A license for a period of six (6) months may be issued to a person or persons of good character, owning or managing bona fide hotels, restaurants or cafés, authorizing him or them to sell, serve, give away or otherwise dispose of fermented malt or fermented vinous beverages or liquors in quantities less than one gallon (3.78 litres), to bona fide guests of such hotels, restaurants or cafés with bona fide meals at any and all hours, upon the payment in advance of the sum of one hundred and fifty (150) pesos. A license of this class shall be known as a "Second Class Restaurant Liquor License."

SEC. 8. (a) A license for a period of six (6) months may be issued to a person or persons of good character, owning or managing bona fide hotels and holding for such hotel a "First Class Restaurant Liquor License," authorizing him or them to sell, serve, give away or otherwise dispose of fermented vinous, fermented malt and spirituous beverages or liquors, in quantities less than one gallon (3.78 litres), to bona fide guests of such hotels in their rooms at any and all hours upon payment in advance of the sum of two hundred and fifty (250) pesos. A license of this class shall be known as a "First Class Hotel Liquor License."

(b) A license for a period of six (6) months may be issued to a person or persons of good character, owning or managing bona fide hotels, and holding for such hotel a "Second Class Restaurant Liquor License," authorizing him or them to sell, serve, give away or otherwise dispose of fermented malt and fermented vinous beverages or liquors, in quantities less than one gallon (3.78 litres), upon payment in advance of the sum of one hundred and fifty (150) pesos. A license of this class shall be known as a "Second Class Hotel Liquor License."

SEC. 9. None of the above mentioned licenses shall be construed to permit the keeping in stock, selling, giving away or otherwise disposing of any of the so-called native wines, such as "vino," "anisado," "tuba," etc., and it shall be unlawful to keep in stock, sell, give away or otherwise dispose of any such so-called native wines at any place for the keeping or maintaining of which any of the above mentioned licenses shall have issued.

SEC. 10. It shall be unlawful for any person or persons to conduct or maintain any saloon, bar or drinking place without first having obtained a license therefor, or to keep in stock, sell, give away or otherwise dispose of any intoxicating liquors that are not included within the license so obtained; and it shall likewise be unlawful for the proprietor or manager of any hotel, restaurant or café to keep in stock, sell, serve, give away or otherwise dispose of any intoxicating liquor without having obtained a license therefor as prescribed in this act. It shall be unlawful for any employé or agent of the proprietor of a saloon, bar, drinking place, hotel, restaurant or café to sell or give away liquor when no license has been issued to his principal authorizing the same.

SEC. 11. It shall be unlawful to play or permit to be played any musical instrument or conduct or operate or permit to be conducted or operated any gambling device, slot machine, phonograph, billiard or pool table or other form of amusement in saloons, bars or drinking places, but this shall not be construed as prohibiting music in the dining or other rooms than the bar-rooms of bona fide hotels holding liquor licenses, or in theatres holding "Theatre Liquor Licenses."

It shall be unlawful for the holder of licenses herein provided for to maintain any but a clean, quiet and orderly place, or to sell or serve or permit to be sold or served any intoxicating liquors to any intoxicated person, or to permit such persons to be or remain in or about the premises where such liquors are kept for sale or to sell or keep therein any wine, beer or liquor, except such as is of good standard quality and free from adulteration.

SEC. 12. A license for a period of six (6) months may be issued to a person or persons of good character, authorizing him or them to maintain a shop for the keeping in stock, selling, giving away or otherwise disposing of such native wines (so called) and liquors only as are not now, or shall not hereafter be, prohibited to be manufactured and sold, in quantities less than one gallon (3.78 litres) upon payment in advance of the sum of one and one-half (1½) pesos, but no such license shall be construed to include or authorize the keeping in stock, selling, giving away or otherwise disposing of any of the liquors or beverages included within the licenses provided for in sections 2 and 3 of this act, and it shall be unlawful to keep in stock, sell, give away or otherwise dispose of any of such liquors or beverages at any place licensed for the sale of native wines and liquors. A license of this class shall be known as a "Native Wine License," and it shall be unlawful for any person or persons to sell such native wines or liquors or to maintain a shop for keeping in stock, selling, serving, giving away or otherwise disposing of any such native wines or liquors without such license, or, having obtained such license, to sell, serve, give away or otherwise dispose of such wines and liquors except as herein prescribed.

SEC. 13. Licenses for periods of one year may be issued to any person or persons of good character, operating a regularly licensed bona fide apothecary shop or drug-store, authorizing him or them to sell, give away or otherwise dispose of fermented malt, fermented vinous and spirituous liquors, in quantities not less than one bottle nor more than one case or one barrel of bottles, and of such intoxicating liquors as may be kept in bulk, to sell, give away or otherwise dispose of not less than two (2) litres nor more than fifty (50) litres at any one time or to any one person, upon payment in advance of the sum of one

hundred (100) pesos. Such license shall be known as a "Druggists' Liquor License," and it shall be unlawful for the proprietor of any drug-store or apothecary shop or for his employés or agents to sell, serve, give away or otherwise dispose of any intoxicating liquors without such license, or, having obtained such license, to sell, serve, give away or otherwise dispose of such intoxicating liquors except as herein provided, or to allow any such liquors to be drunk upon the premises.

SEC. 14. Licenses for periods of one year may be issued to any person or persons of good character, operating a regularly licensed, bona fide grocery store, authorizing him or them to sell, give away or otherwise dispose of malt, fermented, vinuous and spirituous liquors, in quantities not less than one bottle, nor more than one case or one barrel of such bottles, and of such intoxicating liquors as may be kept in bulk, to sell, give away or otherwise dispose of not less than two (2) litres nor more than fifty (50) litres at any one time or to any one person, upon payment in advance of the sum of one hundred (100) pesos. Such license shall be known as a "Grocery Liquor License" and it shall be unlawful for the proprietor of any grocery or any of his employés or servants to sell, serve, give away or otherwise dispose of any intoxicating liquors without such license, or, having obtained such license, to sell, serve, give away, or otherwise dispose of such intoxicating liquors except as herein provided, or to allow any such liquors to be drunk upon the premises.

SEC. 15. Licenses for periods of one year may be issued to any person or persons of good character, authorizing him or them to conduct the business of a brewer, and to sell, give away, or otherwise dispose of the products of his or their brewery in quantities of one gallon (3.78 litres) or more, upon payment in advance of the sum of twelve hundred (1,200) pesos. A license of this class shall be known as a "Brewer's License," and it shall be unlawful for any person or persons to conduct any Brewery without such license, or, having secured such license, to sell, give away, or otherwise dispose of the products of such Brewery except as herein prescribed.

SEC. 16. Licenses for periods of one year may be issued to any person or persons of good character, authorizing him or them to conduct the business of a distiller of alcoholic liquors and to sell, give away, or otherwise dispose of the products of such distillery, in quantities of one gallon (3.78 litres) or more, upon payment in advance of the sum of six hundred (600) pesos. A license of this class shall be known as a "Distiller's License," and it shall be unlawful for any person or persons to conduct any distillery for the manufacture of alcoholic liquors without such license, or, having secured such license, to sell, give away or otherwise dispose of the products of such distillery except as herein prescribed.

SEC. 17. Licenses for periods of one year may be issued to any person or persons of good character, authorizing him or them to keep in stock and sell or give away fermented malt, vinous and spirituous liquors in quantities of one gallon (3.78 litres) or more, upon payment in advance of the sum of twelve hundred (1200) pesos. A license of this class shall be known as a "First Class Wholesale Liquor License," and it shall be unlawful for any person or persons to sell or otherwise dispose of fermented malt, vinous and spirituous liquors at wholesale without such license, or, having obtained such license, to sell or otherwise dis-

pose of such liquors, except as herein prescribed, but nothing herein shall be construed as prohibiting any person or persons holding a "Brewer's License" or "Distiller's License" from disposing of the products of such brewery or distillery.

SEC. 18. Licenses for periods of one year may be issued to any person or persons of good character, authorizing him or them to keep in stock, and sell or give away fermented malt and fermented vinous liquors in quantities of one gallon (3.78 litres) or more, upon payment in advance of the sum of six hundred (600) pesos. A license of this class shall be known as a "Second Class Wholesale Liquor License," and it shall be unlawful for any person or persons to sell, or otherwise dispose of fermented malt or fermented vinous liquors at wholesale without such license, or, having obtained such license, to sell, or otherwise dispose of any liquor but fermented malt or fermented vinous liquors, or to sell or otherwise dispose of such liquors except as herein prescribed.

SEC. 19. Licenses for periods of one year may be issued to any person or persons of good character, authorizing him or them to keep in stock fermented vinous liquors, except champagne and other sparkling wines, and to sell such fermented vinous liquors in quantities of not less than one bottle and of such liquors as are kept in bulk, to sell not less than two (2) litres, not to be drunk upon the premises, upon payment in advance of the sum of fifty-two (52) pesos. Such license shall be known as a "Third Class Wholesale Liquor License," and it shall be unlawful for any person or persons to sell, give away or otherwise dispose of fermented vinous liquors at wholesale without such license, or, having obtained such license, to sell, give away or otherwise dispose of any liquor but fermented vinous liquor, not including champagne or other sparkling wines, or to sell, give away or otherwise dispose of such liquor except as herein prescribed.

SEC. 20. No license shall be transferred from one person to another or from one place to another except by the written authority of the Provost Marshal General, and no transfer shall be made which involves the addition of privileges.

For all authorized transfers ten per cent. of the original fee shall be collected.

SEC. 21. It shall be the duty of the holder of every license for the sale of intoxicating liquors to keep it posted in a conspicuous place in the room where the liquors are sold and the failure to do so is hereby declared unlawful.

SEC. 22. All licenses herein provided for shall be issued by the Department of Licenses and Municipal Revenue.

SEC. 23. No license shall be granted for the sale of any intoxicating liquor in the public markets, kioskos, booths or stands situated in the public streets or plazas, or to street vendors or peddlers, and no "First Class Bar License," "Second Class Bar License," or "Theatre Liquor License" shall be issued for any bar-room being or having an entrance on any of the following named streets and plazas: The Escolta, Calle Rosario, Plaza Moraga, Plaza Cervantes and that portion of Calle Nueva between Calle San Vicente and the Bridge of Spain, and any of the streets, alleys or passageways lying between Calle San Vicente, and the line of that street extended to the Estero de San Jacinto, on the north, the Pasig River on the south, Calle Nueva on the west, and the Estero de San Jacinto on the east, all in the District of Binondo.

SEC. 24. Nothing in this act shall be construed as authorizing the

sale, gift or other disposal to soldiers of the United States army of any of the so-called "native wines," such as "vino," "anisado," "tuba," etc., which is declared to be unlawful.

SEC. 25. Criminal prosecutions hereunder shall be instituted in the Provost Courts against the person or persons violating any of the provisions of this act, and upon conviction thereof offenders shall be punishable for each offense by fine, not to exceed two hundred (200) pesos, or imprisonment for a term not exceeding six (6) months, or both at the discretion of the trial court.

In addition to the above penalty, any holder of a license herein provided for, upon being convicted of a violation of any of the provisions of this act, or of any police regulation or law governing the manufacture or sale of liquor, now, or which shall hereafter be, in force in Manila, shall become liable to have his, her or their license revoked and cancelled by the Provost Marshal General in his discretion; but in case any holder of a license herein provided for shall be convicted of selling, giving away or otherwise disposing of any intoxicating liquor during the hours wherein the sales of such liquors are prohibited, or shall be convicted of selling, giving away or otherwise disposing of liquors not included in his, her or their license, or shall be convicted of selling, giving away or otherwise disposing of any intoxicating liquor to any intoxicated person, or shall be convicted of violating Section 24 of this act, in addition to the above penalty, his, her or their license shall at once become null and void as a consequence of any such conviction.

SEC. 26. The short title of this act shall be "The Manila Liquor Licenses Act."

SEC. 27. The provisions of this act shall take effect upon its passage, except the provisions of Section 11, which shall take effect on January 1st, 1901, and those of Section 23, which shall take effect July 1st, 1901.

Enacted, December 14th, 1900.

[No. 60.]

AN ACT appropriating one hundred and twenty seven dollars and eighty-one cents (\$127.81) Mexican money, and two hundred and eighty-three thousand, five hundred and forty-four dollars and fifty-four cents (\$283,544.54) in money of the United States to pay expenses incurred and salaries earned, not provided for in the general appropriation act for December.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The sum of one hundred and twenty-seven dollars and eighty-one cents (\$127.81), in Mexican money, is hereby appropriated out of any money in the Insular Treasury, not otherwise appropriated, to be paid to the Collector of Internal Revenue of the Islands for a refund of surtaxes erroneously collected in the Third District, Department of Southern Luzon.

SEC. 2. The following sums in money of the United States are hereby appropriated out of any money in the Insular Treasury not otherwise appropriated, to pay expenses incurred and salaries earned, not provided for in the General Appropriation Act for December, and for the purposes and objects hereinafter specified, viz:

For the Chief Quartermaster for the Division of the Philippines:

For the construction of additional go-downs for the Custom House on ground space omitted in the original contract, four thousand, one hundred and seventy-seven dollars and sixty-one cents (\$4,177.61); for amount estimated to complete refrigerating and ice plant at Manila, one hundred and seventy-eight thousand, three hundred and forty-six dollars and sixty-four cents, (\$178,346.64);

Total for the Chief Quartermaster for the Division of the Philippines, one hundred and eighty-two thousand, five hundred and twenty-four dollars and twenty-five cents (\$182,524.25).

For the Disbursing Quartermaster of Civil Bureaus:

For the purchase of assorted red wood lumber, hereby authorized, to be brought from the United States for the use of the civil Department of the Philippine Government for the year 1901, twelve thousand dollars (\$12,000); for salary of additional clerk at one hundred dollars per month, hereby authorized, one hundred dollars (\$100);

Total for the Disbursing Quartermaster of Civil Bureaus, twelve thousand, one hundred dollars (\$12,100).

For the office of the Provost Marshal General and Departments reporting to him:

For the Department of City Public works:

For the completion of the Divisoria Market, in accordance with the original plans of the City Engineer, thirty-two thousand and three hundred dollars (\$32,300).

For the Department of Police:

For the employment of two additional interpreters at fifty dollars (\$50) per month each, hereby authorized, one hundred dollars (\$100);

Total for the office of the Provost Marshal General and Departments reporting to him, thirty two thousand and four hundred dollars (\$32,400).

For the Collector of Customs of the Islands and of the Chief Port:

For the purchase of two steam launches, hereby authorized, twenty-thousand dollars (\$20,000); for payment of secret service force of the customs office for the month of December, five hundred dollars (\$500);

Total for the Collector of Customs of the Islands and of the Chief Port, twenty-thousand and five hundred dollars (\$20,500).

For the Chief Commissary, Division of the Philippines:

For re-imbusement to Subsistence Department for the subsistence of native convicts, during the months of September, October and November, 1900, fourteen hundred and forty-seven dollars and seventy-nine cents (\$1,447.79).

For the Forestry Bureau:

For the printing of two thousand (2,000) copies of the work on native woods of the Philippine Islands, hereby authorized, seventeen hundred and fifty dollars (\$1,750); for lithographing of the plates for two thousand (2,000) copies of the same, hereby authorized, eighteen hundred and fifty dollars (\$1,850);

Total for the Forestry Bureau, three thousand and six hundred dollars (\$3,600).

For the Chief Quartermaster of the Department of Northern Luzon:

For the purchase of native ponies hereby authorized for the squadron of Philippine Cavalry, thirty thousand dollars (\$30,000).

For the Provost Marshal at Cavite.

For the pay of ten (10) privates of the Provost Guard at twelve dollars (\$12) per month, and of a janitor for the Provost Marshal Building at twelve dollars and fifty cents (\$12.50) per month, one hundred and thirty two dollars and fifty cents (\$132.50).

For the Chief Surgeon at Iloilo.

For the purchase of three months medical supplies for ten thousand (10,000) natives in the Department of the Visayas, seven hundred and fifty dollars (\$750).

For the Military Commander at Balayan, Province of Batangas:

For the hire of three school teachers for the months of October, November and December, 1900, ninety dollars (\$90.00).

Total of appropriations in money of the United States, two hundred and eighty-three thousand, five hundred and forty-four dollars and fifty-four cents (\$283,544.54).

SEC. 3. The public good requiring the speedy enactment of this appropriation bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws" passed September 26, 1900.

SEC. 4. This act shall take effect on its passage.

Enacted, December 19, 1900.

[No. 61.]

AN ACT authorizing the construction of a highway from the vicinity of the town of Pozorubio in the Province of Pangasinan to Baguio in the Province of Benguet and appropriating seventy-five thousand dollars (\$75,000) money of the United States, for that purpose.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The construction of a highway from the vicinity of the town of Pozorubio, in the Province of Pangasinan, to the town of Baguio, in the Province of Benguet, is hereby authorized and directed, the same to be built under the general supervision of the Military Governor and the immediate direction of Captain Charles W. Mead, 36th Infantry, U. S. V., who has been detailed by the Military Governor for that purpose, along the general line of survey recently made by Captain Mead for a railroad between said towns. He is hereby authorized and empowered to make all contracts for assistants, labor, supplies and material, necessary and proper for the performance of this work and will push the same to completion by July 1st, 1901.

SEC. 2. The sum of seventy-five thousand dollars (\$75,000) money of the United States, is hereby appropriated out of any money now in the Insular Treasury not otherwise appropriated, for the purpose of defraying the expenses incident to the construction of the highway authorized in Section one hereof.

SEC. 3. This act shall take effect on its passage.

Enacted, December 21, 1900.

[No. 62.]

AN ACT authorizing the Provost Marshal General to establish police and health regulations in the nature of municipal ordinances for the city of Manila.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The Provost Marshal General shall have power, subject to the approval of the Military Governor, to make and issue police and health regulations in the nature of municipal ordinances for the City of Manila, not in violation of existing orders of the Military Governor or legislation of the Commission, which he shall, after their issue, report to the Commission through the Military Governor.

SEC. 2. Provision may be made in said regulations for the hearing and punishment of violations of said regulations in the inferior or superior provost courts of Manila, but the punishment for any such violation shall not exceed one hundred pesos or three months imprisonment or both.

SEC. 3. The Commission may suspend, amend or repeal said regulations.

SEC. 4. This act shall take effect on its passage.

Enacted, December 21, 1900.

[No. 63.]

AN ACT prescribing the method to be adopted in the construction of laws.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. In the construction of all acts which have been or shall be enacted by the United States Philippine Commission, the English text shall govern, except that in obvious cases of ambiguity, omission or mistake, the Spanish text may be consulted to explain the English text.

SEC. 2. This act shall take effect on its passage.

Enacted, December 21, 1900.

[No. 64.]

AN ACT extending General Order No. 30 of the Military Governor, dated March 10, 1900, relating to customs duties in the Jolo Archipelago, until December 31, 1901, and enlarging its provisions.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Whereas the Sultan of the Jolo Archipelago and the Moro inhabitants thereof have been loyal to the United States, and have preserved peace and order in a manner unprecedented in the history of the Spanish control of that Archipelago, and

Whereas the said Moros have, during the past year, suffered severely from loss of cattle by reason of an epidemic disease, in consequence of which Major General Otis issued General Order No. 30, dated March 10, 1900, suspending until December 31, 1900, the prescribed customs

dues on the importation of cattle, articles of food, petroleum, tobacco, matches, clothing and articles for use in the manufacture of the same, sewing machines, agricultural implements and machinery for use in preparing products of the soil for home consumption or export, provided such articles of consumption, trade or merchandise, were owned, imported and handled by the native inhabitants of the said Archipelago, and that all business connected therewith in the Archipelago was conducted by and between the inhabitants thereof, and further permitting the Moro inhabitants of the Archipelago to export free of duty all products of the soil where they were solely concerned in person and interest in handling and shipping the same; and

Whereas the conditions leading to the issue of General Order No. 30 have not improved, and the necessity for the relief therein extended continued and a somewhat wider relief is demanded:

The operation of General Order No. 30, of March 10, 1900, is hereby extended to December 31, 1901, and is enlarged so as to include within its exempting provisions, furniture, lumber and material for the construction of houses and boats, crockery and glassware, wagons, carts, books and stationery.

SEC. 2. In view of the emergency presented by the above conditions, and the public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, December 21, 1900.

[No. 65.]

AN ACT appropriating one hundred and twenty-one thousand and ninety-nine dollars and three cents (\$121,099.03), in Mexican money, and one million, one hundred and ninety-two thousand, three hundred and fifty-two dollars and sixty-six cents (\$1,192,352.66), in money of the United States, for the payment of sundry expenses incurred for the benefit of the Insular Government for the first quarter of the year 1901 and other designated periods.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The sum of one hundred and twenty-one thousand and ninety-nine dollars and three cents (\$121,099.03,) in Mexican money, is hereby appropriated out of any money in the Insular Treasury, not otherwise appropriated, to be paid to the Chief Quartermaster of the United States Army for the Division of the Philippines, for the purposes and objects hereinafter expressed, viz:

For repairs to the roof of the hospital at Bacoor, thirteen hundred and nine dollars (\$1,309); for the construction of dock in Depot Quartermaster's office, Southern Luzon, for the construction of wharf at Tayabas, and for the purchase of supplies for government corral, three thousand, one hundred and forty-six dollars (\$3,146); for repairs to buildings, for purchase of lime for the Depot Quartermasters, for rent of launch, for telegraph and telephone linemen, for water supply at Mariveles, for funds for the Department of Southern Luzon, for funds for the Department of the Visayas, for miscellaneous expenses

and to meet emergency expenses and transfer of funds, one hundred and sixteen thousand, six hundred and forty-four dollars and three cents (\$116,644.03).

SEC. 2. The following sums in money of the United States are hereby appropriated out of any money in the Insular Treasury, not otherwise appropriated, for the payment of current expenses of the Insular Government, for the first quarter of the year 1901 and other designated periods, for the purposes and objects hereinafter expressed, viz:

For the Chief Quartermaster of the United States Army for the Division of the Philippines:

For telegrams and telephones, twenty-seven thousand dollars (\$27,000); for the cleaning of cess-pools, for printing of orders and blanks required in the Division, and for the purchase of office furniture and fixtures, twenty-eight thousand and five hundred dollars (\$28,500); for rents and repairs to buildings, for reimbursement for hire of quarters in Mindanao and Jolo, for the purchase of two steam rollers, for funds for the Department of Northern Luzon, funds for the Department of Southern Luzon, for funds for the Department of Mindanao and Jolo, for funds for the Department of the Visayas, for funds for the Depot Quartermaster at Manila, for the Santa Mesa Hospital, and to meet emergency expenses, three hundred and ninety-two thousand, eight hundred and forty dollars (\$392,840);

Total for the Chief Quartermaster of the United States Army for the Division of the Philippines, four hundred and forty-eight thousand, three hundred and forty dollars (\$448,340).

For the Disbursing Quartermaster of Civil Bureaus:

For authorized salaries for the judges, officers and employes of the Court of First Instance at Vigan, the Court of the Peace at Vigan, the Court of First Instance at Dagupan, the Court of the Peace at Dagupan, the Court of First Instance at Bacolor, the Court of the Peace at Bacolor, the Court of First Instance at Iloilo, the Court of the Peace at Iloilo, the Court of First Instance at Cebu, the Court of the Peace at Cebu, the Court of First Instance at Cavite, the Court of the Peace at Cavite, the Court of First Instance at San Isidro, the Court of the Peace at San Isidro, the Court of First Instance at Laoag, the Court of the Peace at Laoag, the Court of First Instance at La Union, the Court of First Instance at Balanga, the Court of the Peace at Balanga, the Court of First Instance at Bohol, the Court of First Instance at Tuguegarao, and the Court of the Peace at Tuguegarao, fourteen thousand, eight hundred and fifty-three dollars and thirty cents (\$14,853.30);

For pay of civil employes in the offices of the following officers:

The Board of Officers on Claims, five hundred and forty-nine dollars and ninety-nine cents (\$549.99); the Chief Quartermaster, nine hundred and fifty-two dollars and fifty cents (\$952.50); the Judge Advocate, fifteen hundred and eighty-two dollars and fifty cents (\$1,582.50); the Military Secretary, three thousand, five hundred and forty-nine dollars and ninety-nine cents (\$3,549.99); the Officer in Charge of Insurgent Records, one thousand and twenty-four dollars and ninety-eight cents (\$1,024.98); the Supreme Court, three thousand, two hundred and eighty-four dollars and one cent (\$3,284.01); the Inspector General, seven hundred and twenty-five dollars and one cent (\$725.01); the Adjutant General, sixteen thousand, five hundred and sixty dollars

(\$16,560), to be expended as follows:—fourteen hundred dollars (\$1,400) to provide additional compensation, hereby authorized, to those clerks considered by the Major General commanding deserving of promotion; four thousand, nine hundred and ten dollars (\$4,910) to enable the Commanding General to continue in employment those clerks who have heretofore been paid from the revenue of the islands; ten thousand, two hundred and fifty dollars (\$10,250) to enable the Commanding General to employ such additional clerks at Division and Department Headquarters as he may deem necessary; the Disbursing Quartermaster, two thousand, one hundred and eighty dollars and one cent (\$2,180.01);

For laborers, janitors and washing towels, eleven hundred and seventy-six dollars and forty-five cents (\$1,176.45); for supplies for issue and miscellaneous expenses impossible to itemize, seventy-five thousand dollars (\$75,000); for rents and repairs to buildings, two thousand, two hundred and twenty dollars (\$2,220); for transportation, three thousand dollars (\$3,000);

Total for the Disbursing Quartermaster of Civil Bureaus, one hundred and twenty-six thousand, six hundred and fifty-eight dollars and seventy-four cents (\$126,658.74).

For the Chief Surgeon for the Division of the Philippines:

For the purchase of medical supplies for sick and indigent natives in the Department of Mindanao and Jolo, six hundred and fifty-six dollars (\$656).

For the Medical Supply Depot of Manila:

For laborers, nine hundred dollars (\$900).

For the Medical Supply Depot, Department of Northern Luzon:

For the pay of fifty (50) vaccinators, at fifteen dollars (\$15) per month, twenty-two hundred and fifty dollars (\$2,250); for the purchase of medicines for use at military prisons at Bacolor, San Isidro and Lingayen, five hundred dollars (\$500); for the purchase of medicines for sick and indigent natives and for vaccination, five hundred dollars (\$500);

Total for the Medical Supply Depot, Department of Northern Luzon, three thousand, two hundred and fifty dollars (\$3,250).

For the Medical Supply Depot, Department of Southern Luzon:

For the pay of twenty (20) vaccinators, at fifteen dollars (\$15) per month, nine hundred dollars (\$900); for medical supplies for sick and indigent natives, six hundred dollars (\$600);

Total for the Medical Supply Depot, Department of Southern Luzon, fifteen hundred dollars (\$1,500).

For the Pathological Laboratory:

For one laborer, fifteen dollars (\$15).

For the Chief Ordnance Officer:

For the erection of a shed for the storage of gun carriages, caissons and limbers and for rents and repairs, four thousand, and five hundred dollars (\$4,500); for salaries, two thousand, five hundred and forty-two dollars and ninety-five cents (\$2,542.95); for printing, for office furniture and for materials that may be required for repairs to buildings, roads or other purposes in an emergency, thirteen hundred dollars (\$1,300);

Total for the Chief Ordnance Officer, eight thousand, three hundred and forty-two dollars and ninety-five cents (\$8,342.95).

For the Chief Signal Officer:

For purchases and services in connection with the construction and maintenance of telegraph, telephone and cable lines in the Philippine Islands, fifteen thousand dollars (\$15,000); for the hire of native labor for city and suburban construction and repair to telegraph and telephone lines and for care of central office, power house and shops, for messengers, and for hire of native laborers employed in cable work, one thousand and twenty dollars (\$1,020).

Total for the Chief Signal Officer, sixteen thousand and twenty dollars (\$16,020).

For the office of the Provost Marshal General and departments reporting to him:

For the Department of Streets, Parks, Fire and Sanitation:

For salaries and wages, twenty-eight thousand and sixty-nine dollars and fifty cents (\$28,069.50); for the cleaning of Matadero and city markets and for removing night soil, twelve hundred and ninety dollars (\$1,290); for the wages of crew of launch towing garbage and stone scows, three hundred and seventy-eight dollars and seventy-five cents (\$378.75); for night labor on the Calle Rosario and Escolta, four hundred and fifty dollars (\$450); for operating the rock quarry at Binangonan, sixteen hundred and twenty dollars (\$1,620); for cleaning streets, collecting and disposing of garbage, etc., fourteen thousand, two hundred and fifty-seven dollars and fifty cents (\$14,257.50); for road material, for hire of carts, for forage, shoeing, etc., for the continuation of the opening, cleaning and repairing of drains and sewers and for miscellaneous repairs and expenses, forty thousand, three hundred and eighty-six dollars (\$40,386); for the construction of the new Luneta, nine thousand dollars (\$9,000); for the rent of land on which the Paco Crematory is located, forty-five dollars (\$45); for additional laborers, hereby authorized, for street work and for operating rock quarry at Binangonan, for the purchase of hand carts and for salary of a chief clerk for the Department of Streets and Parks, two thousand, three hundred and twenty-five dollars (\$2,325).

Total for the Department of Streets, Parks, Fire and Sanitation, ninety-seven thousand, eight hundred and twenty-one dollars and seventy-five cents (\$97,821.75).

For the Department of Water Supply:

For salaries and wages, five thousand, three hundred and thirteen dollars (\$5,313); for maintenance and supplies, six hundred dollars (\$600); for office expenses, seventy-five dollars (\$75); for coal, seven thousand and five hundred dollars (\$7,500);

Total for the Department of Water Supply, thirteen thousand four hundred and eighty-eight dollars (\$13,488).

For the Department of City Public Works:

For salaries and wages, two thousand, seven hundred and sixty-seven dollars and fifty cents (\$2,767.50); for office expenses, seventy-five dollars (\$75); for city bridges, fifteen hundred dollars (\$1,500); for Santolan road, four hundred and fifty dollars (\$450); for instruments and drawing materials, one hundred and twenty-five dollars (\$125); for Luneta sea wall, one thousand dollars (\$1,000); for map of Manila, three hundred dollars (\$300); for Quinta market, forty-one thousand and two hundred dollars (\$41,200); for maintenance of stock, seventy-five dollars (\$75); for office transportation, five hundred and fifty dollars (\$550);

Total for the Department of City Public Works, forty-eight thousand and forty-two dollars and fifty cents (\$48,042.50).

For the Department of Inspection:

For salary of one physician to prisoners of war at Fort Santiago, one hundred and fifty dollars (\$150); for subsistence and treatment of prisoners of war and others at the San Juan de Dios Hospital, six hundred dollars (\$600); for subsistence and treatment of indigent and insane natives and Spaniards at Hospicio de San José, six thousand, seven hundred and fifty dollars, (\$6,750);

Total for the Department of Inspection, seven thousand and five hundred dollars (\$7,500);

For the Department of Prisons:

For subsistence of prisoners and lights at Presidio de Manila, four thousand and ninety dollars (\$4,090); for salaries of police officers and other employés, three thousand, two hundred and sixty-two dollars and fifty cents (\$3,262.50); for sundry office supplies and for rents and repairs, two hundred and forty dollars (\$240);

Total for the Presidio de Manila, seven thousand, five hundred and ninety-two dollars and fifty cents (\$7,592.50).

For subsistence of prisoners and lights at the Carcel Publica, three thousand, nine hundred and sixty-three dollars (\$3,963); for salaries, one thousand and ninety-five dollars (\$1,095); for office supplies and miscellaneous repairs, one hundred and eighty-six dollars (\$186);

Total for the Carcel Publica, five thousand, two hundred and forty-four dollars (\$5,244).

For Bilibid United States Military Prison, for repairs to buildings, transportation, oil, wire and miscellaneous expenses, one hundred and forty dollars (\$104);

Total for the Department of Prisons, twelve thousand, nine hundred and forty dollars and fifty cents (\$12,940.50).

For the Department of Licenses and Municipal Revenue:

For salaries and wages, for stationery, printing, for transportation and for incidental expenses, six thousand, five hundred and twenty dollars and fifty cents (\$6,520.50).

For the Department of Cemeteries:

For salaries and wages, rent of keeper's house, burial of paupers, materials and for incidental expenses, nine hundred and thirteen dollars and fifty cents (\$913.50).

For the Department of the Board of Health for the city of Manila:

For salaries and wages of the Department and office force, of Municipal physicians and midwives, of the San Lazaro Hospital, of the San Lazaro Leper Hospital, of the Vaccine Station, of the Veterinary Department, of the Plague Hospital, of the Steam Disinfecting Plant, of the Inspector's Department, of the Bacteriological Department, of the Chemical Department, and of one physician at Malabon, ten thousand, two hundred and seventy-nine dollars and fifty-cents (\$10,279.50); for transportation, one thousand and eighty dollars (\$1,080); for medicines for municipal dispensary, seven hundred and fifty dollars (\$750); for preparing vaccine virus, three hundred dollars (\$300); for incidental expenses of the Veterinary Department, of the Board of Health, of the Chemical Department, of the Bacteriological Department and of the Anti-Plague Virus Farm, nine hundred and sixty dollars (\$960); for running expenses of the San Lazaro Leper Hospital, of the Small-pox Hospital and of the Plague Hospital, two thousand, three hundred

and fifty dollars (\$2,350); for fuel for the Plague Hospital and for the Steam Disinfecting Plant, five hundred dollars (\$500); for printing, one hundred and forty-six dollars and twenty five cents (\$146.25).

Total for the Department of the Board of Health for the city of Manila, sixteen thousand, three hundred and sixty-five dollars and seventy-five cents (\$16,365.75).

For the Department of Police:

For salaries and wages of officers and privates of Manila Police force, for interpreters and other employes, thirty-three thousand, five hundred and two dollars and fifty cents (\$33,502.50); for medical supplies, two hundred and twenty-five dollars (\$225); for contingent fund, seventy-five dollars (\$75):

Total for the Department of Police, thirty-three thousand, eight hundred and two dollars and fifty cents (\$33,802.50).

For the Department of Illumination and Telephones:

For maintaining street and harbor lights, for maintaining lights in public buildings, general offices, residences, police stations, public markets and in the Carcel de Bilibid, ten thousand, seven hundred and thirty-five dollars and ninety-five cents (\$10,735.95); for rent of telephones, for lights to be installed in Divisoria market and for additional lights in the Carcel de Bilibid, eight hundred and fifty-two dollars and seventy-five cents (\$852.75); for material for repairs for existing insulations and for increase of service, seven hundred and six dollars (\$706):

Total for the Department of Illuminations and Telephones, twelve thousand, two hundred and ninety-four dollars and seventy cents (\$12,294.70).

For the Department of Secret Service:

For salaries and wages, eighteen hundred dollars (\$1,800); for transportation of agents and for miscellaneous expenses, five hundred and sixty-two dollars and fifty cents (\$562.50):

Total for the Department of Secret Service, two thousand, three hundred and sixty-two dollars and fifty cents (\$2,362.50).

For the Office of the Adjutant General of the Provost Marshal General:

For salaries, fifteen hundred and twenty-five dollars and eighty-four cents (\$1,525.84); for fifty orphans, at six dollars and fifty cents (\$6.50) per month each at the Santa Isabela College, nine hundred and seventy-five dollars (\$975); for meals of political prisoners confined at the Anda Street Police Station, seven hundred and forty-four dollars (\$744); for stationery, printing and advertising and for contingent expenses, twenty-five hundred dollars (\$2,500):

Total for the Office of the Adjutant General of the Provost Marshal General, five thousand, seven hundred and forty-four dollars and eighty-four cents (\$5,744.84).

For the Department of City Schools in Manila:

For salaries and wages, nineteen thousand, eight hundred and forty-two dollars and twelve cents (\$19,842.12); for carromata hire, two hundred and twenty-five dollars (\$225); for books, stationery and incidental expenses; for furniture and repairs; for oil, and for rent of building for girls school at Pasay, seventeen hundred and ten dollars (\$1,710); for expenses in opening new municipal school in North Tondo, nine hundred and thirty dollars (\$930); for expenses in opening new school at San Lazaro district, four hundred and twenty-four

dollars and fifty cents (\$424.50); for expenses in opening new school in Santa Mesa district, four hundred and twenty-four dollars and fifty cents (\$424.50); for expenses in opening new school in San Nicolas district, four hundred and twenty-four dollars and fifty cents (\$424.50); for new night schools in Ermita and Tondo, twelve hundred and fifteen dollars (\$1,215); for additional salary in lieu of rent for certain teachers necessary to be moved with their families from the school buildings, two hundred and seventy dollars (\$270); for janitor for municipal schools, one hundred and thirty-six dollars and fifty cents (\$136.50);

Total for the Department of City Schools in Manila, twenty-five thousand, six hundred and two dollars and twelve cents (\$25,602.12).

For the Quartermaster of the Department of the Provost Guard:

For rent of barracks for civil and military police, including the rent of three buildings in Malabon, seven thousand, eight hundred and thirty-three dollars and fifty cents (\$7,833.50); for rent of school houses and for rent of the Manila Central Observatory, three thousand, one hundred and seventy-three dollars (\$3,173); for rent of Sampaloc market and of Arranque market, seventy-five dollars (\$75); for expenses of the City Morgue, two hundred and seventeen dollars and fifty cents (\$217.50); for miscellaneous rents, for operating Manila Central Observatory, for hire of transportation for officers of the city government, for forage and shoeing and for incidental expenses, ten thousand three hundred and forty-nine dollars and nineteen cents (\$10,349.19); for alteration and repairs to civil and military police stations and for rice for indigent citizens, five thousand and eight hundred dollars (\$5,800); for subsistence of military prisoners, three thousand dollars (\$3,000);

Total for the Quartermaster of the Department of the Provost Guard, thirty thousand, four hundred and forty-eight dollars and nineteen cents (\$30,448.19).

For the Department of Municipal Records:

For salaries of the Judges of all branches of the Supreme Court, four thousand, five hundred and sixty-two dollars and forty-six cents (\$4,562.46); for salaries of the Attorney General's Department, three thousand, nine hundred and nineteen dollars and eighty-six cents (\$3,919.86); for the employes in the civil and criminal branches, in the general offices, in the medico-legal department, three thousand, four hundred and three dollars and fifty cents (\$3,403.50); for the salaries of the Judges, Justices of the Peace, Bailiffs and other employes of the District Courts of First Instance in Binondo, Tondo, Quiapo, and Intramuros, and of the Courts of the Justices of the Peace of Binondo, Tondo, Quiapo and Intramuros, six thousand, nine hundred and five dollars and ninety-seven cents (\$6,905.97); for salaries of the Superior Provost Court, of the Inferior Provost Court, of the Department of the Collector of Taxes, of the Department of Municipal Records and of the Department of Prison Records, two thousand and fifty-five dollars (\$2,055);

Total for the Department of Municipal Records, twenty thousand, eight hundred and forty-six dollars and seventy-nine cents (\$20,846.79).

For the Department of Hospitals:

For salaries and wages in the First Reserve Hospital, Second Reserve Hospital, Hospital Number Three and Corregidor Convalescent Hospital, twelve hundred and forty-two dollars (\$1,242);

Total for the Provost Marshal General and departments reporting to

him, three hundred and thirty-five thousand, nine hundred and thirty-six dollars and fourteen cents (\$335,936.14).

For the General Superintendent of Education:

For salaries of the General Superintendent of Education and employés of his department, including the salaries of two teachers in the pueblo of San Pedro Macati, at twenty dollars (\$20) a month each, hereby authorized, two thousand nine hundred and seventy dollars (\$2,970); for salaries and expenses of English teachers, ten thousand dollars (\$10,000); for salaries of District Superintendents, five thousand dollars (\$5,000);

Total for the General Superintendent of Education, seventeen thousand, nine hundred and seventy dollars (\$17,970).

For the Collector of Customs of the Islands and of the Chief Port:

For regular supplies, eight thousand dollars (\$8,000); for incidental expenses, four hundred and sixty three dollars and sixty-two cents (\$463.62); for rents and repairs to buildings, eleven hundred and ninety-six dollars and fifty cents (\$1,196.50); for transportation, two thousand, eight hundred and ten dollars and fifty cents (\$2,810.50); for salaries and wages, including the salary of an additional employé in the Secret Service Department, hereby authorized, at one hundred dollars (\$100) per month, forty thousand and forty-six dollars and fifty cents (\$40,046.50); for miscellaneous expenses, twenty-one thousand, nine hundred and seventy-eight dollars and thirty-two cents (\$21,978.32); for a refund of duties to the Colton Exporting and Importing Company, hereby authorized, eight dollars and nine cents (\$8.09);

Total for the Collector of Customs of the Islands and of the Chief Port, seventy-four thousand, five hundred and three dollars and fifty-three cents (\$74,503.53).

For the Collector of Internal Revenue of the Islands:

For regular supplies, two thousand, seven hundred and forty-nine dollars and ninety-nine cents (\$2,749.99); for salaries and wages, ten thousand, three hundred and twenty-nine dollars and fifty-nine cents (\$10,329.59); for rents and repairs, nine hundred and twenty dollars and ninety-five cents (\$920.95); for miscellaneous and incidental expenses, one hundred and eighty-three dollars and fifteen cents (\$183.15); for tax refunds, three dollars (\$3); for transportation, one hundred and seventy-one dollars and ninety-six cents (\$171.96); for expenses in the Fourth District of the Visayas, twelve hundred and fifteen dollars (\$1,215);

Total for the Collector of Internal Revenue of the Islands for the first quarter of the year 1901, fifteen thousand, five hundred and seventy-three dollars and sixty-four cents (\$15,573.64);

For the payment of salaries and expenses for the months of July, October, November and December, 1900, by way of deficiency, two hundred and ten dollars and fifty cents (\$210.50); for transportation, rents and repairs, tax refunds and miscellaneous expenses, for the same months, two hundred and eighty-six dollars and forty-one cents (\$286.41);

Total for the deficiency appropriation for the Collector of Internal Revenue for the Islands, four hundred and ninety-six dollars and ninety-one cents (\$496.91);

Grand total for the Collector of Internal Revenue for the Islands, sixteen thousand and seventy dollars and fifty-five cents (\$16,070.55).

For the Auditor of the Philippine Islands:

For salaries, six thousand, eight hundred and sixty-two dollars and fifty cents (\$6,862.50); for printing, three thousand dollars (\$3,000):

Total for the Auditor of the Philippine Islands, nine thousand, eight hundred and sixty-two dollars and fifty cents (\$9,862.50).

For the Treasurer of the Philippine Islands:

For salaries and wages, nine hundred and eighty dollars and one cent (\$980.01).

For the Office of Patents, Copyrights and Trademarks:

For salary of one clerk, two hundred and twenty-five dollars (\$225).

For the Forestry Bureau:

For salaries and wages, eight thousand and thirteen dollars (\$8,013); for travelling and incidental expenses, fifteen hundred and seventy-five dollars (\$1,575);

Total for the Forestry Bureau, nine thousand, five hundred and eighty-eight dollars (\$9,588).

For the Bureau of Mining:

For salaries and wages, nine hundred and seven dollars and fifty cents (\$907.50); for the expenses of examination and inspection of mines and minerals in five districts, four hundred dollars (\$400); for transportation, ninety dollars (\$90); for binding, printing and incidental expenses, fifty-four dollars (\$54);

Total for the Bureau of Mining, fourteen hundred and fifty-one dollars and fifty cents (\$1,451.50).

For the Provost Marshal at Cavite:

For medicines for sick prisoners confined at United States military prison at Cavite, forty-five dollars (\$45); for transportation and incidental expenses, twenty-four dollars (\$24); for salaries of interpreter, translator, clerk and janitor, two hundred and sixty-two dollars and fifty cents (\$262.50); for ten privates of the Provost Police, at twelve dollars per month each, three hundred and sixty dollars (\$360); for a refund for the family of Teodoro Ramirez y Manalo, for clothing burned during the plague at Cavite, one hundred and fifty dollars (\$150);

Total for the Provost Marshal at Cavite, eight hundred and forty-one dollars and fifty cents (\$841.50).

For the Department of Posts:

For regular supplies, five hundred and sixty-nine dollars and fifty cents (\$569.50); for incidental and miscellaneous expenses, fifteen hundred and five dollars (\$1,505); for rents and repairs, two thousand, three hundred and fifty-five dollars (\$2,355); for transportation, seven thousand and six hundred dollars (\$7,600); for salaries and wages, twenty-eight thousand and seventy dollars and fifty cents (\$28,070.50);

Total for the Department of Posts, forty thousand and one hundred dollars (\$40,100).

For the Captain of the Port at Manila:

For regular supplies, one hundred and ninety-eight dollars and fifty cents (\$198.50); for salaries, fifteen thousand, three hundred and forty-two dollars and seventy-four cents (\$15,342.74).

Total for the Captain of the Port at Manila, fifteen thousand, five hundred and forty-one dollars and twenty-four cents (\$15,541.24).

For the Chief Paymaster, Department of Northern Luzon:

For payment of squadron of Philippine Cavalry, thirteen thousand dollars (\$13,000).

For Captain C. W. Mead, 36th Infantry, U. S. V.:

To defray expenses of the location survey for the proposed railroad from Dagupan to Baguio, five thousand dollars (\$5,000); to defray expenses of the office work on the survey of the same railroad during the month of December, 1900, six hundred dollars (\$600):

Total for Captain C. W. Mead, 36th Infantry, U. S. V., five thousand and six hundred dollars (\$5,600).

For the Disbursing Officer, United States Philippine Commission:

For salaries and wages and incidental expenses, forty-five thousand dollars (\$45,000).

Total of appropriations for all purposes in money of the United States, one million, one hundred and ninety-two thousand, three hundred and fifty-two dollars and sixty-six cents (\$1,192,352.66).

SEC. 3. The public good requiring the speedy enactment of this Appropriation Bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 4. This act shall take effect upon its passage.

Enacted, December 31, 1900.

[No. 66.]

AN ACT amending the second paragraph of Order No. 38 of General Orders of the Military Governor, issued March 24, 1900, providing for licensing small boats which have a less capacity than fifteen gross tons burden.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The second paragraph of Order No. 38 of General Orders of the Military Governor, issued March 24, 1900, is hereby amended to read as follows:

Hereafter any owner of a small boat which has a less capacity than fifteen (15) gross tons burden, who may wish to carry on a local trade in any of the equipped ports and near coast ports, upon application at the nearest equipped port, and on taking the oath of allegiance to the United States Government, shall be granted a license to run for one year permitting his vessel to engage in legitimate sea-coast traffic between the port where application is made and the near or adjacent sea-coast towns and villages—the owner paying for the same one peso per ton for each ton of the vessel's gross tonnage, the payment to be made in cash; the minimum payment shall be one peso.

SEC. 2. This act shall take effect on its passage.

Enacted, January 2, 1901.

[No. 67.]

AN ACT making effective the certificates of registration, issued under General Order No. 58 of the Military Governor, dated November 16, 1899, during the year 1901, or until further legislation on this subject.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All certificates of registration issued for the year 1900, under authority of General Order No. 58 of the Military Governor,

dated November 16, 1899, shall continue effective for the year 1901 or until such time as further legislation on the subject is enacted.

SEC. 2. Persons who have not taken out certificates of registration under the above order by January 1st, 1901, shall take out the same, but such shall have the same effect and legality only as that given by Section 1 to certificates lawfully issued during the year 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, January 2, 1901.

[No. 68.]

AN ACT supplementary to act number sixty-one authorizing the construction of a highway from Pozorubio to Baguio.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION. 1. The army officer detailed by the Military Governor to supervise the construction of the highway from Pozorubio in the Province of Pangasinan to Baguio in the Province of Benguet, is hereby given authority to act as disbursing officer of the funds to be expended by authority of act number sixty-one, and is required to submit his accounts as such to the Auditor for the Islands.

SEC. 2. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, January 2, 1901.

[No. 69.]

AN ACT Providing a board of trustees to conduct the college of San Jose as a school of medicine and pharmacy, to bring an action against the persons now in possession of the property of the college, vesting the supreme court with jurisdiction to determine the controversy, and appropriating five thousand dollars to pay the expenses of the litigation.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. T. H. Pardo de Tavera, M. D., Charles R. Greenleaf, M. D., Colonel and Chief Surgeon of the Division of the Philippines in the United States Army, Leon M. Guerrero, Manuel Gomez Martinez, M. D., and Frank S. Bourns, M. D., are hereby constituted a Board of Trustees to take possession of and manage the property and estates of the College of San José of the city of Manila, to maintain and conduct in the buildings of said college a School of Medicine and Pharmacy for the benefit of the qualified members of the public of the Philippine Islands, with power to determine the number of professorial chairs to be established, the number of instructors and demonstrators needed, to appoint professors constituting the faculty, to appoint the necessary instructors and demonstrators and other necessary officers and employés, to fix the curriculum, to fix reasonable tuition and other fees to be

collected from the students, to determine the period of study necessary for the conferring of the degrees of Doctor of Medicine and Doctor of Pharmacy, and to take any other steps needed in the creation and maintenance of an efficient School of Medicine and Pharmacy for the Philippine people.

SEC. 2. The Board hereby constituted shall organize within fourteen days after the passage of this act, shall elect a President and a Secretary from its own members and shall keep minutes of its proceedings.

SEC. 3. Whereas, there is now in possession of the property and assets of the College of San José a person who is the Rector of the University of Santo Tomás, a member of the Dominican Order, claiming to be in possession by virtue of the ultimate ownership and right of control of said property and estates by the Roman Catholic Church and denying the power of the United States Government either to assume control of said property or to make provision for the administration of the same, as in section one of this act, the Board hereby constituted is required, in the discharge of its duties: first, to assert its claim to discharge its duties as imposed by this act in the due and ordinary legal procedure hereinafter set forth, and to take no steps to secure physical possession of the properties and estates of the College of San José until the issue between them and the Rector of the University of Santo Tomás and the representatives of the Catholic Church shall have been duly decided by the court of competent jurisdiction as hereinafter prescribed.

SEC. 4. Within thirty days after the passage hereof, the Board herein constituted shall file its petition in the Supreme Court of the Islands, setting forth the appointment of the Board under this act, its powers and duties hereunder, its claim of right to the possession of the properties and estates of the College of San José for the purpose of discharging such duties, the fact that under a claim of right the property is held by the Rector of the University of Santo Tomás, representing the ultimate control of the Roman Catholic Church, setting forth succinctly the history of the college and a statement of the facts upon which the right of the United States to provide for the administration of the college is asserted, and praying that the court shall enter a decree ousting the rector of the University of Santo Tomás or any other minister or representative of the Roman Catholic Church from possession of the properties and estates of said college, and placing the petitioners in possession thereof so as to enable them to discharge the duties imposed upon them by this act. The petition shall make party defendant thereto, not only the Rector of the University of Santo Tomás, but also the Archbishop of Manila or the Archbishop of New Orleans, Apostolic Delegate, who in the absence of the Archbishop of Manila from the Philippine Islands is the Episcopal Administrator of the archiepiscopal province and of the Bishopric of Manila, and shall require said Archbishop as the representative of the Roman Catholic Church to set up its claim of ownership and right to control the properties and estates of the College of San José. Upon the filing of the petition a summons shall issue in the usual form against the Rector of the University of Santo Tomás and the Archbishop of Manila or the Episcopal Administrator thereof, accompanied by a certified copy of the petition. A return of the service of such summons and copy upon the parties defendants shall be made within fifteen days after the issuing of the summons by an officer duly authorized to make the service. Within

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thirty days after the day fixed for the return of service, the defendants shall file their several answers or a joint answer as they may elect, stating the facts upon which they deny the right and power of the United States to provide for the administration of said college and its estates and praying a dismissal of the petition at the costs of the petitioners. Within fifteen days after the filing of the answer or answers, the petitioners shall have the right to file a reply to any new facts set up in the answer. New averments of the reply shall be considered as denied by the defendants. The cause shall then be at issue and no further pleadings shall be filed. After the cause shall be at issue, the petitioners shall have thirty days in which to take evidence in support of the averments of their petition; the defendants shall have forty-five days in which to take evidence to sustain their answer or answers, and the petitioners fifteen days to take any necessary evidence in reply. The evidence shall be taken in a manner to be prescribed by the Supreme Court. Within seven days after the cause shall be at issue, the parties shall appear before the Supreme Court and stipulate so far as possible what facts may be taken as agreed upon by all the parties in interest, so as to save the necessity for proof of the same by either party, and this stipulation shall be spread upon the records of the court. When the evidence shall have been submitted, the cause shall be given precedence in the Supreme Court and shall be heard at as early a date as possible. Provided, however, that for good cause shown, the Supreme Court may in its discretion extend any of the periods hereinbefore fixed.

SEC. 5. The Supreme Court of the Islands, including all its members, as it is now or may hereafter be constituted, is hereby given jurisdiction to hear the controversy above described and to follow the procedure above defined. After reaching a conclusion upon the issues made, it shall proceed to enter its decree. If it finds in favor of granting the prayer of the petition, it shall enter a decree ousting the defendants from possession of the properties and estates of the College of San José and awarding costs against the defendants and requiring an accounting by the Rector of the University of Santo Tomás of all moneys coming into his hands from such properties and estates, allowing him a credit for all money expended in the conduct of the college, the preservation of its properties and estates and a credit for the reasonable expenses of defending the suit and costs awarded therein. Should the court find the issues in favor of the defendants, it shall enter a decree dismissing the petition and awarding costs against the petitioners. In no case shall the fees of attorneys, solicitors or advocates of the successful party be included in the costs adjudged against the losing party.

SEC. 6. Upon the rendition of the decree by the Supreme Court in the suit hereinabove provided for, the decree shall be immediately executed. If the decree is for the petitioners, they shall be at once put in the possession of the properties and estates of the College of San José, without awaiting the result of the accounting in such case to be decreed, which shall then proceed in due course; if for the defendants, the petition shall be at once dismissed and an execution issue for the collection of the costs; *Provided*, however, that the decree entered shall not be so final in its character as to prevent the Congress of the United States on or before March 3, 1903, from making provision for an appeal from the decree entered by the Supreme Court under this

act to the Supreme Court of the United States or any other court thereof.

SEC. 7. The sum of five thousand dollars (\$5,000) in money of the United States is hereby appropriated from any funds in the Insular Treasury, not otherwise appropriated, to pay the costs and expenses of the Board of Trustees hereby appointed in the litigation herein provided for, including reasonable counsel fees. The money shall be disbursed by the Disbursing Officer of the Commission upon the order of the Board, after the money shall have been drawn out of the Treasury upon the requisition of the Disbursing Officer in the manner provided by law. It shall be the duty of the Attorney General of the Supreme Court to appear as one of the counsel in support of the petition and he shall receive no additional compensation therefor.

SEC. 8. The Trustees herein appointed shall hold office subject to the will of the Commission. Should any vacancies exist or occur in the Board by reason of non-acceptance of the appointment, resignation or death, the same shall be filled by appointment by the Commission.

SEC. 9. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An act prescribing the order of procedure by the Commission in the enactment of laws," passed September 26, 1900.

SEC. 10. This act shall take effect on its passage.

Enacted, January 5, 1901.

[No. 70.]

AN ACT providing for the organization of three companies of police for the city of Manila and neighboring towns.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The Provost Marshal General, under the supervision of the Military Governor, is hereby authorized and directed to raise and to properly equip, a police force for the city of Manila and neighboring towns, consisting of three captains, three first lieutenants, three second lieutenants, twenty-four sergeants, twenty-four corporals and three hundred privates. This body shall be selected from the American Volunteer soldiery now serving in these Islands, shall be divided into three companies, each company to consist of one captain, one first lieutenant, one second lieutenant, eight sergeants, eight corporals and one hundred privates, and shall be known as the Metropolitan Police Force of Manila.

SEC. 2. The officers and men of the Metropolitan Police Force shall be paid, per month, in money of the United States, as follows: captains, \$150.00; first lieutenants, \$125.00; second lieutenants, \$115.00; sergeants, \$90.00; corporals, \$75.00, privates, \$65.00.

SEC. 3. In addition to the ordinary duties of police in the city of Manila and vicinity, it shall be lawful to use the said police force in any other part of the Islands.

SEC. 4. This act shall take effect on its passage.

Enacted, January 9, 1901.

[No. 71.]

AN ACT appropriating five thousand, six hundred and twenty-eight dollars and fifteen cents (\$5,628.15) in money of the United States for the purpose of paying the salaries and expenses of the Philippine Civil Service Board and office force for the period from December 1, 1900, to and including March 31, 1901.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The sum of five thousand, six hundred and twenty-eight dollars and fifteen cents (\$5,628.15), in money of the United States, is hereby appropriated out of any funds in the Insular Treasury not otherwise appropriated, for the purpose of paying the salaries and travelling expenses of the Philippine Civil Service Board and office force, for the purchase of books for use in preparing civil service examination papers, and for a contingent fund for the Board, for the period from December 1, 1900, to and including March 31, 1900.

SEC. 2. The Disbursing Officer of the United States Philippine Commission shall act as disbursing officer for the Philippine Civil Service Board.

SEC. 3. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited, in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 4. This act shall take effect on its passage.

Enacted, January 12, 1901.

[No. 72.]

AN ACT declaring that all trade in domestic products of the Archipelago of Jolo, carried on by the Sultan and his people with any part of the Philippine Islands, and conducted under the American flag, shall be free, and regulating the same.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Pursuant to article 5 of the treaty between Brigadier General John C. Bates, U. S. V., representing the United States, and His Highness the Sultan of Jolo, the Datto Rajah Muda, the Datto Attik, the Datto Calbi and the Datto Joakanain, all trade in the domestic products of the Archipelago of Jolo, when carried on by the Sultan and his people, with any part of the Philippine Islands, and when conducted under the American flag, shall be free, unlimited and undutiable.

SEC. 2. The collectors of customs at Jolo, Siassi or any other of the ports of the Jolo Archipelago, hereafter made Ports of Entry, are authorized and directed to issue special licenses to masters of vessels belonging to the said Sultan of Jolo or any of his people, authorizing them to ply between the said ports of Jolo Archipelago and any other open ports of the Philippine Islands and to trade in the products of the Jolo Archipelago, and shall demand and receive therefor from the masters to whom the licenses may be issued the sum of one peso, and such special licenses shall be issued for the period of one year and shall be numbered consecutively, beginning with number one each year, and each boat so licensed shall be conspicuously marked with the

number of such license, name of boat, if any, and name of port at which licensed.

SEC. 3. The collectors of customs or any other proper customs officials at Jolo, Siassi or any other port in the Jolo Archipelago, are further authorized and directed to clear all vessels belonging to the Sultan of Jolo or to any of his people, from said ports to any open port in the Philippine Islands, whenever it shall appear by their inspection that the cargoes of such vessels consist only of domestic products of the Jolo Archipelago, and the collectors of customs or any other proper customs officials at any port in the Philippine Islands into which such vessels so cleared may come, shall allow such cargoes to be discharged without requiring manifests or lists of cargo to be exhibited to them, and shall permit such vessels to take on any lawful cargoes in such ports, and shall clear said vessels for their return trips to any open port in the said Archipelago, without charge therefor.

SEC. 4. So much of General Orders, number 69, issued December 21, 1899, and of General Orders, number 38, issued March 24, 1900, by the Military Governor, and of any other order which may have been issued by him, as are in conflict with this act, are repealed.

SEC. 5. This act shall take effect on its passage.

Enacted, January 15, 1901.

[No. 73.]

AN ACT providing for the examination and licensing of applicants for the positions of master, mate and patron of sea going vessels.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. A board to consist of the Captain of the Port of Manila, the Superintendent of the Nautical School and two masters of merchant vessels, to be appointed by the Captain of the Port, is hereby created. The Captain of the Port shall be President of the Board *ex-officio*, and any three members thereof shall constitute a quorum for the transaction of business. Whenever any person applies for license as Master, Mate or Patron, it shall be the duty of the Board to make thorough inquiry as to his character and carefully to examine the applicant, the evidence he presents in support of his application and such other evidence as it may deem proper or desirable, and if satisfied that his capacity, experience, habits of life and character are such as to warrant the belief that he can be safely entrusted with the duties and responsibilities of the position for which he makes application, it shall so certify to the Captain of the Port who shall issue a license authorizing such applicant to act as Master, Mate or Patron, as the case may be.

SEC. 2. The Board shall meet at the office of the Captain of the Port at Manila during the last week of the months of April, August and December of each year and examine all applicants for any such positions who have filed in writing their applications for examination at least one month before the meeting of the Board. Every applicant shall be examined physically by a competent physician selected by the Board, and unless found to be physically sound, shall not be further examined and shall not be licensed. The Board may in its discretion

require the production of ship's journals and log books for inspection in the examination of applicants for positions of Master or Mate. Every applicant for the position of Third Mate shall be required to present to the Board documents properly certified showing that he has served as seaman, apprentice or quartermaster continuously for at least nine months in a sea going sailing vessel or at least eighteen months in a sea going steamer: Provided, that, if the applicant produces a certificate of graduation from the Nautical School of Manila, it shall be sufficient evidence of his technical knowledge, but not of his physical condition, experience, habits or character. The applicant must not be less than twenty-one years of age. Every applicant for license as Second Mate must produce to the Board a certificate as Third Mate and properly certified documents showing that he has served in the capacity of Third Mate in a sea going sailing vessel for at least one year or in a sea going steamer for at least two years and must not be less than twenty-three years of age. Every applicant for license as First Mate shall be required to produce to the Board properly certified documents showing that he has served in the capacity of Second and Third Mate for at least two years in a sea going sailing vessel or at least three years in a sea going steamer and must not be less than twenty-five years of age. Every applicant for license as Patron shall not be less than twenty-three years of age. He shall be examined on the following subjects: Reading and writing; management of the sails and rigging of coasting and pilot boats; manner of loading according to cargo; manner of careening a boat so as to rid it of water as well as manner of stranding same; knowledge of the coasts where he is to navigate, their shoals, banks and reefs; of ocean currents and tides; of prevailing winds; which winds to sail with and which to sail away from; how to square the compass; to take bearings by the lead and other practical methods for determining the nearness of the coast and what course to be taken; methods of entering and leaving the ports of the provinces; precautions to be taken in time of storms at sea as well as in port; method of repairing damage sustained by vessels; familiarity with all existing coast lighthouses on their routes; knowledge of all maritime laws relating to the sanitation and police regulations of ports; of his knowledge of regulations governing the use of lights and signals for the prevention of collisions, and, in short, of all subjects that may have a bearing on his calling. Every applicant for license as Master must produce satisfactory evidence that he has served as certified First Mate for at least three years in a sea going sailing vessel or at least five years in a sea going steamer and must not be less than twenty-eight years of age. The holders of licenses as Master or Mate under the laws of the United States shall be eligible to appointment to like positions under this act. The examination of every applicant shall be in writing and shall include a thorough examination as to his knowledge of seamanship and navigation in its various branches, his capacity and skill in lading and unlading cargo, in handling and storing freight under all conditions and his knowledge generally of the duties of the position which he seeks. To obtain a license every applicant shall be required to show a proficiency in the subjects upon which he is examined and shall answer correctly at least 75% of the questions propounded to him on such examination. Examinations of all applicants as well as all records of the Board shall be kept in the office of the Captain of the Port at Manila.

Every license authorized to be issued as above set forth shall be operative and in force for one year from its issuance, but the Board may at any time suspend or revoke any license upon satisfactory proof of misconduct, intemperate habits, incapacity, or inattention to duty on the part of the licensee.

SEC. 3. Every applicant for license as Master, Mate or Patron, shall be a citizen of the United States or of the Philippine Islands, notwithstanding any provision in existing Spanish laws to the contrary, provided, however, that every citizen or subject of any other country who is now acting as Master, Mate or Patron of any vessel flying the American flag may, if otherwise qualified as herein prescribed, continue to act as such for the period of two years. But he shall be required to secure a license and be subject to all the other requirements and provisions of this act as are other persons in like situations.

SEC. 4. Whenever the term "sailing vessel" is used in this act, it shall be understood and held to apply to sailing vessels of one hundred and fifty tons or over, and whenever the term "steamer" is used, it shall be understood and held to apply to all vessels of one hundred tons or over propelled by steam alone or by steam and sail.

SEC. 5. Before issuing a license to any applicant for the position of Master, the Captain of the Port shall receive from such applicant the sum of five dollars in compensation for his examination and license, and for the same service shall demand and receive from every Mate or Patron the sum of three dollars, money of the United States. The sums thus collected shall be paid, by the Captain of the Port, into the Insular Treasury.

SEC. 6. Members of the Board hereby created, unless in the service of the United States or of the Government of the Philippine Islands, shall be paid a per diem of five dollars, money of the United States, during the period of time required in the examination of applicants.

SEC. 7. This act shall take effect on its passage.

Enacted, January 16, 1901.

[No. 74.]

AN ACT establishing a department of public instruction in the Philippine Islands, and appropriating forty thousand dollars (\$40,000) for the organization and maintenance of a normal, and a trade school in Manila, and fifteen thousand dollars (\$15,000) for the organization and maintenance of an agricultural school in the island of Negros for the year 1901.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. A Department of Public Instruction for the Philippine Islands is hereby established, the central office of which shall be in the city of Manila. All primary instruction in the schools established or maintained under this act shall be free.

SEC. 2. All schools heretofore established in the Philippine Islands, under the auspices of the Military Government, are hereby declared to be in the Department of Public Instruction established by section one and are made subject to the control of the officers of this department.

SEC. 3. The chief officer of this department shall be denominated the General Superintendent of Public Instruction and shall be appointed

by the Commission. His annual salary shall be six thousand dollars (\$6,000). He shall have the following powers and duties, to be exercised and discharged under the general supervision of the Military Governor:

(a) He shall establish schools in every pueblo in the Archipelago, where practicable, and shall reorganize those already established, where such reorganization is necessary.

(b) He shall appoint, in accordance with Act No. 25, enacted October 17, 1900, a City Superintendent of Schools for Manila, and Division Superintendents of Schools for other parts of the Archipelago, and the teachers and clerks authorized by law, and shall prescribe the duties of such teachers and clerks.

(c) He shall fix the salaries of the division superintendents and teachers within the limits established by law.

(d) He shall fix a curriculum for primary, secondary and other public schools and shall decide in what towns secondary schools shall be established.

(e) He shall divide the Archipelago into School Divisions, not more than ten (10) in number, and shall fix the boundaries thereof, with power to change the same when necessary, but the city of Manila and its barrios shall constitute one of such school divisions.

(f) He shall prescribe the authority to be exercised by the Principal Teacher of each school over the other teachers, if any, and his duties in caring for the school house and school property.

(g) He shall prescribe plans for the construction of school houses to be built by the municipalities, the amount of land required in each case, and rules of hygiene which shall be observed in connection with the schools of the Archipelago.

(h) He shall make contracts for the purchase of school supplies authorized by law, and, whenever practicable, he shall invite bids by public advertisement and shall award the contract to the lowest responsible bidder.

(i) He shall have power to determine the towns in which English teachers, to be paid out of the Insular Treasury, shall teach. He may exercise this discretion in favor of those towns showing their loyalty to the United States by their peaceful condition, and in favor of those towns which shall construct and maintain suitable school houses by local taxation or contributions.

(j) In case of a vacancy in the office of a division superintendent or that of the Superintendent for Manila, he shall discharge all the duties of such position during the vacancy, or may make a temporary appointment to fill the same.

(k) He shall examine and pass upon all requisitions made for funds by division superintendents and forward them, with his recommendation, to the Chief Executive for submission to the Commission.

(l) On or before January first and July first of each year, he shall make a report of his administration for the previous six months to the Military Governor and to the Commission, and such special reports as may from time to time be called for by either. In the regular semi-annual reports, it shall be the duty of the Superintendent to recommend changes in the school law which he deems expedient.

(m) He shall exercise general supervision over the entire department, and shall prepare and promulgate rules for the examination and determination of the qualifications of applicants for positions of

division superintendents and teachers, and for the guidance of the officers and teachers of the department, adapted to carry out this law and not inconsistent with its provisions.

SEC. 4. There shall be a superior advisory board of education composed of the General Superintendent and four members to be appointed by the Commission. It shall be the duty of the Board to hold regular meetings once in two months, on a day to be fixed by resolution of the Board, and such special meetings as shall be called by the General Superintendent. The General Superintendent shall act as President of the Board. The chief clerk of the General Superintendent shall act as Secretary of the Board and keep minutes of its proceedings. It shall be the duty of the Board to assist the General Superintendent by advice and information concerning the educational needs and conditions of the Islands; to make such investigations as the General Superintendent may desire and to make recommendations to the Commission from time to time as to needed amendments to the law. Each of the four members of the Board, appointed by virtue of this section, shall receive as compensation ten dollars for each regular or special meeting which he shall attend. Any member of the Board who is a non-resident of Manila shall be paid his actual and necessary expenses for travel from his residence to Manila and his return and hotel expenses. Requisitions for the amount required to pay such compensation and expenses shall be made by the General Superintendent. The terms of office of the members of such Board appointed under this section shall be for three years or until their successors are appointed and qualified.

SEC. 5. There shall be a City Superintendent of Schools in the city of Manila who shall receive an annual salary of three thousand dollars (\$3,000.)

SEC. 6. In each school division established by the General Superintendent of Public Instruction, there shall be a Division Superintendent who shall receive an annual salary of not less than two thousand dollars (\$2,000) and not more than twenty-five hundred dollars (\$2,500.)

SEC. 7. The actual expenses of the General Superintendent and the Division Superintendents while traveling or absent from their usual places of residence on official business shall be paid out of the Insular Treasury.

SEC. 8. Except where otherwise provided, provisions of this act describing the duties and powers of division superintendents shall apply to the City Superintendent for Manila.

SEC. 9. Each division superintendent shall, subject to rules prescribed by the General Superintendent, under section 3 (*m*), appoint the native school teachers to serve in the schools within his district and shall fix their salaries from year to year within the limits prescribed by law. He shall examine the school houses occupied for public instruction within his division with a view to determining their suitability and hygienic condition. Should the school house in which any school is conducted appear to the Division Superintendent to be unsuitable and dangerous for the health of the children, and should no other school house be available, he shall have power, subject to the approval of the General Superintendent, to discontinue such school, and it shall be unlawful thereafter to use the school house thus condemned for public school purposes. He shall pass upon and accept or reject or modify the plans for any new school house, proposed by the local authorities to be erected,

and for the proposed site thereof, and shall make report of his action thereon to the General Superintendent of Public Instruction. If the local authorities or the local school board shall be dissatisfied with the decision of the Division Superintendent as to the suitability of the plans or site of the proposed school house, they may appeal to the General Superintendent, whose decision shall be final. He shall make careful investigations into the agricultural conditions existing in his division and shall make report thereon to the General Superintendent of Public Instruction, with a view to aiding the General Superintendent in making recommendations as to the places and number of the agricultural schools hereafter to be established. He shall see to it by personal visits and by requiring reports from the principal teachers of each school that the curriculum for primary and secondary schools prescribed by the General Superintendent of Public Instruction is complied with. He shall make himself familiar with the supplies and text books needed in each school in his division, and shall make report of the same at as early a date as possible, in order that they may be contracted for and furnished by the General Superintendent. He shall appoint one-half of the local school board in each pueblo in his division, as provided in section 10. He shall have and maintain his residence and an office in one of the large towns in his division, from which all the pueblos in his district can be most conveniently reached.

SEC. 10. There shall be established in each municipality organized under any General Order of the Military Governor or under such municipal code as may be hereafter enacted, a local school board, consisting of four or six members, as the Division Superintendent may determine, in addition to the President or Alcalde of the Municipality, who shall be a member *ex-officio*. One half of the members, except the member *ex-officio*, shall be elected by the Municipal Council, and the remaining half shall be appointed by the Division Superintendent, and the term of office of all members, holding by appointment or election, shall be two years and until their successors shall have been duly elected or appointed.

SEC. 11. The appointed or elected members of the local school board may, after due notice and hearing, be removed at any time by the Division Superintendent, subject to the approval of the General Superintendent of Public Instruction, who shall have power to suspend such members temporarily.

SEC. 12. It shall be the power and duty of the local school board:—

(a) To visit from time to time the schools of the pueblo and to report bi-monthly to the Division Superintendent their condition and the attendance of pupils;

(b) To recommend sites and plans to the Municipal Council for school houses to be erected;

(c) Where there are two or more schools in the pueblo, to adopt rules, subject to the supervision of the Division Superintendent, for assigning the pupils of the pueblo to the several schools;

(d) To report annually to the Municipal Council the amount of money which should be raised for the current year by local taxation for school purposes;

(e) To report, whenever it shall deem necessary, directly to the General Superintendent as to the condition of the schools of the pueblo and to make suggestions in respect thereto as may seem to it expedient.

SEC. 13. Every pueblo shall constitute a school district and it shall

be the duty of the Municipal Council thereof to make as ample provision as possible by local taxation for the support of all the schools established within its jurisdiction. In exceptional cases, where the topography of the country or the difficulty of communication between parts of the same pueblo require it, the Division Superintendent may attach a part of one pueblo to the school district of another and shall, in such case, fix the amount which it will be just for the Municipal Council of the former to contribute to the annual school expense of the latter.

SEC. 14. The English language shall, as soon as practicable, be made the basis of all public school instruction, and soldiers may be detailed as instructors until such time as they may be replaced by trained teachers.

SEC. 15. Authority is hereby given to the General Superintendent of Public Instruction to obtain from the United States one thousand trained teachers at monthly salaries of not less than seventy-five dollars (\$75) and not more than one hundred and twenty-five dollars (\$125), the exact salary of each teacher to be fixed by the General Superintendent of Public Instruction in accordance with the efficiency of the teacher in question and the importance of the position held. The necessary traveling expenses of such teachers from their places of residence to Manila shall be paid by the government.

SEC. 16. No teacher or other person shall teach or criticise the doctrines of any church, religious sect or denomination, or shall attempt to influence the pupils for or against any church or religious sect in any public school established under this act. If any teacher shall intentionally violate this section, he or she shall, after due hearing, be dismissed from the public service.

Provided, however, that it shall be lawful for the priest or minister of any church established in the pueblo where a public school is situated, either in person or by a designated teacher of religion, to teach religion for one half an hour three times a week in the school building to those public school pupils whose parents or guardians desire it and express their desire therefor in writing filed with the Principal Teacher of the school, to be forwarded to the Division Superintendent, who shall fix the hours and rooms for such teaching. But no public school teacher shall either conduct religious exercises or teach religion or act as a designated religious teacher in the school building under the foregoing authority, and no pupil shall be required by any public school teacher to attend and receive the religious instruction herein permitted. Should the opportunity thus given to teach religion be used by the priest, minister or religious teacher for the purpose of arousing disloyalty to the United States, or of discouraging the attendance of pupils at such public school, or creating a disturbance of public order, or of interfering with the discipline of the school, the Division Superintendent, subject to the approval of the General Superintendent of Public Instruction, may, after due investigation and hearing, forbid such offending priest, minister or religious teacher from entering the public school building thereafter.

SEC. 17. There shall be established and maintained in the city of Manila a Normal School for the education of natives of the islands in the science of teaching. The rules and plan for the organization and conduct of such school and the qualifications of pupils entering the same, shall be determined by the General Superintendent of Public Instruction.

SEC. 18. There shall be established and maintained in the city of Manila a Trade School for the instruction of natives of the islands in the useful trades. The powers and duties of the General Superintendent in respect to this school shall be the same as those provided in the section in respect to the Normal School.

SEC. 19. There shall be established and maintained a School of Agriculture in the island of Negros. The Superior Advisory School Board shall recommend to the Commission for final determination a proper site for such school. The powers and duties of the General Superintendent in respect to this school shall be the same as those provided in the section concerning the Normal School.

SEC. 20. The General Superintendent of Public Instruction is authorized and directed, under the supervision of the Military Governor, to procure the making of plans and estimates for the creation of such school buildings as he may deem necessary and practicable at the present time, including a building or buildings for the Normal School in Manila and a building or buildings for the Trade School directed to be established in sections 17 and 18 hereof. The estimated cost of such buildings and their proper equipment shall not exceed four hundred thousand dollars (\$400,000). Such plans and estimates shall be submitted to the Commission.

SEC. 21. The General Superintendent of Public Instruction is directed to prepare and submit to the Commission through the Military Governor a statement showing the text books and other supplies which will be needed for the year 1901, the estimated cost of which shall not exceed the sum of two hundred and twenty thousand dollars (\$220,000).

SEC. 22. The sum of twenty-five thousand dollars (\$25,000), or so much thereof as may be necessary, is hereby appropriated out of any funds in the Insular Treasury not otherwise appropriated for the organization and maintenance of the Normal School in Manila for the year 1901.

SEC. 23. The sum of fifteen thousand dollars (\$15,000), or so much thereof as may be necessary, is hereby appropriated out of any funds in the Insular Treasury not otherwise appropriated, for the organization and maintenance of the Trade School in Manila for the year 1901.

SEC. 24. The sum of fifteen thousand dollars (\$15,000), or so much thereof as may be necessary, is hereby appropriated, out of any funds in the Insular Treasury not otherwise appropriated, for the organization and maintenance of the School of Agriculture for the year 1901.

SEC. 25. Nothing in this act shall be construed in any way to forbid, impede or obstruct the establishment and maintenance of private schools.

SEC. 26. Whenever sums of money are mentioned in this act, they shall be understood to be money of the United States.

SEC. 27. This act shall take effect on its passage.

Enacted, January 21, 1901.

[No. 75.]

AN ACT providing a remedy against judgments obtained in courts of first instance by fraud, accident, or mistake.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. When a judgment has been rendered by a court of first instance, and any party to the action has been unjustly deprived of his

day in court and the opportunity to be heard thereon, by fraud, accident, mistake or excusable negligence, or has been prevented from entering an appeal from such judgment by fraud, accident, mistake or excusable negligence, the Supreme Court sitting in banc may, in its discretion, and on reasonable terms, reverse and set aside the judgment so rendered, provided the party so aggrieved shall make application, as hereinafter provided, to the Supreme Court, within sixty days after the passage of this act, if the judgment of which complaint is made has been rendered since the 13th day of August, 1898, and prior to the passage of this act, and has not been fully executed, and within sixty days after he first knows that such judgment has been rendered against him, in case the judgment complained of shall be rendered after the passage of this act.

SEC. 2. The person aggrieved by a judgment obtained in the manner stated in the preceding section, may, within the time there limited, file his petition in the Supreme Court, stating the fact of the rendition of such judgment and the circumstances constituting the fraud, accident, mistake or excusable negligence relied upon as ground for relief, and praying that such judgment may be reversed and set aside, and the cause be determined upon its merits. Upon the filing of such petition in the Supreme Court, that court shall direct that reasonable notice of the pendency of such petition shall be served upon the adverse party, requiring him to appear before that court on a day named in the notice, to make his defense to the petition. Upon the day named, unless a postponement is granted for good cause shown, the merits of the petition shall be summarily heard without further pleadings, upon evidence orally produced by the parties before the court. If the court shall find that the facts set forth in the petition are true, and that the petitioner is entitled to relief, the judgment complained of shall be reversed and set aside, and shall thereafter be of no validity, in cases where the petitioner has been unjustly deprived of his day in court and the opportunity to be heard thereon, by fraud, accident, mistake or excusable negligence; and shall grant the appeal and proceed to hear and determine the appeal upon its merits, and make the necessary orders therein, as if the same had been regularly brought to said court by appeal, in cases where the petitioner has been prevented from entering an appeal by fraud, accident, mistake or excusable negligence.

SEC. 3. At the time of filing such complaint, or at any time thereafter before the final hearing, any judge of the Supreme Court may, on motion, grant an injunction restraining the party in whose favor such judgment has been rendered, his agents and attorneys, and the Judge of the Court of First Instance who rendered the judgment complained of, from any proceedings to enforce the same, until the further order of the Supreme Court in the premises, which injunction shall be served in such manner as the judge granting it shall direct; but the judge, before issuing such injunction, may, in his discretion, require from the party upon whose application the same is granted, an obligation to the other party, with sufficient sureties to be approved by the judge, and conditioned that if the petitioner fails to prosecute his petition to effect, or finally to prevail therein, he will pay the adverse party the intervening damages and costs accruing to him by reason of such injunction. The damages, if any, accruing under this section, shall be assessed by the Supreme Court and included in its final judgment on the petition. The Supreme Court may issue and enforce any

other orders which in its judgment may be necessary to accomplish the full purpose of this act. A violation of the injunction so granted may be punished by imprisonment of the parties so violating it, at the discretion of the court, and the acts done in violation of such injunction shall be unlawful and of no validity.

SEC. 4. This act shall be construed not technically, but liberally, so as to secure to the fullest extent the right of fair trial and appeal.

SEC. 5. This act shall take effect on its passage.

Enacted, January 22, 1901.

[No. 76.]

AN ACT conferring admiralty jurisdiction upon provost courts.

By the authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Admiralty jurisdiction over all maritime contracts, torts, injuries or offenses, is hereby conferred upon the several provost courts organized and existing in the open ports of the Philippine Islands, under authority of the Military Governor. This jurisdiction shall be exercised in each particular case by the provost court existing at the port wherein the vessel is lying at the time of the institution of the proceedings in relation to which controversy arises. So much of General Order No. 64, issued from the Office of the United States Military Governor in the Philippine Islands, on December 5, 1899, as declares the ordinary civil courts competent to take cognizance of offenses in admiralty is hereby repealed. The jurisdiction herein conferred shall apply to maritime contracts, torts, injuries, or offenses heretofore made or committed, as well as to such controversies hereafter arising.

SEC. 2. The civil jurisdiction of the provost courts in admiralty shall be exercised in the manner provided by General Order No. 23, of the Military Governor, issued on June 24, 1899, and its decisions shall be governed by the rules therein stated; but the provost courts shall not have jurisdiction of civil causes in which the demand or value of the property in controversy exceeds twenty-five hundred dollars in United States money. In case a civil controversy in admiralty arises, where the amount of the demand or the value of the property in controversy exceeds twenty-five hundred dollars, the courts of first instance shall have jurisdiction thereof.

SEC. 3. The criminal jurisdiction of provost courts in admiralty shall extend to all crimes and offenses committed on shipboard or on water craft of any kind on the high seas, or beyond the jurisdiction of any country, or within any of the navigable waters of the Philippine Archipelago. Punishment imposed in the exercise of the criminal jurisdiction shall be governed by the rules stated in General Order No. 72, issued by the Military Governor, on December 24, 1899, and the procedure shall be as stated in that order.

SEC. 4. Immediately upon the rendition of a judgment in a proceeding, civil or criminal, in admiralty, the court shall deliver a transcript of the proceedings to the Military Governor, in case such proceedings were had in a court located at Manila, and the Military Governor shall thereupon approve, modify or annul the judgment, as in his judgment

equity may require. But if the proceedings were had in a court located at another port in the Philippine Islands, the transcript shall forthwith be delivered to the commanding general of the department in which the court is located, who shall approve, modify or annul the judgment, as in his judgment equity may require. But in the latter case, the commanding general of the department may, if in his opinion the case is of sufficient importance to warrant such a course, and delay would not be unreasonably injurious to the parties, remit the transcript to the Military Governor and be governed by his directions in approving, modifying or annulling the judgment. Nothing herein contained shall be deemed to restrict the right of the Military Governor to mitigate or remit any sentence imposed by a provost court in the exercise of the criminal jurisdiction in admiralty herein provided.

SEC. 5. This act shall take effect on its passage.

Enacted, January 24, 1901.

[No. 77.]

AN ACT amending section 1 of the act creating the metropolitan police force of Manila.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The act entitled "An act providing for the organization of three companies of police for the city of Manila and neighboring towns," is hereby amended by striking out the words "American volunteer soldiery now serving" in section 1 thereof, and inserting in lieu the words "honorably discharged soldiers and sailors of the United States who are now serving or have served."

SEC. 2. This act shall take effect on its passage.

Enacted, January 26, 1901.

[No. 78.]

AN ACT declaring all persons in arms against the authority of the United States in the Philippine Islands, and all persons aiding or abetting them, on the first day of April 1901, or thereafter, ineligible to hold office.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All persons who on the first day of April, 1901, or thereafter, shall be in arms against the authority and sovereignty of the United States in the Philippine Islands, and all persons aiding or abetting them on or after said date, are hereby declared ineligible to hold any office of honor, trust or profit in the Philippine Islands.

SEC. 2. Section fifteen of the Civil Service Act is hereby amended by inserting after the last word of the said section the following "provided, however, that no person shall be eligible for examination or appointment under the provisions of this act, who shall be, on or after the first day of April, 1901, in arms against the authority of the United States in the Philippine Islands, or who shall thereafter give aid and comfort to the enemies of the United States, so in arms."

SEC. 3. This act shall take effect on its passage.

Enacted, January 26, 1901.

[No. 79.]

AN ACT amending section 22 of the provisional customs tariff and regulations in the Philippine Islands.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The provisions of the Customs Tariff and Regulations promulgated by the United States Military Governor by General Order No. 49, October 23, 1899, be amended to read as follows:

“SEC. 22. All supplies and materials for the use of the Army and Navy of the United States, or for the use of the Insular Government, shall, under suitable restrictions to be prescribed by the Military Governor, be admitted without payment of duty.”

SEC. 2. This act shall take effect on its passage.

Enacted, January 26, 1901.

[No. 80.]

AN ACT regulating the hours of labor, leaves of absence and transportation of appointees under the Philippine civil service.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. It shall be the duty of the heads of departments and offices in the Philippine civil service to require of all employes of whatever grade or class not less than six hours of labor each day, not including time for lunch and exclusive of Sundays and days declared public holidays by law or executive order, but the head of any department or office may, in the interest of the public service, extend the hours of labor herein specified for any or all of the employes in his office, and in case of such extension it shall be without additional compensation.

SEC. 2. The head of any department or office may grant leave of absence with pay during a calendar year to each employe, exclusive of Sundays and days declared public holidays by law or executive order, in accordance with the following schedule: An employe receiving an annual salary of less than six hundred dollars shall be granted fifteen days leave; an employe receiving an annual salary of six hundred dollars or more, but less than one thousand dollars, shall be granted twenty days leave; an employe receiving an annual salary of one thousand dollars or more, but less than eighteen hundred dollars, shall be granted thirty days leave; an employe receiving an annual salary of eighteen hundred dollars or more shall be granted thirty-five days leave. If an employe elects in any one year to postpone any or all of the leave to which he is entitled under this section, such leave shall accumulate, and in case he is granted leave for the purpose of visiting the United States he shall be allowed with half pay, in addition to his leave, the actual and necessary time occupied by him in going to and returning from San Francisco: provided, that such leave to visit the United States under these conditions shall not be granted to any employe more than once in three years, or to any employe who has not accumulated to his credit leave allowed for two full years. The provisions of this section shall be retroactive in effect so as to entitle employes of the civil service in the Philippine Islands whether serving

as such by regular appointment or by detail from the Army or Navy of the United States, previous to this act, to any accumulated leave to which they would have been entitled had this act been in effect at the date of their employment or detail.

SEC. 3. In exceptional and meritorious cases where an employé is personally ill and also in cases where any member of the immediate family of an employé is afflicted with a contagious disease, making the presence of such employé in the department or office in which he is employed unsafe for the health of his fellow employés, the head of the department or office may, in his discretion, grant to such employé, in addition to the leave provided in section 2, a leave of absence not exceeding sixty days in any calendar year. Further leave, if granted, shall be without pay, but when leave with and without pay of the employé under this section aggregates more than six months he shall be immediately separated from the service.

SEC. 4. The appointment of persons residing in the United States to the Philippine civil service shall be subject to the following conditions:

(1) A person residing in the United States who is appointed to the Philippine civil service shall pay his travelling expenses from the place of his residence in the United States to San Francisco, but his travelling expenses from San Francisco to Manila shall be borne by the Insular Government if he shall come by the steamer and route directed by the Chief Executive of the Islands.

(2) He shall be allowed half salary from the date of embarkation at San Francisco and full salary from the date of his arrival in the Islands; provided, that he proceeds directly to the Islands, otherwise he shall be allowed half salary for such time only as is ordinarily required to perform the journey between such two points.

(3) A person who has been employed in the Philippine civil service for three years or more after the passage of the Civil Service Act shall, if he so requests, upon his retirement from the service, be furnished with transportation from Manila to San Francisco and shall be allowed half salary for thirty days in addition to full salary for the period to which he may be entitled as leave of absence under the provisions of this act.

SEC. 5. This act shall take effect on its passage.

Enacted, January 26, 1901.

[No. 81.]

AN ACT repealing all acts, codes and orders relating to the challenging of judges, magistrates, justices of the peace, assessors, and auxiliaries to tribunals, and defining the disqualifications of judges, magistrates, justices of the peace, assessors and referees.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The whole of Title V, embracing sections 172 to 231, inclusive, of the Code of Civil Procedure of the Philippine Islands, and all those portions of the Code of Criminal Procedure relating to challenges of judges, magistrates, justices of the peace, assessors, and auxiliaries to tribunals, and all other acts or parts of acts, or orders

relating to challenges of any of the above named officials, in either civil or criminal procedure, are hereby repealed.

SEC. 2. All challenges of the competency of any of the officials named in section 1, that have heretofore been made, and all pending proceedings relating to challenges of such officials and all orders of disqualification of such officials that have heretofore been rendered in pending causes, are hereby vacated and set aside; and all of said officials whose competency has been assailed by challenge or by order, are declared to be competent to perform the duties of their respective offices, in all actions and special proceedings now or hereafter pending, unless prohibited therefrom by the further provisions of this act.

SEC. 3. No judge, magistrate, justice of the peace, assessor, referee or presiding officer of any tribunal, shall sit or take part in any cause or proceeding in which he is pecuniarily interested, or related to either party within the fourth degree of consanguinity or affinity, or in which he has been counsel, or in which he has presided in an inferior jurisdiction when his ruling or decision is the subject of review, without the written consent of all the parties in interest, signed by them, and entered upon the record. A judgment rendered in violation of this section shall be set aside by the Supreme Court on appeal by the aggrieved party after final judgment in the court of the official so offending.

SEC. 4. No challenge as to the competency of any of the officials named in this act shall be received or allowed. But if it be claimed that the official is disqualified by the provisions of section 3, the party objecting to his competency may, in writing, file with the official his objection, stating the grounds thereof, and the official shall thereupon proceed with the trial, or withdraw therefrom, in accordance with his determination of the question of his disqualification. His decision shall be forthwith made in writing and filed with the other papers in the case. But no appeal or stay of action shall be allowed from, or by reason of, his decision in favor of his own competency until after final judgment in his court.

SEC. 5. This act shall take effect on its passage.

Enacted: January 28, 1901.

[No. 82.]

A GENERAL ACT for the organization of municipal governments in the Philippine Islands.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

CHAPTER I.

GENERAL PROVISIONS.

SECTION 1. (a) The pueblos of the Philippine Islands shall be recognized as municipal corporations with the same boundaries as now existing *de jure* or *de facto*, upon organization under the provisions of this act.

(b) This act shall not apply to the city of Manila, for which special legislation shall be enacted.

(c) This act shall not apply to the settlements of non-Christian tribes, for which special legislation shall be enacted.

SEC. 2. (a) Pueblos incorporated under this act shall be designated as municipalities (municipios), and shall be known respectively by the names heretofore adopted. Under such names they may sue and be sued, contract and be contracted with, acquire and hold real and personal property for the general interests of the municipality, and exercise all the powers hereinafter conferred upon them.

(b) All property and property rights vested in any pueblo under its former organization shall continue to be vested in the same municipality after its incorporation under this act.

SEC. 3. The government of each municipality established under this act is hereby vested in a President, a Vice-President and a Municipal Council. The President and the Councillors, together with the Vice-President, shall be chosen at large by the qualified electors of the municipality, and their term of office shall be for two years from and after the first Monday in January next after their election and until their successors are duly chosen and qualified; *provided*, that the President and Vice-President elected in 1901 shall hold office until the first Monday in January, 1903, or until their successors are duly chosen and qualified and that the Councillors elected in 1901 shall divide themselves by lot into two classes; the seats of those of the first-class shall be vacated on the first Monday of January, 1902, and those of the second-class one year thereafter, or when their successors are duly chosen and qualified, so that one-half of the Municipal Council shall be chosen annually.

SEC. 4. (a) Incorporated municipalities shall be of four classes, according to the number of inhabitants. Municipalities of the first-class shall be those which contain not less than 25,000 inhabitants, and shall have eighteen Councillors; of the second-class, those containing 18,000 and less than 25,000 inhabitants, and shall have fourteen Councillors; of the third-class, those containing 10,000 and less than 18,000 inhabitants, and shall have ten Councillors; of the fourth-class, those containing less than 10,000 inhabitants, and shall have eight

(b) Municipalities of less than 2,000 inhabitants may be incorporated under the provisions of this act, or may, upon petition signed by a majority of the qualified electors thereof, be attached as a barrio to an adjacent and incorporated municipality, if the council of the latter shall grant said petition.

(c) A barrio or barrios with an aggregate population of more than 2,000 may be incorporated under the provisions of this act as a separate municipality, upon the granting by the Commission of a petition signed by two-thirds of the qualified electors thereof.

(d) In case of controversy, the Commission shall determine to which class a town shall belong, and thereafter, if its population shall sufficiently increase or diminish, it shall pass to a higher or lower class by order of the Provincial Board.

SEC. 5. The municipality shall be divided into barrios, or wards, and the limits of such barrios shall be clearly defined, as hereinafter provided in section 36. For administrative purposes, the barrios may be grouped into districts. The number of such districts in the municipality shall be equal to the number of Councillors, including the Vice-President.

CHAPTER II.

QUALIFICATIONS OF ELECTORS—ELECTIONS.

SEC. 6. The electors charged with the duty of choosing elective municipal officers shall be male persons, twenty-three years of age or over, who have had a legal residence in the municipality in which they exercise the suffrage for a period of six months immediately preceding the election, and who are not citizens or subjects of any foreign power, and who are comprised within one of the following three classes:

(a) Those who, prior to the 13th of August, 1898, held the office of Municipal Captain, Gobernadorcillo, Alcalde, Lieutenant, Cabeza de Barangay or member of any Ayuntamiento.

(b) Those who own real property to the value of 500 pesos, or who annually pay thirty pesos or more of the established taxes.

(c) Those who speak, read and write English or Spanish.

SEC. 7. Each elector shall, before casting his ballot, take and subscribe the following elector's oath, which shall be administered by the Municipal Secretary with whom it shall be filed:

ELECTOR'S OATH.

I,, do solemnly swear (or affirm) that I am a male resident of the municipality of, in the,; and shall have resided therein for the period of six months immediately preceding the next municipal election; that at the date of said election I shall be..... years of age; that I am not a subject or citizen of any foreign power; that I shall in all respects be entitled to vote therein at the next election for municipal officers; furthermore, that I recognize and accept the supreme authority of the United States of America, and will maintain true faith and allegiance thereto; that I will obey the laws, legal orders and decrees duly promulgated by its authority; and that I impose upon myself this obligation voluntarily and without mental reservation or purpose of evasion, so help me God. (In case of affirmation, the words "So help me God" should be stricken out.)

(Signature of the elector.)

Subscribed and sworn to (or affirmed) before me this.....day of....., 19.....

(Signature of Municipal Secretary.)

SEC. 8. The following persons shall be disqualified from voting:

(a) Any person who is delinquent in payment of public taxes, assessed since August 13, 1898.

(b) Any person who has been deprived of the right to vote by the sentence of a court of competent jurisdiction, since August 13, 1898.

(c) Any person who has taken and violated the oath of allegiance to the United States.

(d) Any person who, on the first day of April, 1901, or thereafter, shall be in arms in the Philippine Islands against the authority or sovereignty of the United States, whether such person be an officer, soldier or civilian.

(e) Any person who, on the first day of April, 1901, or thereafter, shall make contribution of money or other valuable thing in aid of any person or organization against the authority or sovereignty of the United States, or who shall demand or receive such contribution from others, or who shall make any contribution to any person or organization hostile to or in arms against the authority or sovereignty of the United States, for the purpose of securing any protection, immunity or benefit.

(f) Any person who, on the first day of April, 1901, or thereafter, shall in any manner whatsoever give aid and comfort to any person or organization in said islands in opposition to or in arms against the authority or sovereignty of the United States.

(g) Insane or feeble-minded persons.

SEC. 9. (a) General municipal elections (except the first, for which special provision is hereinafter made, in chapter VIII) shall be held on the first Tuesday in December of each year, and the officers elected thereat shall enter upon their duties on the first Monday of January following. In order to provide properly for municipal elections, the President, during the first five days of the month next preceding the month in which any general election is to be held, shall prepare and cause to be posted a proclamation specifying the place where and the hours during which the election shall be held, and notifying all persons qualified as electors to appear before the Municipal Secretary during the first fifteen days of the month in which the proclamation is dated, for the purpose of taking the elector's oath. It shall be the duty of the Secretary, and he is empowered, to administer the oaths, but without fee.

(b) One copy of the proclamation shall be posted at the main entrance of the municipal building and one in a public and conspicuous place in each barrio of the town. Between the fifteenth and twentieth days of the month, the President shall prepare from the oaths thus taken a list of the qualified electors, alphabetically arranged according to surnames, and post it at the main entrance of the municipal building. He shall further prepare and cause to be posted in a public and conspicuous place in each barrio an alphabetical list of the qualified electors residing within its limits. Each list shall be accompanied by a notice specifying a term of five days prior to the election during which any qualified elector may demand his proper enrollment as such, or the exclusion from the list of qualified electors of the name of any person not possessing the right to vote. Such demands shall be made to the President, who shall promptly refer them for settlement to a board consisting of the Vice-President, the Municipal Treasurer and himself. Where the value of land offered as a qualification for voting is disputed, its value as assessed for taxation shall conclusively determine the same. If there is no assessment, the value shall be determined by the Board. The questions raised before said Board shall be determined before the date of the pending election, and the determinations shall be immediately communicated in writing to the person whose qualifications as an elector are in question.

(c) Special elections, duly called in accordance with the provisions of section 13, sub-section (b), shall be held on the fourth Tuesday succeeding the call for the same. They shall be conducted in accordance with the rules provided for general elections in sections 9, 10, 11, 12 and 13.

SEC. 10. Municipal elections shall be held in the house of the municipality, and shall be presided over by a Board of Election Judges, consisting of three qualified electors who are not candidates at such election and who, together with two tellers possessing like qualifications, shall be designated in writing prior to the day of election by a majority vote of a board consisting of those members of the Municipal Council who have the longest unexpired terms of office. Should any votes be cast for any member of the Board of Election Judges, said votes shall be void and of no effect. The senior member of the Board of Judges shall act as its chairman, and the action of the Board shall be determined by a majority vote. In case of the absence at the election of any member of the Board of Judges or of a teller, or his disqualification at any stage of the election, the vacancy or vacancies shall be immediately filled by a majority vote of the entire number of the remaining judges and tellers.

SEC. 11. (a) Elections shall be by secret ballot. Only duly qualified electors shall be allowed in the room where an election is being held. A portion of the room shall be cut off by a railing and gate. Within the space thus enclosed the Board of Judges shall sit, and tables, together with blank ballots and writing materials, shall be placed for the convenience of voters. The tables shall be separated from each other by screens.

(b) Blank ballots, with the names of the several offices to be filled printed thereon and with suitable spaces for the insertion of the names of the persons voted for, shall be provided in sufficient numbers by the Provincial Governor before every general or especial election. The municipality shall pay for the ballots, which shall be furnished at cost price. Ballots on other than the above-described official forms will be illegal, unless the Provincial Governor shall fail to provide the blanks, or to provide them in sufficient number. In the latter event, the Board of Judges will determine and provide the form to be employed.

(c) Each elector shall fill out his ballot at one of the tables provided for the purpose, by writing in the names of the persons for whom he desires to vote. He shall then fold his ballot and deposit it in the ballot box, first stating to the Board of Judges his name and the barrio in which he resides. When he has voted, the chairman shall check his name on the official list of voters, in order to avoid the possibility of his voting a second time.

(d) The Board of Judges shall identify the voters, and shall exclude the ballot of anyone whose name is found not to be included in the official list.

(e) The number of electors admitted to the enclosed space shall never exceed the number of tables, nor shall any two persons occupy one table at the same time, except in the case of electors who cannot read and write.

(f) Any elector who cannot read and write shall be assisted in the preparation of his ballot by the two tellers, who shall accompany him to a table. One of the tellers, in the presence of the other, shall thereupon fill out a ballot in accordance with the dictation of the elector, who shall then deposit it in the usual manner.

(g) Before an election, the Board of Judges shall provide a suitable ballot box with a slit in the top for the insertion of ballots. Immediately before the voting begins, they shall see that the box is empty

and shall lock the same. While an election is in progress, the ballot box shall be kept locked and the key shall be constantly in the possession of the chairman of the Board of Judges, who will not unlock the box, or allow it to be unlocked until the Board is ready to count the ballots. The box shall not be removed from the presence of the Board of Judges during the election or until the ballots are counted and the result declared.

(*l*) The hours for voting shall be from 8 a. m. to 4 p. m., at which latter time the election shall close.

SEC. 12. A plurality of votes shall be sufficient to elect.

SEC. 13. (*a*) Immediately after the close of the election the box shall be opened by the chairman in the presence of the Board, the ballots shall be canvassed by the Board, a certificate of the result of the election shall be prepared in duplicate and signed by the members of the Board and by the tellers, and the certificate shall be a sufficient warrant for those elected to assume their offices, unless objections are filed as follows: A duplicate, containing the additional statement that a term of three days is granted in which any resident of the town can present to the Board, or to the chairman thereof, in writing, such objections as he may deem just and legal against those declared elected, shall be prepared by the Board and posted at the main entrance of the municipal building.

(*b*) On the day following said term of three days, a duplicate of the election certificate and the objections made, if any, shall be sent by the chairman of the Board of Judges to the Provincial Board. Should the Provincial Board, upon investigation and after hearing of evidence if necessary, find the election legal, they shall, within seven days after the receipt of said documents, direct the newly elected officers to qualify and enter upon their duties on the day fixed by this act; but if the Provincial Board determine that there has been an illegality committed in the election of any officer or that any candidate returned is not eligible, they shall so declare in writing, with the reasons therefor, and shall order a special election to fill the vacancies thus occasioned and shall certify their finding and order to the Municipal Secretary, who shall spread the same on the records of the Council. In determining the legality of the election, the Provincial Board shall ignore irregularities or informalities which do not prevent the declared result from being the actual will of the electors.

CHAPTER III.

OFFICERS.—THEIR QUALIFICATIONS, DUTIES AND COMPENSATION.

SEC. 14. A President, Vice-President or Councillor shall have the following qualifications:

(*a*) He shall be a duly qualified elector of the municipality, twenty-six or more years of age, and shall have a legal residence therein for at least one year prior to the date of election.

(*b*) He shall intelligently speak, read and write either the Spanish or the English language or the local dialect.

SEC. 15. In no case shall there be elected or appointed to a municipal office ecclesiastics, soldiers in active service, persons receiving salaries from provincial, departmental or governmental funds, or contractors for public works of the municipality.

SEC. 16. (a) Every person elected or appointed to a municipal office under the provisions of this act shall, before entering upon the duties thereof, take and subscribe before the President or Municipal Secretary the following oath of office:

OATH OF OFFICE.

I, _____, having been _____ as _____ of the municipality of _____ in the province of _____, do solemnly swear (or affirm) that I have the prescribed qualifications to hold office in said municipality; that I recognize and accept the supreme authority of the United States of America and will maintain true faith and allegiance thereto; that I will obey the laws, legal orders and decrees promulgated by its duly constituted authorities; that I impose upon myself this obligation voluntarily, without mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office upon which I am about to enter, so help me God. (Last four words to be stricken out in case of affirmation.)

(Signature of officer.)

Subscribed and sworn to (or affirmed) before me this _____ day of _____, 19_____.

(Signature of President or Municipal Secretary.)

(b) Such oaths shall be filed in the office of the Municipal Secretary.

SEC. 17. Every municipal officer charged with the custody of municipal funds shall, before entering upon the duties of his office, execute a bond to the municipality with two or more sureties, the amount of which bond and the sufficiency of which sureties shall be approved by the President, and by the Provincial Treasurer, in writing endorsed thereon, and by the Municipal Council by a recorded vote. A copy of the bond and the approval of the same shall be spread upon the minutes of the Council. The bond shall be fixed at a penal sum of not less than half of the amount of the aggregate revenue which will probably come into the custody of such municipal officer during the current year and shall be conditioned for the faithful performance of the duties of the office and the payment as required by law of all moneys received by such officer for and in behalf of the municipality. The bond shall be filed in the office of the Municipal Secretary, who shall carefully preserve the same. Should suit be brought on this bond, it shall be no defence to those signing the bond that the above requirements for approval have not been complied with, if in fact, by virtue of such bond, the municipal officer had entered upon the discharge of his official duties.

SEC. 18. The President shall be the chief executive of the municipality.

(a) He shall cause the ordinances of the municipality to be executed, and shall supervise the discharge of official duties by all subordinates.

(b) He shall examine and inspect the books, records and papers of every officer or agent employed by the municipality.

(c) He shall issue orders relating to the police or to public safety, and orders for the purpose of avoiding conflagrations, floods and the effects of storms or other public calamities.

(d) He shall draw warrants upon the Municipal Treasurer for the legitimate payments authorized by the Council.

(e) He shall assist the Provincial Treasurer and his deputies in the collection of taxes.

(f) He shall, with the assistance of the Municipal Treasurer, one Councilor and the Secretary, hold such public auctions as may be authorized by the Council.

(g) He shall hold a court to hear and adjudge alleged violations of public ordinances, upon complaint filed by his direction, or by a police officer, or a private citizen; and, after due trial in which the accused and his witnesses shall be heard, shall, upon conviction, impose such punishment, either by admonition or by fine and imprisonment, or both, in his discretion, as is provided in sub-section (d d) of section 39.

(h) Fines shall be paid in coin to the Treasurer of the municipality, upon the order of the President, and the municipal officer shall issue a receipt therefor, which shall be countersigned by the President, who shall, upon countersigning it, record the payment of the same in the docket hereinafter prescribed in paragraph (j).

(i) *Provided*, that if the charge be against a Municipal Officer or employé for violating his official duty, the President shall have jurisdiction to suspend him, pending action on such violation by the Municipal Council; and, if a fine is imposed against such officer, it may be collected by withholding the requisite amount from such salary as is or may hereafter become due to him.

(j) The President shall keep a docket of the trials held under the preceding paragraph, in which shall be recorded in a summary manner the name of the defendant, the charge against him and the name of the prosecuting witness, the date of the arrest, the date of the trial, the presence of the defendant, and the nature of the judgment, together with the fines collected, if any, in accordance with the judgment. A docket with proper blanks for entry of required details shall be furnished to the President by the Provincial Governor, and the cost of the same shall be paid out of the treasury of the municipality.

(k) He shall recommend to the Municipal Council at any time such measures connected with the public health, cleanliness or ornament of the municipality or the improvement of its finances, as he may deem expedient. He shall preside at all meetings of the Municipal Council and shall sign its journal; but he shall not vote, except in case of a tie, when he shall give the casting vote. He shall approve ordinances adopted by the Municipal Council, unless he shall consider them prejudicial to the public welfare, in which case he shall veto them; but the Council may pass an ordinance over the veto of the President by a two thirds vote of all its members, in which case it shall be valid without the signature of the President. If the President shall not either approve or veto an ordinance within five days of its adoption, it shall become a law.

(l) He shall appoint, by and with the consent of the majority of all the members of the Council, the Municipal Treasurer, Municipal Secretary and all non-elective officers and employés that may be provided for by law or by ordinance; and at any time, for cause, he may suspend any such officer or employé for a period not exceeding ten days, which suspension may be continued for a longer period by the Council; and, by and with the consent of a majority of all the members of the Council, he may discharge any such officer or employé.

(m) He shall make all nominations at the first meeting of the Council after his election, except for those offices in which a vacancy may

occur during his term. In case the Council shall reject any of the nominations made by him, then it shall be his duty, at the next regular meeting of the Council, to submit the names of other persons for appointment. In case a vacancy occurs in any of the above-named offices during the term of office of the President, he shall submit a nomination to the council at the first regular meeting after the occurrence of the vacancy.

(n) During the month of December of each year the President shall prepare and make out in duplicate an annual report, in which he shall set forth the most important events which have occurred in the municipality within the current year. One copy of the report shall be filed in the office of the Municipal Secretary, and the other shall be submitted to the Council and thereafter forwarded to the Provincial Governor on or before the fifteenth day of the following January.

(o) He is authorized to use as a symbol of office a black cylindrical cane, with gold head, gilt ferule and silver cord and tassels.

SEC. 19. The Vice-President shall:

(a) Act as substitute for the President in case of the absence of the latter or of his temporary inability to discharge the duties of his office.

(b) In case of a permanent vacancy in the office of President, he shall fill the post for the unexpired portion of the term; and a new Vice-President shall be elected by a majority vote of all the members of the Council, as provided in section 39, sub-section (b).

(c) He shall be an *ex officio* member of the Council, with all the rights and duties of any other member, and there shall be assigned to him the barrio or district in which the municipal offices are situated.

(d) He is authorized to use as a symbol of office a black cylindrical cane, with gold head, gilt ferule and black cord and tassels.

SEC. 20. The Municipal Secretary shall be the clerk of the Municipal Council, whose meetings it shall be his duty to attend.

(a) He shall keep a journal of the proceedings of the Council and of all records and acts of the municipality.

(b) He shall countersign and certify to the correctness of all warrants ordered by the Council to be drawn on the treasury of the municipality.

(c) He shall keep his office in the building where the Municipal Council meets, or at some place convenient thereto, as the Council shall direct.

(d) He shall keep a civil register for the municipality and shall record therein all births, marriages and deaths, with their respective dates. In case of marriages, he shall further record the previous residences of the contracting parties, the name of the person solemnizing the marriage and the names of the witnesses. In case of deaths, the causes of death shall be recorded when known. Physicians and midwives residing within the limits of the municipality shall immediately forward to the Municipal Secretary notification of every birth or death that occurs under his or her professional observation, together with the necessary information for making the proper entry in the civil register. Every person resident within the limits of the municipality who is authorized by law to celebrate marriages shall immediately forward to the Municipal Secretary notification of every marriage which he celebrates, together with the necessary data for properly recording said marriage in the civil register. All entries in the civil register shall be made by the Municipal Secretary free of charge.

(e) He shall issue upon demand of any person a certified copy of any record within his control, and shall be authorized to charge and receive a fee, which shall not exceed, for both the writing and certificate, ten cents per 100 words (Mexican currency). The records shall during usual business hours be open to inspection by all residents of the municipality and by all officers of the provincial, departmental and general governments.

(f) He shall perform all such other duties as the Municipal Council may by ordinance provide, or as may be imposed by general legislation.

SEC. 21. The Municipal Treasurer shall receive all moneys paid to the municipality from any source.

(a) He shall give to every person paying money to the municipal treasury a receipt therefor, specifying the date of payment and upon what account paid.

(b) He shall keep a detailed account of all moneys received, and shall pay the same out only under authority of an ordinance or resolution of the Council, and upon a warrant signed by the President and countersigned by the Secretary.

(c) He shall, on or before the third day of each month, make out in triplicate a full and complete statement of the receipts and expenditures of the preceding month, together with a statement of the cash actually on hand in the municipal treasury. He shall deliver two copies to the President, who shall verify them and certify upon the face of each to the correctness thereof and shall then immediately cause one copy to be posted at the main entrance to the municipal building and send the other copy to the Provincial Treasurer.

(d) He shall pay all lawful warrants in the order in which they shall be presented, and he shall note on the back of each the date of such presentation, and, when payment is made, the date of such payment; *provided*, that he shall not pay any warrant when there is not in the treasury a sufficient amount to meet warrants previously presented and not paid, for want of funds.

(e) He shall have his office in the municipal building and shall keep in the municipal safe or strong box, which it shall be the duty of the Municipal Council to provide, all moneys belonging to the municipality. Such moneys shall be kept separate and distinct from his own money, nor shall he be permitted to make profit out of public money, nor to lend or otherwise use it, nor to use the same in any method not authorized by law. A Municipal Treasurer violating the foregoing restriction shall be dismissed from office, if such violation shall be established at a hearing before the Provincial Treasurer. Such violation shall be considered a malversation of funds, to be tried accordingly under the penal law by a court of competent jurisdiction. The Provincial Treasurer shall report any such violation to the Provincial Fiscal for prosecution. The Municipal Treasurer may, to prevent the accumulation of too large an amount of money in the strong-box of the municipality, when especially authorized by resolution of the Municipal Council, deposit for safe-keeping with the Provincial Treasurer such sums of money as he will not be obliged to use at once, taking a receipt from the Provincial Treasurer. He shall exhibit this receipt to the Municipal Council at its next meeting, and the Municipal Secretary shall record the fact of such exhibition and the date and amount of the receipt.

(*f*) He shall be the custodian of all municipal property and shall keep a record thereof in a suitable book.

SEC. 22. The President, Municipal Secretary and Municipal Treasurer shall receive such annual salaries as the Council shall fix:

(*a*) But, in cases of municipalities of the first-class, these salaries shall not exceed, for the President, 1,200 pesos; for the Municipal Secretary, 600 pesos; and for the Municipal Treasurer, 800 pesos.

(*b*) In cases of municipalities of the second-class, for President, 1,000 pesos; for Municipal Secretary, 500 pesos; and for Municipal Treasurer, 600 pesos.

(*c*) In cases of municipalities of the third-class, for President, 800 pesos; for Municipal Secretary, 400 pesos; and for Municipal Treasurer, 400 pesos.

(*d*) In cases of municipalities of the fourth-class, for President, 600 pesos; for Municipal Secretary, 300 pesos; and for Municipal Treasurer, 300 pesos.

(*e*) The salary of the President, during the period when the Vice-President performs his duties, shall be drawn by the Vice-President.

(*f*) The Vice-President, except when serving as President, and the Councilors shall receive no compensation, their offices being honorary.

(*g*) No change of salaries by the Council, after salaries have been fixed at the organization of the municipality, shall affect that of an officer then elected or incumbent.

SEC. 23. (*a*) A person elected by the people to fill a municipal office shall not be permitted to decline the same, but shall qualify and discharge the duties thereof, unless before election he shall have presented to the judges of election, and established to their satisfaction, a claim for exemption on the ground:

1. That he has discharged the duties of the same office for two previous terms; or

2. That he is physically disabled; or

3. That he is more than sixty-five years of age.

(*b*) Any person violating the foregoing provision of this section, and being convicted thereof in a court of competent jurisdiction, shall suffer imprisonment for a term not exceeding six months.

SEC. 24. A second re-election to any municipal office is prohibited, except after two years.

SEC. 25. Should any elective municipal officer become permanently incapacitated for the proper discharge of his duties during his term of office, through accident or disease, his office may be declared vacant by the vote of a majority of all the members of the Council, and his successor shall be promptly chosen, also by a majority vote of all the members.

SEC. 26. The term of office of all appointive officers shall be until the end of the term of the President appointing them and until their successors are appointed and qualified, unless sooner removed, as provided in this act.

SEC. 27. Every officer of the municipality shall, at the expiration of his term, deliver to his successor in office, who shall receipt for the same in duplicate, all property, books and effects of every description in his possession belonging to the municipality or pertaining to his office. One copy of the receipt shall be delivered to the retiring officer and the other copy shall be filed with the Municipal Treasurer. Upon the refusal of the retiring officer to comply with this provision,

he shall be liable for all damages caused thereby and to such penalty as may be by ordinance prescribed.

SEC. 28. (a) No municipal officer shall be directly or indirectly interested in any contract work, or business of the municipality or in the purchase of any real estate or any other property belonging to the corporation.

(b) Any officer violating the provisions of this section shall, upon a two-thirds vote of all the members of the Council, be removed from office; and, upon trial and conviction in a court of competent jurisdiction, shall be imprisoned for not less than six months and not more than two years.

CHAPTER IV.

THE MUNICIPAL COUNCIL.

SEC. 29. (a) The Municipal Council shall prescribe the time and place of holding its meetings. Regular meetings shall be held once in every two weeks, and special meetings as often as occasion may demand. Any meeting, regular or special, may, in case the amount of business shall require, be adjourned from day to day until the business is completed.

(b) The President, or any two members of the Council, may call a special meeting by giving written notice of it to each member of the Council, which notice shall be served personally or left at his usual place of abode.

SEC. 30. The majority of the Council elected shall constitute a quorum to do business, but a smaller number may adjourn from time to time and may compel the attendance of absentees, under such penalties as may be prescribed by ordinance.

SEC. 31. (a) The regular sessions or meetings of the Municipal Council shall be public and the person presiding has the authority to exact from all present due respect and proper deportment, to prevent disturbances and disorder, and to order the room cleared of any or all present who give reason for such action by improper behavior.

(b) The Council may hold special sessions with closed doors to consider and vote upon appointments submitted to it by the President.

SEC. 32. (a) The Municipal Council shall determine its own rules of procedure, punish its members for disorderly conduct, and, with the concurrence of two-thirds of the members, the Council may suspend or expel a member for cause, electing his successor by a majority vote of all the members.

SEC. 33. The Council shall keep a journal of its own proceedings. The ayes and nays shall be taken upon the passage of all ordinances, upon all propositions to create any liability against the municipality, and upon any other proposition, upon the request of any member, and they shall be entered upon the journal. The affirmative vote of a majority of all the members of the Municipal Council shall be necessary to the passage of any ordinance or of any proposition creating indebtedness; but other measures, except as otherwise specially provided in this act or by due authority, shall prevail upon the majority vote of the members present at any meeting duly called and held.

SEC. 34. Every ordinance shall go into effect on the tenth day after its passage, unless the ordinance shall provide that it shall take effect

at an earlier or a later date. The ordinance on the day after its passage shall be posted by the Municipal Secretary at the main entrance of the municipal building. He shall certify to the fact of posting and shall spread his certificate upon the minutes of the Council, but failure to post an ordinance shall not invalidate the same.

SEC. 35. At the first regular meeting after the election and qualification of a new President, the Council shall pass on his nominations to non-elective municipal offices and shall prescribe the duties of all appointed officers and employés, when not determined by the provisions of this act.

SEC. 36. The Council shall definitely fix the limits of the barrios of the municipality, prescribing for them such boundaries that the barrios, taken collectively, shall include the entire territory of the municipality.

SEC. 37. (a) If the number of barrios in a municipality is less than or equal to the number of Councillors, the Council shall put each of its members in immediate charge of a barrio or part of a barrio, so that each barrio shall be under the direction of one or more Councillors.

(b) If the number of barrios exceeds the number of Councillors, including the Vice-President, the Council shall group the barrios into as many districts as there are Councillors, and shall place each Councillor in charge of one such district. Each Councillor shall be empowered to appoint one Lieutenant in each barrio or part of barrio which comes under his immediate supervision. A Lieutenant of barrio shall serve without compensation and shall report directly to the Councillor appointing him.

SEC. 38. (a) Each Councillor shall keep the people of his barrio or barrios informed as to the acts of the Council, or other governmental measures which directly concern them, by means of suitable notices posted in a public and conspicuous place in each barrio. He shall serve in the Council as the representative of the people of his barrio or barrios and shall bring their special needs to the attention of that body.

(b) He shall further promptly inform the President of any unusual or untoward event occurring within the barrios assigned to him.

(c) He is authorized to use as a symbol of office a cane with silver head, plated ferule and black cord and tassels.

SEC. 39. The Municipal Council shall:

(a) Establish and fix the salaries of municipal officers and employés, subject to the limitations expressed in section 22. A list of all salaries authorized by the Council shall be posted at the main entrance of the municipal building.

(b) Fill a permanent vacancy in the office of Vice-President or of Councillor, from among persons having the necessary qualifications, by a majority vote of all its members. A person thus substituted as Vice-President or Councillor shall serve only for the unexpired portion of the term for which his predecessor was elected and until his successor shall have been chosen and qualified.

(c) Make appropriations for lawful and necessary municipal expenditures.

(d) Manage the property of the municipality.

(e) Erect all needful buildings for the use of the municipality.

(f) Establish fire limits, prescribe the kind of buildings that may be constructed within said limits and issue permits for the erection of the same, but without charging fees for said permits.

- (g) Regulate the establishment and provide for the inspection of steam boilers.
- (h) Provide for lighting the streets, and for sprinkling the same in cases where it is deemed desirable.
- (i) Provide for and regulate the numbering of houses and lots.
- (j) Regulate the construction, care and use of streets, sidewalks, wharves and piers in the municipality; prevent and remove obstacles and encroachments on the same; and declare and abate nuisances.
- (k) Construct and keep in repair bridges and viaducts, and regulate the use of the same.
- (l) Prohibit the throwing or depositing of filth, garbage or other offensive matter in any street, alley, park or public square; provide for the suitable collection and disposition of such matter, and for cleaning and keeping clean the streets, alleys, parks and other public places of the municipality.
- (m) Regulate the keeping and use of animals, in so far as the same affects the public health and the health of domestic animals.
- (n) Require any land or building which is in an unsanitary condition to be cleansed at the expense of the owner or tenant, and, upon failure to comply with such an order, have the work done and assess the expense upon the land or building.
- (o) Construct and keep in repair public drains, sewers and cesspools, and regulate the construction and use of private water-closets, privies, sewers, drains and cesspools.
- (p) Prohibit the burial of the dead within the centers of population of the municipality, and provide for their burial in such proper place and in such manner as the council may determine.
- (q) Establish or authorize the establishment of slaughterhouses and markets, and inspect and regulate the use of the same.
- (r) Provide for and regulate the inspection of meat, fruits, poultry, milk, fish, vegetables and all other articles of food.
- (s) Adopt such other measures to prevent the introduction and spread of disease as may, from time to time, be deemed desirable or necessary.
- (t) Establish, regulate and maintain a police department.
- (u) Provide against the evils of gambling, gambling houses and disorderly houses of whatsoever sort.
- (v) Provide for the closing of opium joints, and prohibit and punish the keeping or visiting of any place where opium is smoked or sold for the purpose of smoking.
- (w) Provide for the punishment of mendicants, common prostitutes or habitual disturbers of the peace.
- (x) Prohibit and punish intoxication, fighting and all disorderly conduct.
- (y) Provide for the arrest, trial, fining and putting to work on the streets or elsewhere of all persons known to be vagrants, and of persons found within the town without legitimate business or visible means of support.
- (z) Restrain riots, disturbances or disorderly assemblages.
- (aa) Regulate or prohibit the running at large of domestic animals within the limits of the municipality.
- (bb) Prohibit and provide for the punishment of cruelty to animals.
- (cc) Provide for inspection of weights and measures, and enforce the keeping of proper weights and measures by vendors, but without the power to exact fees for such inspection.

(*dd*) Fix penalties for violation of ordinances, but no single penalty shall exceed a fine of 200 pesos, or imprisonment for six months, or both; imprisonment shall be imposed in lieu of unpaid fines at the rate of one day's imprisonment for each peso of the fine. An appeal shall lie to the court of first instance, next to be held within the province, in all cases where the judgment shall be for a fine exceeding fifteen pesos, or for imprisonment exceeding fifteen days; and it shall be the duty of the Provincial Fiscal to appear for and represent the prosecution in such appeal cases. Pending the appeal the defendant shall remain in custody unless released upon sufficient bail, in accordance with the general provisions of law, to await the judgment of the appellate court.

(*ee*) Establish, maintain and regulate municipal prisons.

(*ff*) Establish and maintain schools.

(*gg*) Establish a post-office and provide for the collection and delivery of mails; but such regulations must be in harmony with the postal service and rules established by the general government.

(*hh*) Provide by ordinance for the levy of taxes for municipal purposes, within the limitations of law, as hereinafter provided in section 43.

(*ii*) License and regulate the selling, giving away or disposing in any manner of any intoxicating, malt, vinous, mixed or fermented liquors, at retail, in quantities of not more than five gallons, and determine the amount to be paid for such licenses, subject to such limitations of general law as may hereafter be enacted.

(*jj*) Make such ordinances and regulations, not repugnant to law, as may be necessary to carry into effect and discharge the powers and duties conferred by this act, and such as shall seem necessary and proper to provide for the health and safety, promote the prosperity, improve the morals, peace, good order, comfort and convenience of the municipality and the inhabitants thereof, and for the protection of property therein; and enforce obedience thereto with such lawful fines or penalties as the Municipal Council may prescribe under the provisions of paragraph (*dd*), of this section.

SEC. 40. The Municipal Council is *empowered*:

(*a*) To order the suspension or removal at any time, for cause, of any non-elective officer, provided that a two-thirds vote of all the members shall be required for such removal.

(*b*) To make such provisions for the care of the poor, the sick or those of unsound mind as it may deem necessary.

(*c*) To purchase, receive, hold, sell, lease, convey and dispose of property, real and personal, for the benefit of the municipality, provided that the express authorization of the Provincial Governor shall be necessary to alienate or constitute any lien upon any real property of the municipality.

(*d*) To employ a lawyer or lawyers when necessary in order to defend the interests of the municipality; but ordinary legal questions shall be submitted to the Provincial Fiscal who shall answer the same in writing free of charge.

(*e*) To provide for the erection of markets, public stables, public bathing establishments, wharves and municipal cemeteries and for the establishment of ferries; and to fix reasonable fees for the use of the same.

(*f*) To provide for the establishment and maintenance of special

and professional institutions of learning other than primary schools, and to charge and collect matriculation and tuition fees.

(g) To construct and maintain waterworks for the purpose of supplying the inhabitants of the town with water, and control the use of said water and of water-courses within the town.

(h) To name streets, avenues and other public places, or change the names thereof.

(i) To license, tax, regulate or prohibit the keeping of dogs and authorize the killing of the same when at large contrary to ordinance.

(j) To license, tax or prohibit cock-fighting and the keeping or training of fighting-cocks and to license, tax or close cock-pits.

(k) To license public carriages, carts and hearses kept for hire; cafés, restaurants, hotels, inns and lodging-houses; billiard-tables, theatrical performances, horse-races and circuses.

SEC. 41. Questions which may arise relative to the constitution or attributes of the municipal government shall be submitted to the Provincial Fiscal for decision.

CHAPTER V.

TAXATION AND FINANCE.

SEC. 42. Taxation shall be just and in each municipality uniform.

SEC. 43. The revenues of the municipality shall be devoted exclusively to local public purposes. They shall be derived from the following sources *only*:

(a) An *ad valorem* tax on all lands, buildings and improvements in the municipality, except land or buildings owned by the United States of America, the Central Government of the Philippine Islands, any Departmental or Provincial Government in said islands, or by the municipality, to be levied against the owner or owners thereof, or, in case of doubt or dispute as to ownership, against the possessors thereof, by ordinance duly adopted by the Council; which tax shall not be less than one-fourth of one per centum and not more than one-half of one per centum of the value of said lands, buildings and improvements as assessed in accordance with law. *Provided*, that upon application to the Board of Assessors by the owner of any agricultural land and upon satisfactory evidence that he was not in arms against the authority of the United States in these Islands after April 1, 1901, or was not giving aid and comfort to those so in arms after said date, his land may be exempted from taxation by said Board, with the concurrence of the Board of Tax Appeals, to whom the application and all the evidence shall be submitted for its consideration, for one year after the time when such tax may be first levied under this act, if it shall appear that such land has not yielded a crop between January 1, 1901, and March 1, 1902, for the reason that the owner of the land has really been prevented from cultivating the land because of war and its necessary consequences.

(b) The proceeds of at least one-fourth of one per centum of the lands and improvements as assessed shall be devoted exclusively to the support of free public primary schools and the providing or erection of suitable school buildings. The Municipal Council shall have discretion to expend the remaining one-fourth of one per centum, or so much

thereof as they shall deem wise to levy, for any lawful municipal purpose herein provided.

(c) The granting of the privilege of fisheries.

(d) Fees for the issuing of certificates of ownership of large cattle and of transfer of title in the same.

(e) Rents and profits from all property belong to the municipality, tolls from ferries, municipal stables, markets, slaughter-houses, public bath-houses and cemeteries belonging to the municipality.

(f) Rentals for the privilege of establishing and maintaining the same.

(g) Fees for tuition in institutions of instruction other than primary schools founded and maintained by the municipality; but nothing herein shall require the charging of such fees.

(h) Licenses for billiard-tables, theatrical performances, horse-races and circuses; for the selling at retail in quantities of not more than five gallons of any intoxicating, malt, vinous, mixed or fermented liquors; for the keeping of dogs; for cock-pits, cock-fighting or the keeping or training of fighting-cocks; for public carriages, carts or hearses kept for hire; and for cafés, restaurants, hotels, inns and lodging-houses; in accordance with the provisions of section 39, sub-section (i) and section 40, sub-sections (i) (j) and (k).

(i) Municipal fines.

(j) An annual tax, hereby imposed for the purpose of protecting the roads of the municipality and the province from destruction, of three dollars (\$3.00) Mexican upon each draft-cart the wheels of which have tires less than two inches and a half in width, and an annual tax of two dollars (\$2.00) Mexican upon each cart the wheels of which are rigid with the axles to which they are attached, and an annual tax of five dollars (\$5.00) Mexican upon each cart having both such tires and axles, all to be collected by the Provincial Treasurer in the usual manner. One-half the proceeds of such taxes shall be paid into the municipal treasury and one-half shall be paid into the provincial treasury.

SEC. 44. It shall not be in the power of the Municipal Council to impose a tax in any form whatever upon goods and merchandise carried into the municipality, or out of the same, and any attempt to impose an import or export tax upon such goods in the guise of an unreasonable charge for wharfage, use of bridges or otherwise, shall be void.

SEC. 45. All taxes, licenses, and fees imposed by the Council shall be fixed by ordinance and may be changed from year to year, as the council may deem proper.

SEC. 46. The Municipal Treasurer, during the first fifteen days of January of each year, shall prepare in duplicate itemized statements of the income and disbursements for the preceding calendar year, one copy of which shall be transmitted to the Provincial Treasurer and the other to the Council. He shall produce to the Council his books and receipts, together with the stubs of the receipts issued by him and the warrants on which he has made disbursements. The Council shall carefully audit these accounts, comparing the statement of income with the duplicate receipts and the statement of disbursements with the warrants. If the amounts are found to be correct they will be attested by the members of the Council. Should any member not be in favor

of approving them or any item thereof, he will endorse his disapproval in writing thereon, specifying the item or items objected to and the reasons for his objections. A certified copy of the statement, with the signatures thereto and the endorsements thereon, shall be immediately forwarded to the Provincial Treasurer, who, if he thinks that judicial proceedings should be begun against either the Municipal Treasurer or the Council, or any member thereof, for the unlawful expenditure of money of the municipality, shall, on behalf of the municipality, through the Provincial Fiscal, begin proceedings to recover the same.

SEC. 47. (a) During the month of January of each year, the Council shall prepare in duplicate a report giving:

(b) An inventory of all buildings, lands and other property, real and personal, belonging to the municipality.

(c) An itemized estimate of the revenues of the municipality from all sources during the current year, with a statement opposite each item of the amount realized from that source during the last preceding year.

(d) An itemized estimate of the ordinary expenses of the municipality for the current year, with a statement opposite each item of the corresponding expenses for the last preceding year. The estimated ordinary expenses shall not exceed the estimated resources. This estimate shall include a statement of outstanding indebtedness, if such exists.

(e) An estimate of such extraordinary expenditures, if any, as may be required through unusual necessity or to make permanent improvements. Such estimate shall state the approximate total expenditures by reason of such necessity or improvement, the amount which it is expected to expend during the current year, and the source or sources from which it is proposed to secure the necessary funds; also an itemized statement of extraordinary expenditures for the last preceding calendar year. The report hereinbefore provided for shall be in such form as may be prescribed by the Provincial Treasurer.

(f) Such report, when approved, shall be attested by the President and Municipal Secretary and shall be forwarded in duplicate to the Provincial Treasurer for his action. If the Provincial Treasurer shall, upon consideration, find that the taxes levied will produce the estimated revenue and that the actual expenditures provided for in the report will not exceed in the aggregate the estimate thereof, then he shall approve the same and shall forward one of the copies of the report, with his approval endorsed thereon, to the President, to serve as a guide to the municipality in the administration of its finances. If, after the Provincial Treasurer shall have begun the collection of taxes, he finds that the amount to be actually collected will fall short of the estimate, he shall certify this fact to the Council, with a statement of the probable shortage, and it shall be the duty of the Council to reduce its subsequent expenditures so as to bring their aggregate within the available income as reported by him.

(g) Expenses not provided for in the annual estimate can only be incurred and paid upon authorization by the Provincial Treasurer at the request of the Municipal Council.

SEC. 48. Taxes, imposts and all other revenues of the municipality shall not be leased or farmed by the Municipal Council, but shall be collected by the Provincial Treasurer, or his authorized deputies, as hereinafter provided.

CHAPTER VI.

ASSESSMENT.

SEC. 49. (a) The real estate of the municipality shall be valued and assessed for taxation by a Board, to consist of the President, the Municipal Treasurer and a specially authorized deputy of the Provincial Treasurer, which board shall be known as the Municipal Board of Assessors. The President of the municipality shall be president of the Board of Assessors, and the Municipal Secretary shall be its secretary. The place of meeting of the Board, except when viewing land to be valued, shall be the office of the Municipal Secretary.

(b) All questions presented to the Board for its determination shall be decided by a majority vote.

SEC. 50. (a) Before entering upon their duties and the organization of the Board, the members shall take and subscribe an oath before the Municipal Secretary, who is hereby given authority to take oaths for this purpose, in the following words:

I, -----, do solemnly swear (or affirm) that I will appraise all the real property subject to taxation in the municipality of ----- so far as required by law, at its true value in money, and will set the same in the tax list of said municipality, at its true value in money, and will faithfully discharge all the duties imposed upon me by law, so help me God. (Last four words to be omitted in case of affirmation.) (Signature of Assessor.)

Sworn and subscribed to before me this ----- day of -----, 1900.

(Signature of Municipal Secretary.)

(b) Such oath, when subscribed, shall be filed with the Municipal Secretary, who shall record the entire oath and certificate upon the records of the Board.

SEC. 51. It shall be the duty of every owner of real estate in the municipality to prepare, or cause to be prepared, a statement of the amount of land and improvements thereon which he owns within the municipality, and a description sufficient in detail to enable the Board of Assessors to identify the same on examination. He shall subscribe the statement and verify the same on oath before the Municipal Secretary, who is hereby authorized to administer such oath. The statement shall be filed with the secretary of the Board of Assessors within two weeks after the organization of the Board.

SEC. 52. On the first day of September, 1901, the Board of Assessors shall meet, take the oath of office and organize, and shall proceed to make a list of all the taxable real estate in the municipality by barrios. The names of the owners in each barrio shall be arranged alphabetically, with a brief description opposite to their names of the property owned by them. In making this list the Board of Assessors shall take into consideration the sworn statements by the owners of the property in the municipality, hereinbefore required to be filed, but shall not be prevented thereby from considering other evidence on the subject. For the purpose of completing this list, the Board is authorized to summon witnesses, administer oaths to them and subject them to examination concerning the ownership and amount of real estate in each barrio. It shall be the duty of the Board, so far as is necessary, to examine the records of the office of the Provincial Registrar showing the ownership of real estate in the municipality.

SEC. 53. If the Board of Assessors shall find parcels of land within the municipality subject to taxation, the owner or owners of which cannot be discovered after a proper investigation, it shall be the duty of the Board to list the same for taxation, charging the taxes as against an unknown owner and describing, with sufficient accuracy, the property thus listed.

SEC. 54. (a) After having completed the list, the Board shall proceed to assess the value of each separate parcel of real estate, and the improvements thereon, if any, at their true value in money; and, where it shall appear that there are separate owners of the land and of the improvements, a separate assessment of the property of each shall be made.

(b) The values so fixed shall be placed upon the tax list opposite the names of the owners and the descriptions of the property taxed.

SEC. 55. If it shall be discovered by the Board or brought to their attention, or to the attention of any member thereof, that any taxable real estate in the municipality has escaped listing, it shall be the duty of the Board at once to list and value the same and charge against the owner thereof the taxes due for the current year and for all other years since the original assessment under this chapter was made by the Board, and the taxes thus assessed shall be legal and collectible by all the remedies herein provided, and penalties and interest shall be added to the back taxes as if the same had been assessed at the time when they should have been assessed.

SEC. 56. The Board of Assessors shall complete their listing and valuation of real property situated within the municipality on or before January 31, 1902, and, when completed, shall authenticate the same by signing the following certificate at the foot of the list:

“We hereby certify that the foregoing list contains a true statement of the aggregate amount of the taxable real estate belonging to each person named in the list, according to the best of our knowledge and belief.”

SEC. 57. When the list shall be completed in accordance with the foregoing section, it shall be filed in the office of the secretary of the Board and the Board of Assessors shall, by notice posted at the main entrance of the municipal building and by a notice posted in a public and conspicuous place in each barrio of the municipality, inform the public that the list has been completed and is on file in the office of the secretary of the Board and may be examined by any person interested therein, and that, upon a day, at least ten days after the posting of said notice, the Board will be in session for the purpose of hearing complaints as to the accuracy of the listing of the property and a proper valuation thereof. After such notices have been posted the secretary shall certify to the fact of posting upon the records, which shall be deemed *prima facie* evidence thereof. At the day fixed in the posted notice, the Board shall meet and hear all complaints then or theretofore filed by persons against whom taxes have been assessed as owners of real estate, and shall make and enter the decision on its minutes; and, if the Board shall determine that injustice has been done or errors have been committed, it shall have authority to amend the list in accordance with its findings.

SEC. 58. In case any complainant before the Board of Assessors shall feel aggrieved by its decision, he may, within ten days after the entry of the decision upon the minutes, appeal to a Board of Tax Appeals

hereinafter provided for. He shall perfect his appeal by filing a written notice of the same with the Board of Assessors, and it shall be the duty of the secretary of said Board forthwith to transmit the appeal to the Board of Tax Appeals, with all written evidence in the possession of the Board relating to said assessment and valuation.

SEC. 59. (a). The Provincial Board shall constitute the Board of Tax Appeals.

(b). The Provincial Governor shall be the chairman of this Board and the Provincial Secretary shall be the secretary and shall keep the records of its proceedings.

SEC. 60. (a). Before organizing as such, the members of the Board of Tax Appeals shall take the following oath before a justice of the peace in and for the province:

I do solemnly swear (or affirm) that I will well and truly hear and determine all matters and issues between tax-payers and the Municipal Board of Assessors submitted for my decision, so help me God. (In case of affirmation, the last four words shall be stricken out.)

(Signature of member of the board.)

Subscribed and sworn to before me, this day of, 19... (Signature of justice of the peace.)

(b). The oath of each member shall be recorded by the secretary of the Board in the minutes of its proceedings and filed in the office of the Provincial Secretary.

SEC. 61. The Board of Tax Appeals shall hear all appeals duly transmitted to them, and shall decide the same within fifteen days after the expiration of the time limited for the filing of appeals. They shall have authority to cause to be amended the listing and valuation of the property in respect to which the complaint is made, by order signed by the Board, or a majority thereof, and transmitted to the Municipal Board of Assessors, which shall amend the tax list in conformity with said order.

SEC. 62. There shall be exempted from taxation burying grounds, churches and their adjacent parsonages or conventos, and lands and buildings used exclusively for religious, charitable, scientific or educational purposes, and not for private profit; but such exemption shall not extend to lands or buildings held for investment, though the income therefrom be devoted to religious, charitable, scientific or educational purposes.

SEC. 63. The Board of Assessors shall meet, after ten days' notice posted at the main entrance of the municipal building and in a public and conspicuous place in each barrio, for three days in the month of December in each year, to add to the list of real property of the municipality the value of the improvements placed upon such property during the year preceding, and to reduce the assessment against any taxpayer whose improvements, already assessed, have been destroyed during the preceding year, and for the addition to the list of any property which is taxable and which has theretofore escaped taxation.

SEC. 64. The assessment first made after the organization of the town, as amended from time to time, shall continue in force for the period of five years, unless an earlier provision is made by law for another general assessment.

SEC. 65. (a). All licenses and privilege taxes shall be paid before the licensee or taxpayer shall begin the business or enjoyment of the privi-

lege for which the license or tax is imposed by the ordinance of the Council.

(b). All licenses and privilege taxes shall terminate on the 31st of May of each year, and anyone beginning a business or exercising a privilege upon which a tax is levied by the Council after the 31st of May shall be required, before beginning such business or exercising such privilege, to pay the license or tax for the part of the year which remains, to and including the 31st of May following.

(c). An addition to the tax or license, in the nature of a penalty amounting to twenty (20) per centum of the original tax or license, to be collected and accounted for by the Provincial Treasurer in the same manner as the original tax or license, shall be imposed for a failure to pay tax or license when due.

SEC. 66. It shall be the duty of the Provincial Treasurer to keep a record, open to public inspection, of the names of all the persons paying licenses or privilege taxes, arranged alphabetically.

SEC. 67. Within ten days after the passage of the ordinance by the council for the payment of licenses or privilege taxes, the President and Municipal Treasurer shall prepare a list of the names of the persons whose business, if continued, would render them liable to the license or tax, and they shall transmit such list at once to the Provincial Treasurer. to enable him more readily to detect persons failing to pay the licenses and privilege taxes for which they shall have become liable.

SEC. 68. The Council shall provide that any person conducting a business or enjoying a privilege without paying the tax required by its ordinances, shall be punished by fine and imprisonment, after trial and conviction before the President, as in other cases under the limitations prescribed in sub-section (*dd*) of section 39.

CHAPTER VII.

COLLECTION.

SEC. 69. Taxes, imposts and all other revenues of the municipality shall not be leased or farmed by the Municipal Council, but shall be collected by the Provincial Treasurer, or his authorized deputies, or by the Municipal Treasurer, as hereinafter provided.

SEC. 70. When collected, the taxes, imposts and other revenues of the municipality shall be turned over by the Provincial Treasurer or his deputies, within one week of the date of collection, to the Municipal Treasurer, together with an itemized statement showing the persons from whom such taxes, imposts and revenues have been collected, the respective amounts of the same and the nature of the tax, impost or liability on account of which such amounts have been collected, except that it shall be sufficient for the Provincial Treasurer or his deputy to pay over to the Municipal Treasurer all amounts received by the Provincial Treasurer or his deputy for taxes and imposts during the three weeks fixed by his proclamation for payment of annual taxes, as provided in section 74, within one week after the close of that period.

SEC. 71. (*a*). In case the Provincial Treasurer shall fail to pay over to the Municipal Treasurer the amount collected by him, or which should have been collected as required by this act, the municipality

shall at once proceed, through the Provincial Fiscal, by action against the Provincial Treasurer upon his official bond, which by law he shall be required to give before entering upon the duties of his office, to recover the amount thus in default.

(b). At the termination of the period of collection as fixed by this act, the Provincial Treasurer shall return to the Municipal Council an account of those taxes that could not be collected, and such Treasurer will not be held liable for the uncollected portion, unless because of negligence or bad faith on his part or on the part of his deputy or deputies.

(c) The proceedings under (a) and (b) shall not prevent criminal prosecution for such default where the Penal Code and the circumstances justify it.

SEC. 72. It shall be the duty of the Provincial Treasurer to be present in the municipality himself or by deputy for at least two days every month during the year, prepared to receive payment of all revenues due to the municipality from any source whatever, except fines, as provided in Section 18, sub-section (h), tolls from ferries operated by the municipality and market-fees, the daily receipts from which shall be collected by the Municipal Treasurer in the manner prescribed by ordinance of the Council. The Provincial Treasurer or his deputy shall give receipts for the same, showing the date of payment, the name of the person paying, the amount of payment and on what account collected. He shall give notice to the President of the coming of himself or deputy, one week before the monthly visit of himself or deputy to the municipality, and the President shall cause the same to be posted at the main entrance of the municipal building and in a public and conspicuous place in each barrio.

SEC. 73. It shall be the duty of the municipality to furnish to the Provincial Treasurer an office in the municipal building where taxes can be conveniently paid and collected.

SEC. 74. Annual taxes due the municipality shall be payable at such times within the three months ending on May 31st of each year as shall be fixed by the Provincial Treasurer by proclamation posted at the main entrance of the municipal building and also at a public and conspicuous place in each barrio. Taxes shall be due and payable at the office of the Provincial Treasurer in the municipality, and shall be collected by him or his deputy, on every day except Sunday, during the usual business hours, for the three weeks described in said proclamation by fixing the opening and closing days; and a failure to pay the same within the period of three weeks thus specified shall subject the delinquent tax-payer to the penalty of an additional tax of fifteen (15) per centum of the amount of the original tax due, to be collected at the same time and in the same manner as the original tax, and the proclamation shall so announce. The penalty shall be accounted for by the collecting officer in the same manner as the tax. The Provincial Treasurer shall fix the time of collection in the municipality with a view to economy in the administration and discharge of his duties and the convenience of the tax-payers of the municipality.

SEC. 75. Fifteen days after the tax shall become delinquent, the Provincial Treasurer or his deputy shall prepare and sign a certified copy of the records of his office, showing the persons delinquent in payment of their taxes and the amounts of tax penalty respectively due from them. He shall proceed at once to seize the personal property

of each delinquent, and, unless redeemed as hereinafter provided, to sell at public auction, either at the main entrance of the municipal building or at the place where such property is seized, as the Provincial Treasurer or his deputy shall determine, so much of the same as shall satisfy the tax, penalty and costs of seizure and sale, to the highest bidder for cash, after due advertisement by notice posted for ten days at the main entrance of the municipal building and at a public and conspicuous place in the barrio where the property was seized, stating the time, place and cause of sale. The certified copy of the Provincial Treasurer's record of delinquents, attested by the Municipal Secretary, shall be his warrant for his proceedings, and the purchaser at such sale shall acquire an indefeasible title to the property sold. Within two days after the sale, the Provincial Treasurer or his deputy shall make return of his proceedings and spread it upon his records, which shall also be attested by the Municipal Secretary. Any surplus resulting from the sale, over and above the tax, penalty and costs, shall be returned to the taxpayer on account of whose delinquency the sale has been made.

SEC. 76. The owner of the personal property seized may redeem the same from the collecting officer at any time after seizure and before sale by tendering to him the amount of the tax, the penalty and the costs incurred up to the time of tender. The costs to be charged in making such seizure and sale shall only embrace the actual expense of seizure and preservation of the property pending the sale, and no charge shall be imposed for the services of the collecting officer or his deputy.

SEC. 77. Taxes and penalties assessed against realty shall constitute a lien thereon, which lien shall be superior to all other liens, mortgages or incumbrances of any kind whatsoever; shall be enforceable against the property whether in the possession of the delinquent or any subsequent owner, and can only be removed by the payment of the tax and penalty, with interest on both at the rate of six per centum per annum from the date of the delinquency.

SEC. 78. In the event that the Provincial Treasurer or his deputy shall be unable to find sufficient personal property of the delinquent out of which to make all the taxes assessed against him upon his real estate, due either to the municipality, the Provincial Government or the Central Government, or, if the delinquent be unknown, the Provincial Treasurer or his deputy shall, upon the warrant of the certified record required in Section 75, within twenty days after delinquency, advertise the real estate of the delinquent for sale, or so much thereof as may be necessary to satisfy all public taxes upon said property as above and costs of sale, for a period of thirty days. The advertisement shall be by posting a notice at the main entrance of the municipal building and in a public and conspicuous place in the barrio in which the real estate lies, and by publication once a week for three weeks in a newspaper of general circulation published in said province, if any there be. The advertisement shall contain a statement of the amount of the taxes and penalties so due and the time and place of sale, the name of the tax-payer against whom the taxes are levied, and a short description of the land to be sold. At any time before the day fixed for the sale, the tax-payer may discontinue all proceedings by paying the taxes, penalties and interest to the Provincial Treasurer or his deputy. If he does not do so, the sale shall proceed and shall be held

either at the main entrance of the municipal building or on the premises to be sold, as the Provincial Treasurer or his deputy may determine. Within five days after the sale the Provincial Treasurer or his deputy shall make return of the proceedings and spread it on his records, which shall be attested by the Municipal Secretary. The purchaser at the sale shall receive a certificate from the Provincial Treasurer or his deputy, from his record, showing the proceedings of the sale, describing the property sold, stating the name of the purchaser and setting out the exact amount of all public taxes, penalties and interest.

SEC. 79. Within one year from the date of sale, the delinquent taxpayer, or anyone for him, shall have the right of paying to the Provincial Treasurer, or any authorized deputy, the amount of the public taxes, penalties and interest thereon from the date of delinquency to the date of sale, together with interest on said purchase price at the rate of fifteen per centum per annum from the date of purchase to the date of redemption; and such payment shall entitle the person paying to the delivery of the certificate issued to the purchaser and a certificate from the Provincial Treasurer that he has thus redeemed the land, and the Provincial Treasurer shall forthwith pay over to the purchaser the amount by which such land has thus been redeemed, and the land thereafter shall be free from the lien of such taxes and penalties.

SEC. 80. In case the tax-payer shall not redeem the land sold as above provided within one year from the date of sale, the Provincial Treasurer, or his deputy, in the name of such Treasurer, shall, as grantor, execute a deed in form and effect sufficient under the laws of the islands to convey to the purchaser so much of the land against which the taxes have been assessed as has been sold, free from all liens of any kind whatsoever and the deed shall succinctly recite all the proceedings upon which the validity of the sale depends.

SEC. 81. In case there is no bidder at the public sale of such land who offers a sum sufficient to pay the taxes, penalties and costs, the Provincial Treasurer or his deputy shall declare the land forfeited to the municipality, and shall make, within two days thereafter, a return of his proceedings and the forfeiture, which shall be spread upon the records of his office, and attested by the Municipal Secretary.

SEC. 82. Within one year from the date of such forfeiture thus declared, the tax-payer, or anyone for him, may redeem said land, as above provided in cases where the land is sold. But, if the land is not thus redeemed within the year, the forfeiture shall become absolute and the Provincial Treasurer or his deputy shall execute a deed, similar in form and having the same effect as the deed required to be made by him in case of a sale, conveying the land to the municipality. The deed shall be recorded as required by law for other land titles and shall be filed with the Municipal Treasurer, who shall enter it in his record of municipal property.

SEC. 83. The assessment of a tax shall constitute a lawful indebtedness from the tax-payer to the municipality, which may be enforced by a civil action in any court of competent jurisdiction, and this remedy shall be in addition to all the other remedies provided by law.

SEC. 84. No court shall entertain any suit assailing the validity of a tax assessed under this act until the tax-payer shall have paid, under protest, the taxes assessed against him, nor shall any court declare any tax invalid by reason of irregularities or informalities in the proceed-

ings of the officers charged with the assessment or collection of the taxes, or of a failure to perform their duties within the times herein specified for their performance, unless such irregularities, informalities or failures shall have impaired the substantial rights of the taxpayer; nor shall any court declare any tax assessed under the provisions of this act invalid except upon condition that the tax-payer shall pay the just amount of his tax, as determined by the court in the pending proceeding.

SEC. 85. No court shall entertain any suit assailing the validity of a tax sale of land under this act until the tax-payer shall have paid into court the amount for which the land was sold, together with interest at the rate of fifteen per centum per annum upon that sum from the date of sale to the time of instituting suit. The money so paid into court shall belong to the purchaser at the tax sale if the deed is declared invalid, and shall be returned to the depositor should he fail in his action.

SEC. 86. No court shall declare any such sale invalid by reason of any irregularities or informalities in the proceedings of the officer charged with the duty of making the sale or by reason of failure by him to perform his duties within the time herein specified for their performance, unless such irregularities, informalities, or failures shall have impaired the substantial rights of the tax-payer.

SEC. 87. Any officer charged with the duty of assessing real property, who shall willfully omit from the tax lists real property which he knows to be lawfully taxable, shall be guilty of a misdemeanor and punishable by a fine not exceeding one thousand (1,000) pesos, or imprisonment not exceeding two (2) years, or both, in the discretion of the court.

SEC. 88. Any officer charged with the duty of listing or collecting license or privilege taxes, who shall willfully omit to list or collect the same or any part thereof, shall be guilty of a misdemeanor and subject to the penalties provided in section 87.

SEC. 89. Any officer charged with any duty in connection with the assessment or collection of taxes, who shall accept a bribe to influence his official action therein, shall be guilty of a misdemeanor and subject to the penalties provided in section 87.

SEC. 90. Any person offering a bribe to an officer charged with any duty in connection with assessing or collecting taxes, for the purpose of influencing his official action, shall be guilty of a misdemeanor and subject to the penalties provided in section 87.

CHAPTER VIII.

PROVISIONAL SECTIONS.

SEC. 91. When ten or more residents of the territory of a former pueblo, which has no lawfully organized government, shall sign and file a petition with the Commission asking for the organization of a municipality under this act, the Commission shall, if it deems it wise, grant the petition by appointing the chairman of a committee of officers to effect the organization of the municipality, as hereinafter provided; but the Commission may, without a petition, appoint such a chairman for any unorganized pueblo.

SEC. 92. The chairman so appointed shall select and appoint five residents of the pueblo, having the qualifications of electors under this

act, who, with the chairman, shall constitute a Committee of Organization.

SEC. 93. The chairman shall issue a proclamation fixing the time and place of holding an election, specifying the offices to be filled, giving the number of Councilors to be allotted to the municipality pending the taking of the official census, and notifying all persons desiring to qualify as electors to appear before the Committee during the first fifteen days after the publication of the proclamation, for the purpose of taking the elector's oath, which may be administered by any member of the Committee. The proclamation shall be posted by some member of the Committee at the main entrance of the municipal building and in one public and conspicuous place in each barrio. The Committee shall prepare, publish and correct, within five days after the expiration of the time when electors are required to qualify, a list of electors having the qualifications set forth in section 6 of this act. The Committee shall preside at the election as judges thereof, and shall make due return thereof to the Military Governor and also to the Provincial Governor, if there be one, and shall canvass, declare and publish the results as prescribed in sections 9, 10, 11, 12 and 13; and the Committee shall forthwith proceed, after such declaration and publication, to administer the oath of office to the newly elected officials, as provided in section 16.

SEC. 94. The officers elected shall assume the performance of their duties under this act as soon as they have taken the oath of office.

SEC. 95. Municipalities organized before the date of this act under General Order, No. 43, issued by the Military Governor August 8, 1899, may reorganize under this act, upon the granting of a petition for such reorganization signed by a majority of all the members of the Municipal council and filed with the Commission. Should the Commission deem it wise to grant such a petition, or to order such reorganization of its own motion without petition, it will appoint the chairman of an Organization Committee. The President and Vice-President of the municipality shall be members of this Committee, and the chairman shall complete it by appointing three other duly qualified electors of the municipality. The duties of this Committee shall be identical with those prescribed for the similar committee in section 93.

SEC. 96. (a) Municipalities organized before the date of this act under General Order No. 40, issued by the Military Governor March 29, 1900, shall continue to exercise the powers conferred upon them by that order, in the manner therein prescribed, until the 1st day of April, 1901.

(b) On that date this act shall become operative in such municipalities, and the office of Municipal Attorney shall be abolished. Alcaldes and Municipal Lieutenants, elected or appointed under General Order No. 40, will continue to serve until January 1, 1903, and until their successors are duly chosen and qualified. They will be known as Presidents and Vice-Presidents respectively, and will assume the duties herein prescribed for these officers. The remaining municipal officers provided for under General Order No. 40 are identical with those provided for by this act, and shall assume the duties and hold office for the terms herein prescribed for them.

(c) The next general municipal election in towns organized under General Order No. 40 shall take place on the first Tuesday of December, 1901, and shall be for all elective municipal offices, except those

of the Councilors with the longest time to serve under General Order No. 40, who shall continue to hold office until January, 1903, and until their successors are duly chosen and qualified.

(*t*) The municipality and its officers shall thereafter exercise all the powers conferred by this act, under the limitations and in the manner herein provided.

SEC. 97. After April 1, 1901, and until March 1, 1902, one-half of the internal revenue, including revenue derived from forest products on government lands, collected in each municipality organized under this act for each month shall be paid into the municipal treasury for the uses of the municipality on or before the fifteenth day of the succeeding month.

SEC. 98. Until the present military government shall be replaced by a civil central government of these Islands, or until the Commission shall otherwise enact, the powers conferred by Section 39, sub-section (*t*) on the Municipal Council of any municipality organized under this act to provide a police force for the municipality shall be exercised only upon the approval of the Military Governor or of the Commanding Officer of the military district in which the municipality is situated; and this approval shall be necessary to the lawful appointment of members of the police force and to the arming of the same. In case the Military Governor shall deem it necessary, the police force of any such municipality shall be directly subject to the orders of the Military Governor or his authorized subordinates.

SEC. 99. In all provinces where a civil provincial government has not been established, the duties of the Provincial Governor, Provincial Secretary, Provincial Treasurer, Provincial Supervisor and Provincial Fiscal shall be performed by military officers designated by the Military Governor for these purposes; and the Military Governor shall further have power, through such subordinates as he may designate for the purpose, to inspect and investigate at any time all the official books and records of the municipalities organized in such provinces under this act. He may summarily suspend any municipal officer for inefficiency, misconduct or disloyalty to the United States; and if, upon investigation, it shall prove that the officer is inefficient or is guilty of misconduct or disloyalty, the Military Governor shall have power to remove him. Should he deem such a course necessary in the interest of public safety, he may appoint the successor of such an officer so removed; otherwise, the vacancy will be filled as hereinbefore provided in the case of permanent vacancies.

SEC. 100. In provinces where a civil form of provincial government has been established, the Military Governor shall have the power, through his subordinates, summarily to suspend any municipal officer for gross misconduct or for disloyalty to the United States. He shall, upon such suspension, report his action to the Commission, together with the reasons therefor.

CHAPTER IX.

FINAL.

SEC. 101. In provinces where a civil form of provincial government has been established, power to remove officials found to be inefficient, or to be guilty of misconduct or of disloyalty to the United States, and

to appoint the successors of all officials so removed, shall be vested in the Commission or its duly authorized agents; and the Commission may summarily suspend any municipal officer, pending investigation of his conduct; but no municipal officer shall be removed from office until he has been notified of the charges against him and has been afforded opportunity to appear before the Commission, or its agent, and present his defence. If, upon investigation, the charges against him are sustained, he shall be removed from office; otherwise, he shall be reinstated. Should the Commission deem that public safety demands such a course, it may appoint the successor of any officer so removed; otherwise, the vacancy will be filled as hereinbefore provided in the case of permanent vacancies.

SEC. 102. So many of the laws and orders in force in the Philippine Islands, or parts thereof, as are inconsistent with the provisions of this act are hereby repealed. The President of the municipality shall take preferred jurisdiction over all punishable acts mentioned in the Penal Code which are also punishable by this act.

SEC. 103. In order to secure uniformity in all records, accounts, bonds, dockets, warrants, receipts, licenses and certificates provided for in this act, the Municipal Treasurer shall purchase the necessary blank books, bonds, dockets, warrants, receipts, certificates and licenses from the Provincial Supervisor, who shall furnish them at cost.

SEC. 104. The short title of this act shall be "The Municipal Code."

SEC. 105. This act shall take effect on its passage.

Enacted January 31, 1901.

APPENDIX TO THE MUNICIPAL CODE.

[No. 82.]

For the convenience of municipal officers, the following forms, which may be used by them in making out the proclamations, notices, election returns, reports, nominations, appointments, lists, bonds and property receipts, required by the Municipal Code, are here given:

1. FORM FOR NOTICE OF MUNICIPAL ELECTIONS.

[See Section 9 (a).]

PROCLAMATION.

Pursuant to the provisions of the Municipal Code a General Municipal Election is appointed to be held at....., in the Municipality of....., Province of..... on the..... day of....., 19.... between the hours of 8 a. m. and 4 p. m., to fill the offices of

MUNICIPAL PRESIDENT,
MUNICIPAL VICE-PRESIDENT,
and..... MEMBERS OF THE MUNICIPAL COUNCIL.

In order to vote at said election, any person qualified as an Elector must personally appear before....., the Municipal Secretary, on or before the..... day of....., 190..., and take and subscribe the Elector's Oath, required by law to be taken by an Elector, before his name shall be placed upon the LIST OF QUALIFIED ELECTORS.

Done under my hand in the Municipality of....., Province of....., this..... day of....., 190..

.....
President of the Municipality of.....

Therefore, we certify the following named persons to be elected to the positions stated, they having received a plurality of the ballots cast today by qualified electors:

- to be President of the Municipality.
- to be Vice-President of the Municipality.
- to be Councilor of the Municipality.
- to be Councilor of the Municipality.
- to be Councilor of the Municipality.
- to be Councilor of the Municipality.
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- to be Councilor of the Municipality.
- to be Councilor of the Municipality.
- to be Councilor of the Municipality.
- to be Councilor of the Municipality.

Given under our hands this day of 19... , in the municipality of....., Province of

..... }
..... }
Board of Election Judges for the Municipality of..... }

..... }
..... }
Election Tellers. }

ADDITIONAL STATEMENT.

A term of three days is hereby granted in which any resident of the Municipality of..... can present to the Board of Election Judges, or the Chairman thereof, in writing, such objections as he may deem just and legal against those here declared to be elected.

..... }
..... }
Board of Election Judges for the Municipality of..... }

..... }
..... }
Election Tellers. }

4. FORM FOR BOND OF EVERY MUNICIPAL OFFICER CHARGED WITH THE CUSTODY OF MUNICIPAL FUNDS.

[See Section 17.]

BOND.

KNOW ALL MEN BY THESE PRESENTS, that we, of the Province of, of the Municipality of, as principal and as sureties, are held and firmly bond unto the Municipality of, in the sum of, dollars for which payment, well and truly to be made to the Municipality of, we bind ourselves, our heirs, executors, administrators and assigns.

WHEREAS, the said has been appointed

Now THEREFORE, the conditions of this Bond are such that, if the said shall well and faithfully perform the duties which now are, or hereafter may be required of him by law, if he shall safely keep and hold the moneys and funds given into his possession as such and shall only pay the same out for the purposes and in the manner prescribed by law and shall truly and accurately account for all such moneys, then this Bond shall be null and void, otherwise it shall remain in full force and effect.

Witness our hands this, day of, 190, Witnesses to signatures.

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5. FORM FOR NOMINATIONS OF THE PRESIDENT TO THE MUNICIPAL COUNCIL.

[See Section 18 (m).]

To the Municipal Council of:

I, , President of the Municipality of, Province of, reposing especial trust and confidence in the ABILITY, HONESTY AND INTEGRITY OF, of the Municipality of, Province of, under the authority conferred upon me by subsection m of Section 18 of the Municipal Code, hereby nominate him to your honorable body for the office of

Given under my hand and seal this day of, 19, in the Municipality of, Province of

President.

6. FORM FOR APPOINTMENT BY PRESIDENT TO A MUNICIPAL OFFICE.

[See Section 18 (1).]

KNOW ALL MEN BY THESE PRESENTS, that I,
, President of the Municipality of,
 Province of, reposing special trust and confidence in
 the ABILITY, HONESTY AND INTEGRITY OF,
 of the Municipality of, Province of,
 under the authority conferred upon me by Section
 18 (1) of the Municipal Code, by and with the advise and consent of the Municipal
 Council, do hereby appoint the said, to be
, with all the powers, privileges and emolu-
 ments thereunto appertaining, to have and to hold said office until the day
 of, 19....., and until his successor is appointed and qualified,
 unless sooner removed, as provided in the Municipal Code.

Given under my hand and seal this
 day of, 19.....,
 in the Municipality of,
 Province of,
,
 President.

By the President of the Municipality
 of,
,
 Secretary.

7. FORM FOR RECEIPT FOR PUBLIC PROPERTY.

[See Section 27.]

Province of,
 Municipality of,
 190.....

RECEIVED of, late,
 of the Municipality of, the articles hereinafter
 specified, which are the property of the Municipality, and are in the office of the

(Insert list of articles).

.....
 of the Municipality.

9. FORM FOR LIST OF TAXABLE PROPERTY IN A BARRIO, WITH
 ASSESSED VALUATION OF EACH PARCEL AND AMOUNT OF TAXES
 ASSESSED AGAINST IT.

[See Sections 53, 54, (a, b), 56 and 57.]

LIST OF TAXABLE PROPERTY

IN THE BARRIO OF

The members of the Municipal Board of Assessors for the Municipality of
, Province of,
, having taken the oath of office and organized
 as required by the Municipal Code, upon examination of the statements filed with

[No. 83.]

A GENERAL ACT for the organization of provincial governments in the Philippine Islands.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Whenever the Commission shall enact that a provincial government shall be established in any part of these Islands, describing therein the territory to be included within the jurisdiction of such government, the institution, organization and maintenance of such government, unless otherwise especially provided, shall be in accordance with the provisions of this act.

SEC. 2. Every provincial government established under this act shall be a body corporate, with power to sue and be sued, to have and use a corporate seal, to hold property, real and personal, to make contracts for labor and material needed in the construction of duly authorized public works, and to incur such other obligations as are expressly authorized by law.

SEC. 3. In every provincial government, there shall be a provincial governor, a provincial secretary, a provincial treasurer, a provincial supervisor, and a provincial fiscal. No person shall be eligible for any of these offices who is not either a citizen of the United States, a native of the Philippine Islands, or a person who, not being the subject or citizen of any other power or government, may have under and by virtue of the Treaty of Paris, acquired the political rights of a native of the Islands; or who, having taken the oath of allegiance to the United States, shall violate the same; or who shall be in arms against the United States after April 1, 1901, or shall give aid and comfort to those so in arms after such date. Nonresidence in the province, shall not render the person elected or appointed to a provincial office, ineligible; but during his incumbency he shall reside at the capital of the province. The annual salaries to be received by the above named officers in each province shall be fixed in the act extending the provisions of this act to such province.

SEC. 4. The Provincial Governor shall be selected in the following manner: On the first Monday in February of the year 1902, and of each second year thereafter, the councillors of every duly organized municipality in the province shall meet in joint convention at the capital of the province and there, after selecting a presiding officer and secretary, shall by secret ballot choose a person to be the Provincial Governor. A majority of those present and entitled to vote shall be necessary to elect. The action of the Convention shall be forwarded to the Commission by the Secretary of the Convention, after being duly certified by the Presiding Officer of the Convention and by the Secretary. The Commission shall then confirm the selection of the person named, unless it shall find that he was unfairly elected, that he is ineligible, or that there is reasonable ground to suspect his loyalty. If the Commission shall decline to confirm the person named, the Convention shall be reconvened at a time fixed by the Commission, and a second election had. If the appointment at the second election is not confirmed, then the Commission shall appoint the governor. The term of the Governor thus elected or appointed shall begin on the first Monday in March and continue for two years thereafter and until his

successor shall have been duly selected and qualified. When a provincial government is established before the date fixed for the election herein provided, the Commission shall appoint a governor of the province to hold the office until his successor is selected under this section, and has duly qualified.

SEC. 5. The Provincial Secretary, the Provincial Treasurer, the Provincial Supervisor and the Provincial Fiscal shall be appointed by the Commission to hold office during its pleasure. With the exception of the Provincial Fiscal, they shall, after March 1, 1902, be selected under the provisions and restrictions of the Civil Service Act. The Provincial Secretary shall be able to speak and write the Spanish language, and after January 1, 1906, the English language also. The Provincial Supervisor shall be a competent civil engineer and surveyor. The Provincial Fiscal shall be a regularly admitted member of the bar of the Supreme Court of the Islands, and shall be able to speak and write the Spanish language, and, after January 1, 1906, the English language also. Before the Provincial Treasurer shall qualify, he shall give a bond to the Insular Government for the benefit of whom it may concern with sufficient surety in a penal sum equal to the greatest amount of public funds from all sources which is likely to be in his custody at any one time. The amount of the bond shall be fixed and the sufficiency of the surety or sureties approved by the Commission. The bond shall be conditioned to secure the faithful performance of the duties of the office, as now or hereafter prescribed by law, and for the accounting for all public funds coming into his hands as Provincial Treasurer or into those of his authorized deputies during his incumbency, and in case of his death or removal until the statement of his accounts by the Insular Treasurer. The Insular Treasurer shall exercise general supervision over the offices of all Provincial Treasurers and whenever he thinks the bond of any Provincial Treasurer either too small in amount, or of insufficient security he shall call the attention of the Commission to the same which may then require a new or an additional bond. The bonds of the Provincial Treasurers shall after their approval, by the Commission, be filed with the Insular Treasurer who shall record the same in a book to be kept for the purpose, and shall safely keep the same.

SEC. 6. All provincial officers shall, before assuming office take and subscribe the following oath or affirmation:

"I, _____, having been——(appointed or elected "as the case may be) to the office of _____ of the Province "of _____, do hereby solemnly swear (or affirm) "that I will well and truly perform all the duties of said office; that I "will faithfully account for all moneys coming into my hands as such "officer; that I will bear true faith and allegiance to the Government "of the United States; that I take this oath without any mental reservation whatsoever. So help me God." (In case of affirmation the last four words shall be omitted).

The oaths shall be filed in the office of the Secretary of the Province.

SEC. 7. The Provincial Governor shall be the chief executive officer of the province. He shall report to the chief executive officer of the Insular government. He shall see that the laws are faithfully executed by all the officers in the province. He shall receive the Judge of First Instance when he enters the province to hold the terms of court therein, and shall provide for his protection and entertainment, charg-

ing the reasonable expenses thereof to the provincial treasury which shall not exceed three dollars a day. Such expenses of entertainment shall not be allowed when the Judge of First Instance has his usual place of residence in the capital of the province where the court is held. The Governor shall attend the Court of First Instance when in session by himself or deputy as the chief executive officer of the court and province, and shall execute such process as he shall be required to execute by law. Subject to other provisions of law, he shall have control of the local constabulary or police of the various municipalities of the province; and may, when the public interests require, temporarily withdraw from the municipality in which such police or constabulary are organized, a part thereof for use in other pueblos of the province. Upon the filing of charges or upon receiving authentic information of maladministration by any officer of a municipality of the province, he may suspend such officer, and shall immediately forward to the Commission, through the Chief Executive of the Islands, a statement of the grounds for such suspension, together with the evidence upon which he has acted, giving notice of his action to the suspended official. The Commission shall after hearing and investigation either remove the suspended officer or reinstate him. He shall preside at all meetings of the Provincial Board hereinafter constituted. He shall at least once every six months visit every municipality in the province. While in the municipality, he shall hear all complaints made against the conduct of any of its executive officers and take suitable action thereon, either by dismissing the complaints, by suspending the official and transmitting the charges to the Commission or by directing the Provincial Fiscal to bring a criminal or civil suit in the public interest against the person complained of, if the charge made involves either civil or criminal liability. Between the first and fifteenth of January of each year, he shall make a report of the conditions of the province for the year ending on the previous 31st of December to the Chief Executive of the Insular Government, recommending therein such measures, executive or legislative, as may to him seem best for the betterment of the conditions in the province. Whenever lawless violence or seditious conspiracy and disturbance of the public peace shall occur of so formidable a character as to be beyond the power of the local police of the province to suppress, it shall be the duty of the Governor to call upon the Chief Executive of the Insular Government or the military officer commanding the district in which the province lies to send troops to suppress the disturbance. The Governor shall, through a jailer and guards to be appointed by him, have custody of all prisoners held awaiting trial or duly sentenced to the provincial jail. He shall employ such deputies and assistants in discharging his duties as he may deem necessary, subject to the approval of the Board. Their salaries shall be fixed by the Governor with like approval. The number and salaries of such employés shall be reported by the Governor to the Insular Treasurer at the close of each month, who shall have power to abolish such subordinate offices or reduce salaries so as to secure economy and uniformity of expenditure in provinces of substantially the same population and resources and no increase shall be made in the number of the employés or the amount of the salaries after having been once reduced by the Insular Treasurer before his approval of the proposed increase shall have been obtained. The salaries shall be paid out of the provincial treasury.

SEC. 8. The Provincial Secretary shall attest all the official acts of the Provincial Governor under the seal of the province and shall record all those of the Governor's acts which are required by law to be recorded. He shall be the custodian of the provincial seal. He shall receive from the Provincial Governor and file in his office all reports to the Provincial Governor required by law, and shall index the same, and he shall generally act as custodian of all provincial records and documents. He shall, on demand, furnish certified copies of all public records and documents for which he may charge as personal compensation, in addition to his regular salary, the amount of 10 cts. (Mexican) per one hundred words, including the certificate. In case of a vacancy in the office of governor, or the absence of the Governor from the province, the Secretary shall discharge the duties of the Governor during such vacancy or absence or until the vacancy shall be filled as hereinafter provided.

SEC. 9. The Provincial Treasurer shall be the chief financial officer of the province. He shall in person, or by authorized deputy, supervise the appraisement and assessment of real property in all the municipalities of the province in the manner provided in The Municipal Code. Except where otherwise especially provided, he shall by himself or deputy collect all taxes imposed upon property or persons in the province, either by the municipalities of the province, the provincial government or the central government of the Islands. It shall be his duty to procure a certified copy of the tax assessment list from each municipality of the province and file the same in his office and to make an alphabetical index thereof, which list and alphabetical index shall be a public record. He shall have power to appoint as many deputies and clerks in his office as he may deem necessary, after he has obtained the approval of the Provincial Board and the Treasurer of the Philippine Islands. Such deputies and clerks shall be selected under the provisions of the Civil Service Act. He shall have authority to require a bond from each of his deputies in a penal sum equal to the largest amount of public funds of every kind such deputy is likely to have in his custody at any one time. He shall act as collector of internal revenue for the province, and as such shall report to the Collector of Internal Revenue for the Islands, and shall make such settlements and deposits as are now required by law. He shall be the custodian of the funds of the province, and shall pay no money out of the Provincial Treasury except upon warrants drawn in accordance with law, which duly endorsed by the payee named therein shall be his voucher for the payment. He shall render an account before the fifth of each month to the Provincial Board of the transactions of his office for the preceding month and shall include among other things, the amount of cash on hand at the beginning of the month, and the receipts during the month from every source, the payments during month and on what accounts and the balance of cash on hand at the close of the last day of the month. The Provincial Board shall examine such accounts and if found correct it shall so certify on the face of the account. The Provincial Treasurer shall forward one copy of the monthly account to the Insular Treasurer and another to the Auditor of the Islands. He shall prepare and forward to the Insular Treasurer a report of the transactions of his office for each fiscal year ending June 30th, with detailed accounts of receipts and expenditures on or before August 1, of each year, and shall present one copy of such report to the Provincial Board and another to the Auditor of the

Islands. It shall be the duty of the Insular Treasurer, by himself or deputy, to subject the books, papers, vouchers and cash of every Provincial Treasurer to an examination at least once a quarter and the report of the examining officer shall be made in duplicate. One copy shall be filed in the office of the Insular Treasurer, and the other shall be sent by the Insular Treasurer to the Provincial Board. The Provincial Treasurer shall deposit with the Insular Treasurer all funds collected by him on account of the Insular Government within thirty days after the collection of the same.

SEC. 10. The Provincial Supervisor shall have supervision over the construction, repair and maintenance of the roads, bridges and ferries of the province, except those within the inhabited portions of the pueblos and barrios thereof. It shall be the duty of the Supervisor, by agreement with the Presidente of each municipality in accordance with this section, to fix the territory within which the duty of repairing, constructing and maintaining roads, bridges and ferries shall fall upon the municipal government, and that in which that duty shall fall upon the provincial government, and in case of disagreement the issue shall be settled by reference to the Provincial Board hereinafter constituted, whose decision shall be final. The Provincial Supervisor shall also have charge of the construction and repair of the public buildings and offices of the provincial government, and be the custodian thereof under direction of the Provincial Board. All contracts for the construction, repair and maintenance of buildings, roads bridges or ferries shall be let by the Provincial Supervisor, with the approval of the Provincial Board and no payment, partial or final, upon any contract made for such work shall be made except upon the certificate of the Supervisor that the same is due. Before a contract is let for work, it shall be the duty of the Supervisor to prepare proper plans and specifications and to make an estimate of the cost thereof, and submit the same to the Provincial Board hereinafter constituted. It shall be the duty of the Supervisor to make monthly reports to the Provincial Board of the condition of the roads, bridges and public buildings of the province, and to recommend to it the repairs and new construction which are necessary. The Supervisor shall have power subject to the provisions of the Civil Service Act to appoint such permanent assistants, clerks and employés in his office as may be approved by the Provincial Board. The number and salaries of such employés shall be reported by the Supervisor to the Insular Treasurer, who shall have the same power to abolish any of such offices and reduce salaries of the same as in the case of the employés of the Provincial Governor. It shall be the duty of the Provincial Supervisor to see that the roads, bridges, and public buildings of the province are kept in proper repair. All stationery and office supplies of every character shall be purchased by him upon the order of the Provincial Board for the use of the provincial officers, the Court of First Instance and its officers. He shall keep a property account in which he shall charge the provincial officers with the furniture or other personal property delivered to them and held or used by them for public purposes and shall take receipts for all supplies thus delivered by him.

SEC. 11. The Provincial Fiscal shall be the attorney and legal adviser of the Provincial Government and of each of its officers, when called upon, and they may require from him written opinions. He shall represent the Provincial Government in all suits brought on its behalf

or against it in the courts of the province or in the courts of any other province. He shall be the legal adviser of the Council and President of each municipality of the province, and shall upon the request of any President or Council submit in writing his views upon any question properly arising in the discharge of their public duties. He shall in the courts of the province represent the public in all criminal cases and perform such duties with reference to the institution of all criminal prosecutions as the Code of Criminal Procedure shall require. In cases, where the interests of any municipality and of the Provincial Government are opposed, he shall act on behalf of the Provincial Government, and the Municipality shall be obliged to employ special counsel. The Attorney General shall represent the Provincial Government, except as hereinafter provided, in all suits for or against it, which shall come into the Supreme Court; but if he deems it necessary he may authorize the Provincial Fiscal to assist him in the hearing of the cause before the Supreme Court. In suits by the Government of one province against the Government of another, the Attorney General shall take no part, and the provinces engaged in the litigation shall be represented in the Supreme Court by their respective Provincial Fiscals. When any Criminal Case is appealed to the Supreme Court, the Provincial Fiscal shall forthwith make a report to the Attorney General, explaining the question of law and fact appearing therein and the conclusions of the Court; and if the Attorney General directs, the Provincial Fiscal shall appear in such criminal cases in the Supreme Court on appeal. The Attorney General shall have general supervision of all Provincial Fiscals, shall prepare rules for their guidance, may require reports from them as to the condition of the public business in the courts of their respective provinces and shall make an annual report through the Military Governor to the Commission of the conditions of the public business in litigation throughout the islands.

SEC. 12. The following officers of the Provincial Government, to-wit: the Governor, the Treasurer, and the Supervisor shall constitute the Provincial Board. The Governor shall be the presiding officer of the Board. The Provincial Secretary shall be the secretary of the Board and keep its minutes, but shall not be a member thereof.

SEC. 13. It shall be the duty of the Provincial Board:

(a) To fix the rate per centum of ad valorem taxation to be imposed upon the real estate for the province for provincial purposes within the limits hereinafter prescribed.

(b) To provide by construction or purchase or renting suitable offices for the provincial officers, and a court house containing a room or room: suitable for the holding of court and for offices for the court officers and a provincial jail in the municipality fixed by law as the capital of the province.

(c) To furnish a suitable vault or safe to the Provincial Treasurer, in which he shall keep the provincial and other public funds as long as they are in his custody, except as hereinafter provided.

(d) To order, in its discretion, the construction, repair or maintenance of roads, bridges and ferries within the portions of the province fixed under section 10 of this act as within its control on the recommendation of the Provincial Supervisor, and to approve or reject contracts for such construction and repair, and the construction and repair of Provincial buildings let by the Provincial Supervisor.

(e) To agree upon the recommendation of the Provincial Supervisor with the Provincial Board of an adjoining province on the terms within the limitations of law, upon which roads forming the boundary between the two provinces, and bridges and ferries crossing streams forming such boundary shall be constructed, repaired or maintained under the joint control of the two provincial governments.

(f) To direct, in its discretion, the bringing or defense of suits on behalf of the Provincial Government and to compromise the same upon the recommendation of the Provincial Fiscal and the approval of the Judge of First Instance for the province.

(g) To order the monthly payment of all salaries provided by law and the payment of all lawfully contracted indebtedness, by directing the issue of warrants upon the Provincial Treasurer. Every warrant shall be drawn by the Governor and countersigned by the Secretary, and shall recite the cause and purpose of drawing the same, the date of the resolution of the Board authorizing it, and the page of the minutes of the Board's proceedings in which it is recorded. Should the Provincial Treasurer deem any warrant drawn to be for an unlawful or unwarranted purpose, he may suspend payment of the warrant and refer the question to the Treasurer of the Islands, whose decision shall be mandatory upon him.

(h) To authorize the Provincial Treasurer to deposit so much of the provincial funds as may not be needed in the near future for public use in a bank of deposit of approved standing in the Islands. All interest paid on such deposit shall inure to the benefit of the Provincial Treasury and no funds shall be deposited in the bank by the Treasurer until there shall be spread upon the minutes of the Board a resolution reciting and approving the exact terms of the contract of deposit in the bank. The bank shall certify the weekly balances of provincial funds held by it to the Provincial Governor and to the Treasurer of the Islands.

(i) To levy upon the real estate of the province for provincial purposes, an annual tax of not exceeding three-eighths of one per cent. upon the value of the same as assessed in accordance with the Municipal Code. Of the three-eighths of one per cent. thus permitted to be levied, one-eighth of one per cent. shall be levied in any event only for the construction and repair of roads and bridges in the province, and even if the Board fails to levy the same, the Treasurer is required to collect it, and, when collected, it shall be used only for the purpose for which it is levied. The remaining two-eighths of one per cent., or any part thereof, may be levied in the discretion of the Board and applied to any purpose authorized by this act.

(j) To hold regular weekly meetings upon a day to be fixed by the Board, and special meetings upon the call of the Governor. The meetings of the Board shall be open to the public.

(k) To provide for the appointment of other subordinate employés under the various provincial officers and to fix their salaries, but such order of the Board shall not have effect until notice thereof shall have been given to the Treasurer of the Islands and it shall receive his approval.

(l) To adopt rules regulating the hours of employment of the subordinates in the various provincial offices.

(m) To provide a seal for the province.

SEC. 14. No contract for construction of a road, bridge, or of a

public building shall be entered into until the Provincial Treasurer shall certify that there is in the Provincial Treasury a sum sufficient to meet the estimated cost of the construction of the improvement which may be lawfully devoted to such purpose; and after such certificate shall be made and filed and the contract entered into, the Provincial Treasurer shall treat the sum thus certified as not subject to warrant except to meet the obligations of the contract.

SEC. 15. All work of repair, construction or equipment of roads or buildings involving a greater cost than five hundred dollars in money of the United States shall be let to the lowest responsible bidder, after ten days public notice of the letting by advertisement in a paper of general circulation in the province, or, if there is no such paper, by a notice posted for ten days at the main entrance to the Supervisor's office in the capital of the province. If the Provincial Board shall regard the contract to be let and the work to be done of sufficient magnitude, it may authorize the Supervisor, in addition to giving the public notices above required, to advertise for bids in a newspaper published in the city of Manila. The Supervisor is authorized to reject any or all bids, and if the bids are too high, he may recommend to the Board that he be allowed to purchase the material and hire the labor and himself supervise the work and the Board may then authorize such a course.

SEC. 16. In the supervision which the Insular Treasurer is hereinbefore enjoined to exercise over the Provincial Treasurers, he shall prepare printed rules for their guidance and shall prescribe the method in detail for the keeping of their books, the forms of receipts to be given by them for taxes and other money coming into their hands, and the forms of monthly, annual and other reports to be made by them. The books, accounts, papers and cash of Provincial Treasurers shall be at all times open to the inspection of the Insular Treasurer or the Auditor of the Islands or the duly authorized agent of either. The accounts and offices of each Provincial Treasurer shall be audited at least once a year by the Auditor for the Islands or his duly authorized agent. In case an examination by either the Insular Treasurer, the Auditor for the Islands, or the duly authorized agent of either shall disclose a defalcation of the Provincial Treasurer, it shall be the duty of the examining officer, not being the Insular Treasurer, forthwith to notify the Insular Treasurer, who shall by himself or deputy at once seize the office, the books, papers, vouchers and cash of such Provincial Treasurer and hold the same until the amount due from him shall be exactly determined by examination and a correct account stated. Upon the seizure, the sureties of the defaulting officer shall be notified forthwith by the Insular Treasurer. Suit shall be brought at once by the Provincial Fiscal to recover the amount due upon the official bond of the defaulting officer, and in such suit the account stated by the Insular Treasurer shall be *prima facie* evidence of the amount of indebtedness on the bond. Criminal proceedings shall also at once be instituted against the defaulting officer.

SEC. 17. The taxes levied by order of the Provincial Board shall be collected at the same time and in the same manner as taxes levied for municipal purposes in accordance with The Municipal Code, and the same procedure for appeals from the Board of Municipal Assessment to the Board of Tax Appeals shall be open to a tax payer, who disputes

the legality of the provincial taxes, as is afforded by The Municipal Code in respect to the municipal taxes. All the provisions of the Municipal Code for the assessment of the value of taxable property, for the enforcement of the collection of taxes and the sale of property for delinquent taxes, together with the redemption of land so sold, and the remedies therein provided for alleged unjust taxes, shall apply to the collection and enforcement of provincial taxes, including the provision for penalties, and the municipal and provincial taxes may be collected in one legal proceeding in the name of the Provincial Treasurer for the use of the municipality and the province.

SEC. 18. Until March 1, 1902, of the taxes collected under the present internal revenue and forestry laws by the Internal Revenue Collector and his deputies in the province, after January 1st, 1901 one-fourth shall be paid into the Provincial Treasury to be used for provincial purposes, and at least one-third of each one-fourth shall be devoted to the repair and construction of roads in the province. Collections derived from persons cutting timber on government land under the forestry laws shall be regarded for the purposes of this section as collected in the province where the timber is cut although actually collected at Manila or some other place. The amount due under this section to any Province shall be fixed by the Collector of Internal Revenue of the Islands after examination of the records of his office and those of the Bureau of Forestry. He shall certify the amount thus fixed to the Insular Treasurer; to the proper Provincial Treasurer; and if the money has been paid into the Insular Treasury through the Military Governor; to the Commission for the necessary appropriation. If the money has not been paid into the Insular Treasury and remains in the hands of the Provincial Treasurer as Provincial Collector of Internal Revenue, it shall be paid into the Provincial Treasury as funds of the Province.

SEC. 19. Should the Military Governor have reason to believe that any provincial officer is guilty of disloyalty, dishonesty, oppression, or misconduct in office, he may suspend him from the discharge of the duties of his office and shall report the suspension, with its grounds, to the Commission. The Commission after due notice to the suspended officer shall investigate the cause of suspension, and either remove him from office, or reinstate him as the circumstances may require; but such suspension or removal shall not prevent the institution of criminal proceedings under the Criminal Code, every Provincial officer shall be subject to prosecution for a criminal act committed by him in Courts of First Instance in the same manner as any other person.

SEC. 20. In case it should be necessary to take private property for the purpose of constructing roads or erecting public buildings, and no agreement with the owner or owners can be arrived at as to the purchase price which is satisfactory to the Board, the Board shall have power to declare that the property is needed for public uses and to institute, as provided by law, condemnation proceedings to appropriate the same for the use of the province.

SEC. 21. Vacancies in provincial offices created by removal or death shall be filled by appointment by the Commission within thirty days after the vacancy occurs. After the office of Provincial Governor shall become elective, such appointment to a vacancy in that office shall be only for the remainder of the term of the person whose death or removal causes the vacancy. In case of the death or removal of a

Provincial Treasurer, the Insular Treasurer shall at once take charge of the office, books, papers and cash of the late incumbent and forthwith notify the sureties on his official bond, state the accounts of such officer with the municipal, provincial and insular governments and make report of the same, to the Provincial Board and to the Military Governor. If there is any deficit in the balance on hand the report shall also be transmitted to the Provincial Fiscal who shall bring suit forthwith against the sureties on the bond of the late incumbent to recover the amounts shown to be due from him. The account stated by the Insular Treasurer shall be *prima facie* evidence amount of the due from such Provincial Treasurer.

SEC. 22. The short title of this act shall be "The Provincial Government Act."

SEC. 23. This act shall take effect on its passage.

Enacted, February 6, 1901.

[No. 84.]

AN ACT appropriating thirteen thousand and seven dollars (\$13,007) in Mexican money, and one hundred and thirty thousand, two hundred and ninety four dollars and ten cents (\$130,294.10), in money of the United States, to pay salaries earned and expenses incurred, not provided for in the general appropriation act for the first quarter of the year 1901.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The following sums in Mexican money are hereby appropriated out of any money in the Insular Treasury, not otherwise appropriated, to pay expenses incurred and salaries earned, not provided for in the General Appropriation Act for the First Quarter of the Year 1901, for the purposes and objects hereinafter specified:

For the District Commander of Pollok, Mindanao, for salaries and wages, five hundred and fifty-one dollars (\$551.00); for rents and repairs, one hundred and twenty dollars (\$120.00); for subsistence for prisoners, convicts and destitute citizens, ninety dollars (\$90.00); for medicines and for miscellaneous expenses, two hundred and twenty-eight dollars (\$228.00); for salary of school teacher and interpreter and for miscellaneous expenses for December, 1900, eighty dollars (\$80.00).

Total for the District Commander at Pollok, Mindanao, one thousand and sixty-nine dollars (\$1,069.00);

For the Medical Supply Depot at Cavite:

For the purchase of medical supplies for indigent sick natives at Olongapo, Subig, Pollok and Port Isabela, six hundred dollars (\$600.00).

For the Medical Supply Depot, Department of the Visayas, for maintenance of vaccine farm, seven hundred and forty-eight dollars (\$748); for salaries of natives, ninety dollars (\$90.00); for purchase of medicines, five thousand dollars (\$5,000.00).

Total for the Medical Supply Depot, Department of the Visayas, five thousand, eight hundred and thirty-eight dollars (\$5,838.00).

For the Inspector of Customs at Tacloban:

For government pier at Tacloban, five thousand, five hundred dollars (\$5,500);

Total of appropriations for all purposes in Mexican money, thirteen thousand and seven dollars (\$13,007).

SEC. 2. The following sums in money of the United States are hereby appropriated out of any money in the Insular Treasury, not otherwise appropriated, to pay expenses incurred and salaries earned, not provided for in the General Appropriation Act for the First Quarter of the Year 1901, for the purposes and objects hereinafter specified:

For the office of Provost Marshal General and departments reporting to him:

For the Quartermaster's Department of the Provost Guard:

For clothing and uniforms for the native police, two thousand, three hundred dollars (\$2,300.00); for printing for the police department, three hundred dollars (\$300.00);

Total for the Quartermaster's Department of the Provost Guard, two thousand six hundred dollars (\$2,600.00).

For the Department of Municipal Records:

For the increase of twenty-five (\$25.00) dollars per month in the salary of one interpreter of the Inferior Provost Court, seventy-five dollars (\$75.00); for the salary of a secretary for the Justice of the Peace, Intramuros, for the first quarter of the year 1901, seventy-five dollars (\$75.00);

Total for the Department of Municipal Records, one hundred and fifty dollars (\$150.00).

For the Department of Water Supply:

For the repairing of engine No. 2 at Santolan pumping station and for the installation of a new donkey engine at the same place, eight hundred dollars (\$800.00);

For installation of water on the Luneta, nine hundred and fifty-four dollars and thirty-two cents (\$954.32);

For installation of water in the Arroceros market, two hundred and sixty-eight dollars and sixty-five cents (\$268.65);

For the payment of bills contracted for and for materials and lumber used at the reservoir at the deposito, one thousand, five hundred dollars (\$1,500.00);

For the erecting of a temporary dam to raise the water at Santolan pumping station, three hundred dollars (\$300.00);

Total for the Department of Water Supply, three thousand, eight hundred and twenty-two dollars and ninety-seven cents (\$3,822.97).

For the Department of Public Works:

For the erection of a steel market at Anda and Solana streets, Intramuros, fifty-five thousand, nine hundred and fifty-seven dollars (\$55,957.00);

For the construction of a public water trough and urinal near the Bridge of Spain, one hundred and ninety-nine dollars (\$199.00);

For expense of paving the Bridge of Spain, three thousand, seven hundred and thirty dollars (\$3,730.00);

Total for the Department of Public Works, fifty-nine thousand, eight hundred and eighty-six dollars (\$59,886.00).

For the Department of Licenses and Municipal Revenue:

For the printing of new liquor license forms, one hundred dollars (\$100.00);

For the salary of one interpreter for the San Miguel and Quiapo stations, one hundred and twelve dollars and fifty cents (\$112.50); for the salary of one stenographer for the central police station, three hundred dollars (\$300.00);

To remit fine of native policeman ordered by the Provost Marshal General, twelve dollars and fifty cents (\$12.50);

Total for the Department of Native Police, four hundred and twenty-five dollars (\$425.00).

For the Department of Streets, Parks, Fire and Sanitation:

For the salary of one superintendent of the disposal of street refuse from December 20, 1900, to and including March 31, 1901, hereby authorized, five hundred dollars (\$500.00); for six cart horses, three hundred and seventy-five dollars (\$375.00);

Total for the Department of Streets, Parks, Fire and Sanitation, eight hundred and seventy-five dollars (\$875.00).

For the Department of Secret Service:

For a contingent fund, two thousand, five hundred dollars (\$2,500.00).

For the Department of Public Instruction:

For an increase in the salaries of thirty-six principals in lieu of rent, one thousand, five hundred dollars (\$1,500.00); for the wages of janitors for school buildings, seven hundred and eighty dollars (\$780.00);

Total for the Department of Public Instruction, two thousand, two hundred and eighty dollars (\$2,280.00).

For the Department of the Chief Surgeon of the Provost Guard:

For native laborers employed in hospital number 3, for November and December, 1900, sixty dollars (\$60.00).

For the Department of Inspection:

For subsistence and treatment of prisoners of war and others at the San Juan de Dios hospital, seven hundred and fifty dollars (\$750.00).

For the office of the Adjutant General of the Provost Marshal General:

For the salaries of clerks to replace soldiers now serving under the Provost Marshal General, twenty thousand, one hundred and sixty-seven dollars and fifty cents (\$20,167.50); for printing, six hundred dollars (\$600.00); for the purchasing of the necessary fuel, printing supplies and for labor at Olongapo prison, one thousand, five hundred dollars (\$1,500.00);

Total for the office of the Adjutant General of the Provost Marshal General, twenty-two thousand, two hundred and sixty-seven dollars and fifty cents (\$22,267.50).

For the Department of the Board of Health:

For printing, blank books and typewriter supplies, six hundred and twelve dollars and fifty cents. (\$612.50).

Total for the office of the Provost Marshal General and departments reporting to him, ninety-six thousand, three hundred and twenty-eight dollars and ninety-seven cents, (\$96,328.97).

For the Disbursing Quartermaster of Civil Bureaus:

For the substitution of civil clerks for enlisted soldiers heretofore employed in the Military Secretary's office, fifteen clerks, hereby authorized at a salary of twelve hundred dollars (\$1,200.00) each a year; for the employment of five stenographers at the rate of twelve hundred dollars (\$1,200.00) each a year; for one interpreter and translator at the rate of twelve hundred dollars, (\$1,200.00) a year; for seven messengers at fifty dollars (\$50.00) a month each; for one Clerk of the Board of officers on Claims at the rate of twelve hundred dollars (\$1,200.00) per year; for the quarter's salary beginning January 1, 1901, seven thousand, six hundred and fifty dollars (\$7,650); for printing for the Military Governor, Civil Commission, Forestry Bureau, Mining Bureau, Board of officers on Claims, Captain of the Port, Treasury, Military Prisons,

Department of Insurgent Records, Department of Public Instruction and Disbursing Quartermaster of Civil Bureaus for the months of October and November, 1900, four thousand, one hundred and eighty dollars and fifty-seven cents (\$4,180.57); for the payment of claim of Eusabio Zarata Tan Sam and Eusabio Tan Chanco, two hundred and seventy-three dollars and forty cents (\$273.40); for the purchase of a carromata, two horses and a set of harness for the use of the Civil Service Board, two hundred and forty-seven dollars and fifty cents (\$247.50); for the salary of a messenger of the supreme court hereby authorized for the first quarter of the year 1901, one hundred and fifty dollars (\$150); for the payment of stenographers for the Military Commission, one thousand, five hundred dollars (\$1,500); for the publication of the proclamation of the Military Governor of December 20, 1900, nine thousand, eight hundred and seventy-nine dollars and seventy cents (\$9,879.70);

Total for the Disbursing Quartermaster of Civil Bureaus, twenty three thousand, eight hundred and eighty one dollars and seventeen cents (\$23,881.17).

For the Chief Commissary of the Division of the Philippines:

For the reimbursement for subsistence of native convicts for December, 1900, one thousand, one hundred and eighty-two dollars and twenty-four cents (\$1,182.24).

For the General Superintendent of Education:

For the travelling expenses of teachers, eight hundred and three dollars and five cents (\$803.05); for the salary of a messenger, at the rate of fifty dollars (\$50.00) a month, hereby authorized; one hundred and forty-three dollars and thirty-four cents (\$143.34);

Total for the General Superintendent of Education, nine hundred and forty-six dollars and thirty-nine cents (\$946.39).

For the Collector of Customs of the Islands and of the Chief Port:

For the employment of a travelling auditor at a salary of two thousand, five hundred dollars (\$2,500.00) per year, hereby authorized, six hundred and twenty-five dollars (\$625.00); for the employment of one hundred customs guards, eighty at a salary of fifteen dollars (\$15.00) per month, and twenty at a salary of seventy-five dollars (\$75.00) per month, hereby authorized, five thousand, four hundred dollars (\$5,400.00);

Total for the Collector of Customs of the Islands and of the Chief Port, six thousand and twenty-five dollars (\$6,025.00).

For the District Commander at Isabela de Basilan:

For regular supplies, rents and repairs of buildings, salaries and wages for December, 1900, and the first quarter of the year 1901, three hundred and twenty-two dollars (\$322.00).

For the Auditor of the Philippine Islands:

For the employment of two additional clerks, at one thousand, two hundred dollars (\$1,200.00) per annum, hereby authorized; five hundred and eighty-three dollars and thirty-three cents (\$583.33).

For the Department of Sanitation of Batangas:

For the salary of the Health Officer for December, 1900, twenty-five dollars (\$25.00).

For the Collector of Internal Revenue at Iloilo:

For the employment of an Assistant Chief Clerk hereby authorized, at a salary of seventy-five dollars (\$75.00) per month, three hundred and twenty-five dollars (\$325.00).

For the Collector of Internal Revenue of the First District, Department of Southern Luzon:

For the salary of an inspector hereby authorized from July 1, 1900, to and including March 31, 1901, six hundred and seventy-five dollars (\$675.00).

Total of appropriations for all purposes in money of the United States one hundred and thirty thousand, two hundred and ninety-four dollars and ten cents (\$130,294.10).

SEC. 3. The public good requiring the speedy enactment of this Appropriation Bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the enactment of Laws," passed September 26, 1900.

SEC. 4. This act shall take effect upon its passage.

Enacted: February 9, 1901.

[No. 85.]

AN ACT extending the provisions of "the provincial government act" to the province of Pampanga.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All the provisions of an act entitled "A General Act for the Organization of Provincial Governments in the Philippine Islands," enacted February 6, 1901, shall apply to and govern the establishment of a provincial government in that territory in the Island of Luzon known as the Province of Pampanga, with such exceptions, modifications and supplementary provisions as are hereinafter contained.

SEC. 2. The compensation to be paid provincial officers of the Province of Pampanga shall be at the following rate per year, money of the United States.

For the Provincial Governor, one thousand, six hundred dollars, (\$1,600);

For the Provincial Secretary, one thousand dollars, (\$1,000);

For the Provincial Treasurer, two thousand, four hundred dollars, (\$2,400);

For the Provincial Supervisor, one thousand, eight hundred dollars, (\$1,800);

For the Provincial Fiscal, one thousand, three hundred and fifty dollars, (\$1,350).

The salary of provincial officers shall be payable monthly so that one-twelfth ($\frac{1}{12}$) of the annual salary shall be paid on the last day of each calendar month.

Each provincial officer shall be allowed his necessary and actual traveling expenses, not exceeding two dollars (\$2) per day, while absent from the capital of the province on official business. The allowance shall be made by the Provincial Board upon the certificate of the officer that the travel was necessary for the public business, and shall not be paid until the account accompanied by the resolution of the Board approving the same shall be forwarded to the Insular Treasurer and by him approved.

SEC. 3. The bond of the Provincial Treasurer shall be ten thousand dollars (\$10,000), until the first day of March, 1902, when, in view of the collection of the land tax, the Commission may require a new bond or an additional bond to cover the probable increase of the funds of which the Provincial Treasurer shall have custody at any one time. The bond to be given shall be conditioned to secure on the part of the Provincial Treasurer that he shall account for the internal revenue collections coming into his hands as Internal Revenue Collector; the taxes collected by him for each municipality; for the province; and for the Central Government. The form of the bond shall be prescribed by the Insular Treasurer. If upon the request of the Commission the Military Governor shall detail any military officer to fill a provincial office, no bond shall be required of him and no salary shall be paid him until after July 1, 1901.

SEC. 4. The Provincial Board of Pampanga shall have authority to unite with the Provincial Board of the Province of Tarlac, when constituted, and with the Manager of the Manila and Dagupan Railroad in the employment of a competent engineer or engineers to devise as economical a plan as possible for protecting the roads and agricultural lands and towns of the two provinces and the roadway and bridges of the Manila and Dagupan Railroad from the destructive effect of floods in the Tarlac River, the Bamban or Paruan River and the Rio Grande de la Pampanga by levees or other recognized means of protection against such floods. Neither province shall expend in this preliminary work a sum exceeding one thousand dollars (\$1,000). The engineer or engineers selected shall consult with the Provincial Supervisors of the two provinces and shall make a report to the Provincial Board of each province, which shall transmit the same with its recommendation, through the Military Governor, to the Commission for further enabling legislation.

SEC. 5. The presidentes or alcaldes of the municipalities of the Province shall meet on the third Monday of January, April, July and October to consider improvements needed in the province, and for the Provincial Government, and to make recommendations to the Provincial Board. The convention shall be called together by the Provincial Secretary and shall elect a chairman for each quarter's session. The Provincial Secretary shall act as secretary of the convention and shall certify its recommendations to the Provincial Board.

SEC. 6. The capital of the Province shall be, as formerly, at the town of Bacolor.

SEC. 7. This act shall take effect on its passage.

Enacted: February 13, 1901.

[No. 86.]

AN ACT extending the provisions of "the provincial government act" to the province of Pangasinan.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All the provisions of an act entitled "A General Act for the Organization of Provincial Governments in the Philippine Islands," enacted February 6, 1901, shall apply to and govern the establishment

of a provincial government in that territory in the Island of Luzon known as the Province of Pangasinan together with the four towns of Umingan, Rosales, San Quintin and Balungao, which are now a part of what is known as the Province of Nueva Ecija, which towns are now made a part of the Province of Pangasinan hereby established, with such exceptions, modifications and supplementary provisions as are hereinafter contained. It shall be the duty of the Provincial Supervisor at once to run the boundary lines of the four towns herein named for the purpose of establishing definitely and exactly the boundary lines of the Province of Pangasinan, with the four towns included, and he shall make report of his survey to the Commission to enable it to enact such further legislation with respect to the boundary line as may seem necessary.

SEC. 2. The compensation to be paid provincial officers of the Province of Pangasinan shall be at the following rate per year, money of the United States:

For the Provincial Governor, two thousand dollars (\$2,000);

For the Provincial Secretary, one thousand five hundred dollars (\$1,500);

For the Provincial Treasurer, two thousand five hundred dollars (\$2,500);

For the Provincial Supervisor, two thousand dollars (\$2,000).

For the Provincial Fiscal, one thousand five hundred dollars (\$1,500);

The salary of provincial officers shall be payable monthly so that one-twelfth ($\frac{1}{12}$) of the annual salary shall be paid on the last day of each calendar month.

Each provincial officer shall be allowed his necessary and actual traveling expenses, not exceeding two dollars and fifty cents (\$2.50) per day, while absent from the capital of the province on official business. The allowance shall be made by the Provincial Board, upon the certificate of the officer that the travel was necessary for the public business, and shall not be paid until the account, accompanied by the resolution of the Board approving the same, shall be forwarded to the Insular Treasurer and by him approved.

SEC. 3. The bond of the Provincial Treasurer shall be twenty thousand dollars (\$20,000), until the first day of March, 1902, when, in view of the collection of the land tax, the Commission may require a new bond or an additional bond to cover the probable increase of the funds of which the Provincial Treasurer shall have custody at any one time. The bond to be given shall be conditioned to secure on the part of the Provincial Treasurer that he shall account for the internal revenue collections coming into his hands as Internal Revenue Collector; the taxes collected by him for each municipality; for the Province; and for the Central Government. The form of the bond shall be prescribed by the Insular Treasurer. If, upon the request of the Commission, the Military Governor shall detail any military officer to fill a provincial office, no bond shall be required of him, and no salary shall be paid him until after July 1, 1901.

SEC. 4. The presidentes or alcaldes of the municipalities of the province shall meet on the third Monday in January, April, July and October to consider improvements needed in the province and for the Provincial Government, and to make recommendations to the Provincial Board. The convention shall be called together by the Provincial Secretary and shall elect a chairman for each quarter's session. The

Provincial Secretary shall act as Secretary of the convention, and shall certify its recommendations to the Provincial Board.

SEC. 5. The capital of the province shall be, as formerly, at the town of Lingayen.

SEC. 6. This act shall take effect on its passage.

Enacted, February 16, 1901.

[No. 87.]

AN ACT extending the provisions of "the provincial government act" to the province of Tarlac.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All the provisions of an act entitled "A General Act for the Organization of Provincial Governments in the Philippine Islands," enacted February 6, 1901, shall apply to and govern the establishment of a provincial government in that territory in the Island of Luzon known as the Province of Tarlac, with such exceptions, modifications and supplementary provisions as are hereinafter contained.

SEC. 2. The compensation to be paid provincial officers of the Province of Tarlac shall be at the following rate per year, money of the United States:

For the Provincial Governor, one thousand, five hundred dollars (\$1,500.00);

For the Provincial Secretary, one thousand dollars (\$1,000.00);

For the Provincial Treasurer, one thousand, eight hundred dollars (\$1,800.00);

For the Provincial Supervisor, one thousand, five hundred dollars (\$1,500.00);

For the Provincial Fiscal, one thousand, two hundred dollars (\$1,200.00).

The salary of the provincial officers shall be payable monthly so that one-twelfth ($\frac{1}{12}$) of the annual salary shall be paid on the last day of each calendar month.

Each provincial officer shall be allowed his necessary and actual traveling expenses, not exceeding two dollars (\$2) per day, while absent from the capital of the province on official business. The allowance shall be made by the Provincial Board upon the certificate of the officer that the travel was necessary for the public business, and shall not be paid until the account, accompanied by the resolution of the Board approving the same, shall be forwarded to the Insular Treasurer and by him approved.

SEC. 3. The bond of the Provincial Treasurer shall be seven thousand, five hundred dollars (\$7,500.00), until the first day of March, 1902, when, in view of the collection of the land tax, the Commission may require a new bond or an additional bond to cover the probable increase of the funds of which the Provincial Treasurer shall have custody at any one time. The bond to be given shall be conditioned to secure on the part of the Provincial Treasurer that he shall account for the internal revenue collections coming into his hands as Internal

Revenue Collector; the taxes collected by him for each municipality, for the Province, and for the Central Government. The form of the bond shall be prescribed by the Insular Treasurer. If, upon the request of the Commission, the Military Governor shall detail any military officer to fill a provincial office, no bond shall be required of him and no salary shall be paid him until after July 1, 1901.

SEC. 4. The Provincial Board of Tarlac shall have authority to unite with the Provincial Board of the Province of Pampanga, and with the Manager of the Manila and Dagupan Railroad in the employment of a competent engineer or engineers to devise as economical a plan as possible for protecting the roads and agricultural lands and towns of the two provinces and the roadway and bridges of the Manila and Dagupan Railroad from the destructive effect of floods in the Tarlac River, the Bamban or Paruan River and the Rio Grande de la Pampanga by levees or other recognized means of protection against such floods. Neither province shall expend in this preliminary work a sum exceeding one thousand dollars (\$1,000.00). The engineer or engineers selected shall consult with the Provincial Supervisors of the two provinces and shall make a report to the Provincial Board of each province, which shall transmit the same with its recommendations, through the Military Governor, to the Commission for further enabling legislation.

SEC. 5. The presidentes or alcaldes of the municipalities of the Province shall meet on the third Monday in January, April, July and October to consider improvements needed in the Province and for the Provincial Government, and to make recommendations to the Provincial Board. The convention shall be called together by the Provincial Secretary and shall elect a chairman for each quarter's session. The Provincial Secretary shall act as Secretary of the convention, and shall certify its recommendations to the Provincial Board.

SEC. 6. The capital of the Province shall be, as formerly, at the town of Tarlac.

SEC. 7. This act shall take effect on its passage.

Enacted, February 18, 1901.

[No. 88.]

AN ACT extending the provisions of "the provincial government act" to the province of Bulacan.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All the provisions of an act entitled "A General Act for the Organization of Provincial Governments in the Philippine Islands," enacted February 6, 1901, shall apply to and govern the establishment of a provincial government in that territory in the Island of Luzon known as the Province of Bulacan, with such exceptions, modifications and supplementary provisions as are hereinafter contained.

SEC. 2. The compensation to be paid provincial officers of the Province of Bulacan shall be at the following rate per year, in money of the United States:

For the Provincial Governor, one thousand, five hundred dollars (\$1,500.00);

For the Provincial Secretary, one thousand, one hundred and fifty dollars (\$1,150.00);

For the Provincial Treasurer, two thousand, one hundred dollars (\$2,100.00);

For the Provincial Supervisor, one thousand, seven hundred dollars (\$1,700.00);

For the Provincial Fiscal, one thousand, three hundred dollars (\$1,300.00).

The salary of provincial officers shall be payable monthly so that one-twelfth ($\frac{1}{12}$) of the annual salary shall be paid on the last day of each calendar month.

Each provincial officer shall be allowed his necessary and actual traveling expenses, not exceeding two dollars (\$2.00) per day, while absent from the capital of the province on official business. The allowance shall be made by the Provincial Board upon the certificate of the officer that the travel was necessary for the public business, and shall not be paid until the account, accompanied by the resolution of the Board approving the same, shall be forwarded to the Insular Treasurer and by him approved.

SEC. 3. The bond of the Provincial Treasurer shall be eight thousand dollars (\$8,000.00), until the first day of March, 1902, when, in view of the collection of the land tax, the Commission may require a new bond or an additional bond to cover the probable increase of the funds of which the Provincial Treasurer shall have custody at any one time. The bond to be given shall be conditioned to secure on the part of the Provincial Treasurer that he shall account for the internal revenue collections coming into his hands as Internal Revenue Collector; the taxes collected by him for each municipality; for the Province; and for the Central Government. The form of the bond shall be prescribed by the Insular Treasurer. If upon the request of the Commission, the Military Governor shall detail any military officer to fill a provincial office, no bond shall be required of him and no salary shall be paid him until July 1, 1901.

SEC. 4. The presidentes or alcaldes of the municipalities of the province shall meet on the third Monday in January, April, July and October to consider improvements needed in the Province and for the Provincial Government, and to make recommendations to the Provincial Board. The convention shall be called together by the Provincial Secretary and shall elect a chairman for each quarter's session. The Provincial Secretary shall act as Secretary of the convention, and shall certify its recommendations to the Provincial Board.

SEC. 5. The capital of the Province shall be at the town of Malolos.

SEC. 6. The Provincial Board of Bulacan shall have authority to unite with the Provincial Boards of the Provinces of Pampanga and Tarlac, and with the Manager of the Manila and Dagupan Railroad Company, in the employment of an efficient engineer or engineers to devise as economical a plan as possible for protecting the roads and agricultural lands and towns of the three Provinces, and the roadway and bridges of the Manila and Dagupan Railroad, from the destructive effect of floods in the Tarlac, Bamban and Rio Grande del Pampanga rivers, by levees or other recognized means of protection against such floods, but the expenditure by the Provincial Board of Bulacan in such joint arrangement shall be limited to one thousand dollars (\$1,000.00). The engineer or engineers selected shall consult with the

Provincial Supervisors of the three Provinces, and shall make a report to the Provincial Board of each Province, which shall transmit the same, with its recommendations, through the Military Governor, to the Commission for further enabling legislation.

SEC. 7. This act shall take effect on its passage.

Enacted, February 27, 1901.

[No. 89.]

AN ACT appropriating two thousand, eight hundred and thirty-nine dollars and thirty-one cents (\$2,839.31), in money of the United States, for the payment of sundry expenses of the provincial government of Benguet.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The following sums in money of the United States are hereby appropriated, out of any funds in the Insular Treasury not otherwise appropriated, for expenses of the provincial government of Benguet:

(a) For two typewriters, two hundred and fifty dollars (\$250.00);

(b) For stationery, constables' badges, blank-books, stamped paper, receipts, strong boxes and officials' seals, necessary to carry out the provisions of "An Act Providing for the Establishment of Local Civil Governments in the Townships of the Province of Benguet," enacted November 22, 1900, and of "An Act Providing for the Establishment of a Civil Government in the Province of Benguet," enacted November 23, 1900, and for transportation of the same, seven hundred dollars (\$700.00);

(c) For actual expenses of necessary travelling on official business by the Provincial Governor, the Provincial Secretary and the Provincial Inspector, hereby authorized, at a rate not exceeding two dollars (\$2.00), per day for each official, two hundred dollars (\$200.00);

(d) For salaries of two clerks, hereby authorized, at ten dollars (\$10.00) each per month, from January 1 to July 1, 1901, one hundred and twenty dollars (\$120.00); for salaries of two clerks, hereby authorized, at seventy-five dollars (\$75.00) each per month, from March 1 to July 1, 1901, six hundred dollars (\$600.00); for two Igorrote messengers, hereby authorized, at four dollars (\$4.00) each per month, from March 1 to July 1 1901, thirty-two dollars (\$32.00);
Total, seven hundred and fifty-two dollars (\$752.00);

(e) For rent of government offices, at thirty-seven dollars and fifty cents (\$37.50) per month, from January 1 to July 1, 1901, two hundred and twenty-five dollars (\$225.00);

(f) For the salary of the Provincial Governor from December 18, 1900, until April 1, 1901, four hundred and twenty-seven dollars and thirty-nine cents (\$427.39);

(g) For the salary of the Provincial Secretary from December 18, 1900, until April 1, 1901, two hundred and eighty-four dollars and ninety-two cents (\$284.92).

SEC. 2. The public good requiring the speedy enactment of this appropriation bill, the passage of the same is hereby expedited in

accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, February 28, 1901.

[No. 90.]

AN ACT reciting an Executive order of the President of the United States, amending the Executive order of May 8, 1899, creating the offices of auditor for the islands, of deputy auditor for the islands and chief clerk of the auditor for the islands of the Philippine Archipelago, and enacting, with the concurrence and approval of the Secretary of War first had, the rules and instructions relative to the accounting system of the military government of the United States in the islands of the Philippine Archipelago.

WHEREAS, the President of the United States, upon February 23, signed the following Executive Order:

"Executive Mansion,
Washington, D. C., February 23, 1901.

"The Executive Order of May 8, 1899, relating to the Philippine Archipelago, as promulgated by the Assistant Secretary of War, May 11, 1899, is hereby amended by substituting the following:

By virtue of the authority vested in me as the Commander-in-Chief of the Army and Navy of the United States, I hereby order and direct that during the maintenance of the Military Government by the United States in the Islands of the Philippine Archipelago, there is hereby created and shall be maintained the office of Auditor for the Islands, to be filled by appointment of the Secretary of War, whose duties shall be to receive and audit all accounts of the Islands.

There is hereby created and shall be maintained the office of Deputy Auditor for the Islands, to be filled by appointment of the Secretary of War, whose duties shall be to sign in the name of the Auditor such official papers as the Auditor may designate, and perform such other duties as the Auditor may prescribe. He shall have charge of the Bureau as Acting Auditor in case of the death, resignation, sickness, or other absence of the Auditor.

There is hereby created and shall be maintained in the office of the Auditor, the office of Chief Clerk, to be filled by appointment of the Auditor, and the Chief Clerk shall perform such duties as may be prescribed by the Auditor.

There shall be in the office of the Auditor such Chiefs of Division, appointed by the Auditor, subject to the provisions of the Philippine Civil Service Act, as in his judgment may be required for a proper dispatch of the business of his office and for which appropriations may be made.

There is hereby created and shall be maintained the office of Treasurer of the Islands, which shall be filled by appointment of the Secretary of War. The Treasurer of the Islands shall receive and keep all moneys arising from the revenues of the Islands, and shall disburse the same only upon warrants issued by the Military Governor and countersigned by the Auditor.

All rules and instructions necessary to carry into effect the provisions of Executive Orders relating to said Islands shall be issued by the Secretary of War, and such rules and instructions shall be in force until the same are amended or revoked by the Secretary of War."

NOW, THEREFORE, *By authority of the President of the United States, and with the concurrence and approval of the Secretary of War first had, be it enacted by the United States Philippine Commission, that:*

SECTION 1. The following rules and regulations shall apply to the accounting system of the Military Government of the Philippine Archipelago and shall take effect and be in force April 1, 1901:

RULES AND INSTRUCTIONS RELATIVE TO THE ACCOUNTING SYSTEM OF THE MILITARY GOVERNMENT BY THE UNITED STATES IN THE ISLANDS OF THE PHILIPPINE ARCHIPELAGO.

STATION OF OFFICERS.

RULE 1. The Military Governor of the said Islands shall be stationed in the city of Manila, and the officers appointed under the preceding sections shall be stationed at and have their offices in said city.

THE AUDITOR FOR THE ISLANDS.

RULE 2. The Auditor for the Islands shall receive, examine and settle all accounts pertaining to the revenue and receipts derived from the Islands and expenditures paid therefrom, and certify the balances thereon to the Military Governor and shall preserve the accounts and vouchers after settlement.

RULE 3. The Deputy Auditor shall sign, in the name of the Auditor, such official papers as the Auditor may designate and perform such other duties as the Auditor may prescribe. He shall have charge of the Bureau as Acting Auditor in case of the death, resignation, sickness, or other absence of the Auditor.

RULE 4. The Chief Clerk and designated Chiefs of Division shall perform such duties as may be prescribed by the Auditor.

RULE 5. The Military Governor shall issue and sign all warrants for the payments of moneys by the Treasurer, which warrants shall be submitted to the Auditor to be countersigned by him. No warrants shall be drawn for the advance of moneys except upon requisition therefor made by the proper officer, approved by the Military Governor and allowed by the Auditor in conformity to appropriations made. No warrant shall be issued for the payment of the balance found due on any account, except upon the certificate of the Auditor, upon the settlement of such accounts.

RULE 6. Warrants drawn for making advances of money from funds in the Treasurer's hands shall be denominated "Accountable Warrants," and shall be numbered consecutively, a separate series being preserved.

RULE 7. Warrants drawn for the payment of balances due on accounts settled and certified by the Auditor shall be denominated "Settlement Warrants," and shall be numbered consecutively, in a separate series.

RULE 8. All receipts issued by the Treasurer for moneys paid to him shall be in duplicate and shall be countersigned by the Auditor. When so countersigned, one receipt in every case shall be retained in the office

of the Auditor, and the other shall be delivered or transmitted by the Auditor to the person by whom the payment was made, after the same has been duly registered in all its particulars under its appropriate head.

RULE 9. The receipts retained by the Auditor will constitute the necessary check in his examination and settlement of the Treasurer's account of receipts, as the authority for charging the Treasurer with moneys received; and such receipts will be filed in the office of the Auditor with the accounts in which credit is taken.

RULE 10. Warrants paid by the Treasurer with the proper evidence of payment, which shall be the proper endorsement of the payee thereon, shall constitute the vouchers upon which the Treasurer shall receive credit for payments made by him, and after the settlement of his accounts by the Auditor which warrants shall be filed therewith.

RULE 11. The certificates on the settlement of accounts made by the Auditor to the Military Governor shall be numbered consecutively and filed with the respective accounts and vouchers in the office of the Auditor, who shall preserve the same. A copy of each certificate of settlement shall be filed with the Military Governor to be retained by him.

RULE 12. The Auditor shall, with the approval of the Military Governor, prescribe the forms for keeping and rendering all accounts subject to his examination and settlement, which forms shall conform substantially with those used by officers rendering accounts to the Treasury Department of the United States, and issue all necessary instructions to the officers and agents rendering such accounts.

RULE 13. And in case any officer or agent whose duty it is to collect and receive moneys arising from the revenues of the Islands of whatever kind, and to make disbursements of such moneys for any purpose, shall fail to render complete accounts of such receipts and disbursements to the Auditor, or to transmit the same within ten days after the expiration of the month to which they pertain, or shall neglect to render the same when requested to do so, it shall be the duty of the Auditor forthwith to report such case to the Military Governor for proper action.

RULE 14. There shall be in the office of the Auditor a Division of Bookkeeping, in which shall be kept proper books of entry and ledgers for recording the general accounts of receipts and expenditures pertaining to the revenues of the Islands, and the personal accounts of the agents and officers authorized to collect the same and to disburse moneys advanced by the Treasurer upon warrants as herein provided, and of all other accounts or claims allowed and certified by the Auditor, including accounts of appropriations.

ACCOUNTS OF GENERAL RECEIPTS AND EXPENDITURES.

RULE 15. The receipts issued by the Treasurer for moneys paid to him, before being countersigned by the Auditor, shall be entered, in the proper ledgers of general receipts as funds arising from Customs Receipts, Postal Receipts, Internal Revenue Receipts, and Miscellaneous Receipts respectively, or as repayments of such receipts, and in making such entries from the Treasurer's receipts the number and date of the receipt and the name and official designation, if any, of the person by whom the payment or deposit was made shall be noted. These

funds shall thereupon be transferred to one account as "Revenue," from which all appropriations from "moneys in the Treasury not otherwise appropriated" shall be made.

RULE 16. All warrants drawn by the Military Governor, after being countersigned by the Auditor, shall be charged against the revenue on account of the service and appropriation for which such warrant is drawn, and in making such debit entries the number and date of warrant and the person, with official designation, if any, to whom paid, shall be noted. The Auditor shall so keep his records as to be able to show, at any time, the amount of money disbursed on account of any appropriation, as shown by the accountable warrants issued and by the accounts as audited.

PERSONAL LEDGER ACCOUNTS.

RULE 17. In the ledgers for personal accounts all advances of money made upon requisition and warrants to officers and agents authorized to disburse the same in accordance with appropriations, shall be charged to such officers, respectively, on account of the service and appropriation for which disbursement is to be made, at the time of issuing the warrants for such advances of money, the numbers and dates of the respective warrants being noted in making such debit entries; and for the disbursements made by such officers or agents, which may be allowed by the Auditor, in the settlement of accounts of such disbursements, proper credits shall be entered to the respective personal accounts from the certificates of the settlements made by the Auditor, the number and dates of the respective certificates being noted in making the credit entries.

RULE 18. In like manner the certificates of settlement of individual accounts of all kinds made by the Auditor shall be entered in the ledgers of personal accounts to the proper individual account, on account of the service and appropriation for which the account is rendered, the number and date of the Auditor's certificate being noted; and all settlement warrants issued upon certificates of the settlement of accounts made by the Auditor shall be charged to the proper individual account, under the appropriate head, in the ledgers of personal accounts, the number and date of the warrant being noted.

RULE 19. In making the settlement of each account, and before certifying the same, the Auditor shall require a statement from the Division of Bookkeeping in his office, setting forth the last certified balance on the particular account, and the debits or credits since entered thereon, in the personal ledgers, which statement or certificate shall be used as the basis of the Auditor's settlement of the account before him.

DISBURSING ACCOUNTS.

RULE 20. Accounts of disbursement shall be rendered monthly and transmitted to the Auditor within ten days after the expiration of the month to which they pertain, by the officers and agents authorized to make disbursements, in which such officers or agents shall charge themselves with all moneys advanced to them, respectively, by the Treasurer, and take credit for the disbursements made by them, supported by proper vouchers. An abstract of the disbursements, accompanied by the vouchers therefor, consecutively numbered, shall be transmitted with each account.

REVENUE ACCOUNTS.

RULE 21. Except as hereinafter provided, the officers or agents authorized to receive and collect moneys arising from the revenues of the Islands, of whatsoever kind, shall be required to pay the full amounts received and collected by them, respectively, to the Treasurer of the Islands, and to render to the Auditor monthly accounts therefor within ten days after the expiration of the month to which they pertain, accompanied by proper itemized and certified statements and returns of the revenues collected, showing when, by whom and on what account paid.

RULE 22. In the rendition of such revenue accounts the officers or agents will charge themselves with all revenues received and collected during the period covered by the account, and take credit for the amounts paid to the Treasurer, as shown by the duplicate receipts in their possession and countersigned by the Auditor, the number and date of such receipts being noted in the entries of amounts paid to the Treasurer. These duplicate receipts will be retained by the officer or agent claiming credit therefor.

RULE 23. In the audit of such revenue accounts the Auditor shall compare and check the Treasurer's receipts on file in his office with the corresponding entries in the account of the officer or agent, as rendered.

RULE 24. All revenue accounts shall be rendered and kept separately under the appropriate funds or heads of account to which they respectively pertain; that is, all revenues arising in the Department of Customs shall be entered and accounted for under the head of Customs Receipts; those arising in the Department of Post-Offices under the head of Postal Receipts; all revenues derived from internal taxes and duties, as distinct from Customs Receipts and Postal Receipts, shall be entered under the head of Internal Revenue Receipts; and all revenues from other sources under the head of Miscellaneous Receipts.

REQUISITIONS.

RULE 25. Requisitions for advances from funds in the hands of the Treasurer for paying necessary and proper expenses chargeable to the revenues of the Islands shall be made monthly by the respective officers or agents authorized to disburse the same, in such form as may be prescribed, pursuant to appropriations made, and shall be accompanied by itemized estimates of the amounts required for disbursement during the month, and no accountable warrant shall be drawn for an amount exceeding the requirements for one month.

RULE 26. Each requisition shall particularly state the items of appropriation under which the money is to be disbursed, and shall be forwarded to the Auditor, who shall cause to be endorsed thereon the balance due to or from the officer or agent making the requisition, as shown by the books of the Auditor's office, and the amount of credits shown by any unsettled accounts of such officer or agent remaining in the Auditor's office. Thereupon such requisition shall be transmitted to the Military Governor for his approval, and when his approval shall be endorsed thereon the requisition shall be returned to the Auditor for allowance, and when allowed by him and so endorsed upon the requisition, over his official signature, the proper warrant shall be issued for the amount allowed, to which the requisition shall be attached.

RULE 27. If at the time of the reference of a requisition to the Military Governor for his approval, or at any time before the warrant thereon shall have been issued, any facts shall come to the Auditor which, in his judgment, afford sufficient grounds for disapproving the advance of money asked for, he shall forthwith communicate the same in writing to the Military Governor, whose decision shall be final, if the requisition is pursuant to appropriations made.

RULE 28. Claims of officers or agents whose duty it is to collect or account for public moneys, for losses of funds in transit, by fire, burglary or other unavoidable casualty, shall be submitted to the Auditor within one month after such loss occurs, with all the evidence in the case. If the Auditor shall find that the said funds were properly in the hands of such officer or agent, or properly remitted, or that the loss resulted through no fault of said officer or agent, he may, *with the written consent of the Military Governor*, credit the account of such officer with the loss, *Provided*, that in no case shall a credit in excess of one thousand dollars be given in this manner. Claims for losses in excess of one thousand dollars shall be submitted through the Auditor and Military Governor for relief through legislative enactment.

RULE 29. The Auditor may, with the written consent of the Military Governor, mitigate, remit, remove, compromise, release, or discharge any liability, in whole or in part, to the Military Government, in any matter before him when, in his judgment, the interests of the Government seem to require it, subject to such restrictions as may be provided by law.

RULE 30. The Auditor shall supervise the collection of all debts due the Military Government of the Philippine Islands through the usual civil or judicial channels, and institute all such measures as may be authorized by law to enforce the payment of such debts and the recovery of all amounts found to be due the said Military Government in connection with his settlement and adjustment of accounts.

RULE 31. Disbursing officers shall deposit funds placed in their hands for disbursement, pursuant to appropriations, only in such depositories as may be designated by the Military Governor. When payment is made by check, its number shall be noted on the voucher to which it pertains. Such depositories shall report to the Auditor, at the close of each quarter, or oftener if he should require it, the balances to the credit of all disbursing officers, as shown by its records. In every case where after one year after the rendition and settlement of the final account of a disbursing officer there remains a balance in any depository to the credit of such disbursing officer, by reason of the non-presentation of checks or otherwise, the Auditor shall report said amount to the Military Governor, who shall require the said depository to deposit the said balance with the Treasurer of the Islands to the credit of "Outstanding Liabilities." No disbursing officer's check shall be paid after one year from the last day of the month of its issue.

RULE 32. All claims arising on account of outstanding liabilities shall be filed with the Auditor, with the evidence pertaining thereto. If the Auditor shall find that such claim is valid, and unpaid, he shall certify the amount due to the Military Governor, who shall issue a settlement warrant on said certificate, which warrant shall be counter-

signed by the Auditor, and paid by the Treasurer out of the fund accruing on account of outstanding liabilities.

RULE 33. Transfers of funds from one disbursing officer to another shall be made only upon the authority of the Military Governor, or the officer commanding a Military Department or district, notice of which authorization shall be given forthwith to the Auditor by the Military Governor or Commanding Officer giving the authority. When there is a change in disbursing officers, the outgoing officer shall render an account in full, showing the disposition of his unexpended balance, whether transferred to his successor in accordance with the provisions herein contained, or deposited with the Treasurer of the Islands.

POSTAL REVENUES.

RULE 34. Postmasters shall be deemed disbursing officers and shall be authorized to pay, under proper advance allowances or authority of the Director General of Posts, subject to such regulations as the Auditor may require, the expenses of their respective offices, including salary of Postmaster, necessary disbursements for clerk hire, rent, light, and other incidental items, including authorized mail transportation, from the receipts of their respective offices. The Postmaster shall render correct vouchers for every such expenditure, such vouchers to indicate on the face thereof the date such allowances were made by the Director General of Posts, which vouchers shall be submitted to the Auditor with the account current in which credit therefor is taken. No disbursement shall be allowed by the Auditor in the account of any Postmaster which is not in accordance with an appropriation already made.

RULE 35. Postmasters at minor post-offices shall be required to deposit all surplus postal funds in their hands at the close of each month with a depository to be designated by the Director General of Posts, which shall be a larger post-office, convenience of location being considered. In case the receipts of any post-office are insufficient to meet its authorized expenditures, such deficiency may be met by a transfer draft of the Director General of Posts, countersigned by the Auditor, upon a post-office receiving such deposits of surplus postal funds. Depository post-offices shall deposit their surplus receipts with the Treasurer of the Islands as revenues for the service of the Department of Posts.

RULE 36. Deficiencies, if any, in the revenues of the postal service, shall be provided by grants from the revenues of the Islands, pursuant to appropriations, and disbursed upon requisition of a properly bonded officer authorized to receive and disburse funds, which requisition shall be approved by the Military Governor and allowed by the Auditor.

RULE 37. The receipts and disbursements of revenue by postmasters shall be covered into the Treasury of the Islands by warrant and counter-warrant, signed by the Director General of Posts, countersigned by the Auditor and approved by the Military Governor.

RULE 38. As soon after the close of each fiscal year as the accounts of said year may be settled and adjusted, the Auditor shall submit to the Military Governor, the Philippine Commission, and Secretary of War an annual report of the financial concerns of the Military Government, showing the receipts and disbursements of the various depart-

ments of the said Military Government, and make such other reports as may be required of him by the Military Governor, the Philippine Commission, or the Secretary of War.

RULE 39. The Auditor shall, at the time of settlement, send an official notification in writing to each person whose accounts have been settled in whole or in part in the Auditor's office, stating the balances found due thereon and certified, and the differences arising on such settlement by reason of disallowances or suspension made by the Auditor, or from other causes, which statement of differences shall be properly itemized. The reasons for a disallowance or suspension of credit shall in all cases be stated.

RULE 40. A true copy of all orders of the Military Government which may originate a claim or in any manner affect the settlement of any account shall be transmitted to the Auditor by the proper officer.

RULE 41. Every contract under which a payment may be made shall be submitted to the Auditor with the account to which such payment pertains.

MONEY ORDER ACCOUNTS.

RULE 42. The Auditor shall keep the accounts of the money order business separately and in such manner as to show the number and amount of money orders issued at each post-office and the number and amount paid, and the fees received. The Auditor shall certify quarterly the receipts as fees from the sale of money orders and require the same to be deposited with the Treasurer of the Islands as Postal receipts. Losses of money order funds in transit, by fire, burglary, or other unavoidable casualty, for which credit may be given, shall be deducted from the fees collected before the quarterly transfer to the Treasurer of such fees, as Postal receipts.

RULE 43. Transfers of money from postal receipts to money order funds may be made by the Postmaster, under such regulations as the Auditor may prescribe when his receipts from the sale of money orders are insufficient to pay the orders drawn upon his office. Credit for such transfers of postal funds to money order funds will be taken in the monthly postal account to the postmaster. At the close of each quarter all such transfers of funds from postal to money order account, shall be deposited by the Director General of Posts with the Treasurer of the Islands, as revenues for the service of the Department of Posts, upon certification of the Auditor of the amount of such funds to be so deposited. This rule and the preceding shall not become operative until July 1, 1901.

RULE 44. The jurisdiction of the Auditor for the Islands over accounts, and all vouchers pertaining thereto, shall be exclusive. His decisions shall be final and conclusive upon administrative branches of the military government, except that appeals thereon may be taken by the party aggrieved or the head of the department concerned, within one year, in the manner prescribed in Rule 72. The Auditor for the Islands shall, except as herein otherwise provided, have like authority as that conferred by law upon the several Auditors of the United States and the Comptroller of the United States Treasury, and is authorized to communicate directly with any person or officer having claims before him for settlement, or with any officer or department having official relations with his office.

RULE 45. The Auditor shall forward to the Secretary of War, not later than ten days after the expiration of each month, a full and complete report of all moneys received by the Treasurer during the preceding month, as shown by the entries made from the Treasurer's receipts retained in the Auditor's office; a statement of all advances of moneys made on warrants during the preceding month, and an itemized statement of all disbursements and expenditures audited during the preceding month.

OFFICIAL TITLE OF AUDITOR AND DEPUTY AUDITOR. AUDITOR'S SEAL.

RULE 46. The official title of the Auditor, to be affixed to his official signature, shall be "Auditor for the Philippine Archipelago," and the official title of the Deputy Auditor shall be "Deputy Auditor for the Philippine Archipelago."

RULE 47. The Auditor shall have and keep an official seal, upon which shall be engraved the following design: "Office, Auditor, Philippine Archipelago—Official Seal." The Auditor shall affix his official seal to each warrant issued by the Military Governor, if the same shall be countersigned by him, and to all copies or transcripts of papers in his office which he may be required to certify officially.

TREASURER OF THE ISLANDS.

RULE 48. The Treasurer of the Islands shall receive and safely keep all moneys arising from the revenues of the Islands, from whatever source derived, and shall keep a properly detailed account thereof in permanent books of record, in which such revenues and all receipts shall be entered under appropriate heads, with the name of the agents, officers and persons from whom received and the dates of receipt.

RULE 49. All moneys received on account of the Department of Customs shall be credited to the account of Customs Receipts; all moneys received from the Department of Post-Offices shall be credited to the account of Postal Receipts; all moneys received from internal taxes and duties, as distinct from Customs Receipts and Postal Receipts, shall be credited to the account of Internal Revenue Receipts; and all moneys received from other sources shall be credited to the account of Miscellaneous Receipts.

RULE 50. The accounts of the Treasurer shall be kept in the money in which it is received and disbursed, but in all reports made to the Secretary of War the amounts therein shall be stated in the money of the United States at the authorized rate of conversion.

RULE 51. The Treasurer shall issue receipts in duplicate for all moneys received by him, which shall be numbered consecutively, and shall bear the date upon which the deposit was actually made and show from whom, and on what account received, and the amounts in money of the United States; and also, when paid in any foreign coin or currency, the amounts and kind of foreign money in which payments were made shall be stated upon the receipts, and the rates at which the same are reduced to money of the United States.

RULE 52. All receipts, original and duplicate, issued by the Treasurer shall be registered and countersigned by the Auditor of the Islands, without which they shall be invalid, and for this purpose the Treasurer shall, immediately upon issuing each receipt in duplicate, transmit both receipts to the Auditor.

RULE 53. All moneys derived from the revenues of the Islands and receipts from all sources shall be paid to the Treasurer in full, without any deduction, except as provided in the case of postal receipts.

RULE 54. Needful advances from the moneys in the hands of the Treasurer shall be made, in accordance with appropriations, to the proper officers authorized to disburse the same, for the purpose of paying the necessary and proper expenses of collecting the revenues, auditing the accounts, and such other legitimate expenses connected with the Military Government of the Islands as are not specifically appropriated for by the Congress of the United States.

RULE 55. Such advances of moneys in the hands of the Treasurer shall be made upon warrants based upon requisitions showing under what appropriation the money is to be expended. Upon the approval of such requisitions by the Military Governor and the allowance of the same by the Auditor, the proper warrants thereon shall be issued by the Military Governor and countersigned by the Auditor.

RULE 56. No payment shall be made by the Treasurer except upon warrants issued by the Military Governor and countersigned by the Auditor, and such warrants when paid and accompanied by the proper evidence of payment, which shall be the endorsement of the payee, shall be the vouchers upon which the Treasurer shall receive credit in the settlement of his accounts.

RULE 57. All warrants drawn by the Military Governor upon the Treasurer shall be debited on the books of the Treasurer to the moneys in his hands not otherwise appropriated, the service and appropriation for which the warrant is drawn to be entered in every case. No warrant shall be paid by the Treasurer until the same is countersigned by the Auditor.

RULE 58. The Treasurer shall render monthly accounts of the receipts and expenditures of his office, and submit the same to the Auditor for examination and settlement, not later than ten days after the expiration of each month. In rendering such accounts the Treasurer shall charge himself with all moneys received during the period covered by the account, under the appropriate funds or heads of account, and furnish therewith Abstracts showing in detail the amounts received under each head, from whom received, and giving the numbers and dates of the receipts issued therefor.

RULE 59. He shall credit himself with all moneys paid on account of the service for which such money is appropriated, and file with his account Abstracts showing in detail the amounts paid under each head, to whom paid, and giving the numbers and dates of the warrants issued in payment, which warrants shall be filed with his account, submitted to the Auditor.

RULE 60. The Treasurer shall forward to the Secretary of War, not later than ten days after the expiration of each month, a full and complete report, duly certified, of all moneys received by him, together with an itemized statement of all disbursements; and shall also transmit a duly certified copy of the same to the Military Governor.

OFFICIAL TITLE OF THE TREASURER, AND OFFICIAL BOND.

RULE 61. The official title of the Treasurer, to be affixed to his official signature, shall be "Treasurer of the Philippine Archipelago."

RULE 62. He shall give bond with sufficient sureties, to be approved

by the Philippine Commission, for the faithful performance of the duties of his office, in such amount as shall from time to time be fixed by the Philippine Commission.

POWERS AND DUTIES OF THE MILITARY GOVERNOR IN THE ACCOUNTING SYSTEM OF THE ISLANDS.

EXAMINATION OF ACCOUNTS.

RULE 63. The Military Governor shall make, quarterly, and oftener if deemed expedient, an examination of the books and accounts of the Auditor and Treasurer, and a comparison of the results shown by the same, and also an examination and count of the moneys in the hands of the Treasurer, and submit his report thereon to the Secretary of War.

APPROVAL OF REQUISITIONS.

RULE 64. All requisitions for the advances of money from funds in the hands of the Treasurer, to officers or agents authorized to disburse the same, shall be approved by the Military Governor, when submitted in proper form, and the advances of money asked for are in accordance with appropriations made.

RULE 65. Such requisitions shall be made pursuant to appropriations and shall cite the particular appropriation under which the requisition is made.

RULE 66. Such requisitions shall be forwarded by the officer or agent making the same to the Auditor, who shall endorse thereon the condition of the account of the officer or agent asking for the advance of money, as disclosed by the books of his office, and also the amount of credits shown by any account of such officer or agent remaining unsettled in the Auditor's office. The requisition shall then be submitted to the Military Governor for approval.

WARRANTS.

RULE 67. The Military Governor shall issue and sign all warrants for the payment of moneys from the funds in the hands of the Treasurer, which warrants shall be drawn in accordance with requisitions as approved, or certificates of settlement, as the case may be, and no warrants shall be valid unless countersigned by the Auditor.

In case of the absence or disability of the Military Governor he may designate an officer of the Military Government to sign in his stead warrants drawn in conformity to approved requisitions or certificates of the Auditor.

RULE 68. The proper authority for the issue of an accountable warrant for the advance of moneys to authorized disbursing officers or agents, for the purpose of defraying necessary and legitimate expenses, shall be the requisition of such officer, in accordance with an appropriation already made, which requisition must, prior to the issuing of the warrant, be approved by the Military Governor and allowed by the Auditor.

RULE 69. The proper authority for the issue of a settlement warrant, in payment of a balance found due by the Auditor upon an account settled and certified by him shall be the Auditor's certificate to the Military Governor of such settlement.

RULE 70. Wherever the term "appropriation" is used in these

Rules and Instructions, the appropriations made by the Philippine Commission, or other legislative body in the Philippine Archipelago, recognized by the United States government, is referred to.

TITLE TO BE OBSERVED IN THE RENDITION AND CERTIFICATION OF ACCOUNTS.

RULE 71. All accounts of the Treasurer of the Islands, and of the various officers and agents authorized to collect the revenues, receive moneys, and make disbursements, and all other accounts subject to examination and settlement by the Auditor, shall be with "The Military Government of the Philippine Archipelago," and all balances certified by the Auditor shall be certified as due to or from said Military Government, as the case may be.

APPEALS FROM THE ACTION OF THE AUDITOR.

RULE 72. Any person aggrieved by the action or decision of the Auditor in the settlement of his account or claim by that officer may within one year take an appeal in writing to the Military Governor, which shall specifically set forth the particular action of the Auditor to which exception is taken, with the reasons and authorities relied on for reversing such action. If the Military Governor shall confirm the action of the Auditor he shall so indorse the appeal and transmit it to the Auditor, and the action of the Auditor shall thereupon be final and conclusive. Should the Military Governor fail to sustain the action of the Auditor, he shall forthwith report his grounds of disapproval to the Secretary of War, together with the appeal and the papers necessary to a proper understanding of the matter. The decision of the Secretary of War in such case shall be final and conclusive.

SEC. 2. Nothing herein contained shall be construed to prevent the Philippine Commission from making such provision by further legislative act for examination and auditing by the Auditor of accounts of provincial and municipal collecting and disbursing officers in his office or by traveling agents as may seem to the Commission advisable.

SEC. 3. All orders of the Military Governor, and acts of the Philippine Commission, or parts thereof, which are in conflict with this act are hereby repealed.

SEC. 4. The public good requiring the speedy enactment of this act, the passage of the same is hereby expedited in accordance with section 2 of "An act prescribing the order of procedure by the Commission in the enactment of laws," passed Sept. 26, 1900.

SEC. 5. This act shall take effect on its passage.

Enacted, February 28, 1901.

[No. 91.]

AN ACT fixing the salaries of the auditor for the Philippine archipelago, of the deputy auditor and of the chief clerk and reorganizing the office of the auditor.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The Auditor for the Philippine Archipelago shall receive an annual compensation of six thousand dollars (\$6,000.00).

The Deputy Auditor shall receive an annual compensation of four thousand dollars (\$4,000.00), and the Chief Clerk of the Auditor shall receive an annual compensation of two thousand, two hundred and fifty dollars (\$2,250.00).

SEC. 2. In addition to the officers whose salaries are fixed in the preceding section, there shall be employed in the office of the Auditor for the Philippine Archipelago: seven clerks of Class 6, five clerks of Class 7, six clerks of Class 8, nine clerks of Class 9, two clerks of Class 10, two clerks of Class A, two clerks of Class B, two clerks of Class C, two clerks of Class D, two clerks of Class E, two clerks of Class F, two clerks of Class I, and three messengers at a compensation at the rate of one hundred and fifty dollars (\$150.00) per annum.

The foregoing classification is that provided in civil service rule 12, adopted by the Civil Service Board under the provisions of the civil service act, in accordance with which the clerks and employees specified in this section are to be appointed. The clerks provided in this section shall receive the compensation fixed for their respective classes in said civil service rule 12.

SEC. 3. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 4. Act No. 20, entitled "An Act to Reorganize the Office of the Auditor of the Islands," enacted October 10, 1900, is hereby repealed, the repeal to take effect from and after April 1, 1901.

SEC. 5. Except as provided in the preceding section, this act shall take effect on its passage.

Enacted, February 28, 1901.

[No. 92.]

AN ACT extending the provisions of "The provincial government act" to the province of Bataan.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All the provisions of an act entitled "A General Act for the Organization of Provincial Governments in the Philippine Islands," enacted February 6, 1901, shall apply to and govern the establishment of a provincial government in that territory in the Island of Luzon known as the Province of Bataan, with such exceptions, modifications and supplementary provisions as are hereinafter contained.

SEC. 2. The compensation to be paid provincial officers of the Province of Bataan shall be at the following rate per year, in money of the United States:

For the Provincial Governor, one thousand, five hundred dollars (\$1,500);

For the Provincial Secretary, one thousand, one hundred dollars (\$1,100);

For the Provincial Treasurer, one thousand, eight hundred dollars (\$1,800);

For the Provincial Supervisor, one thousand, five hundred dollars (\$1,500);

For the Provincial Fiscal, one thousand, one hundred dollars (\$1,100).

The salary of provincial officers shall be payable monthly so that one-twelfth ($\frac{1}{12}$) of the annual salary shall be paid on the last day of each calendar month.

Each provincial officer shall be allowed his necessary and actual traveling expenses, not exceeding two dollars (\$2) per day, while absent from the capital of the province on official business. The allowance shall be made by the Provincial Board upon the certificate of the officer that the travel was necessary for the public business, and shall not be paid until the account, accompanied by the resolution of the Board approving the same, shall be forwarded to the Insular Treasurer and by him approved.

SEC. 3. The bond of the Provincial Treasurer shall be seven thousand, five hundred dollars (\$7,500), until the first day of March, 1902, when, in view of the collection of the land tax, the Commission may require a new bond or an additional bond to cover the probable increase of the funds of which the Provincial Treasurer shall have custody at any one time. The bond to be given shall be conditioned to secure on the part of the Provincial Treasurer that he shall account for the internal revenue collections coming into his hands as Internal Revenue Collector; the taxes collected by him for each municipality; for the province; and for the Central Government. The form of the bond shall be prescribed by the Insular Treasurer. If, upon the request of the Commission, the Military Governor shall detail any military officer to fill a provincial office, no bond shall be required of him and no salary shall be paid him until after July 1, 1901.

SEC. 4. The presidentes or alcaldes of the municipalities of the province shall meet on the third Monday in January, April, July and October to consider improvements needed in the Province and for the Provincial Government, and to make recommendations to the Provincial Board. The convention shall be called together by the Provincial Secretary and shall elect a chairman for each quarter's session. The Provincial Secretary shall act as secretary of the Convention, and shall certify its recommendations to the Provincial Board.

SEC. 5. The capital of the Province shall be, as formerly, at the town of Balanga.

SEC. 6. This act shall take effect on its passage.

Enacted, March 2, 1901.

[No. 93.]

AN ACT amending act No. 69, relating to the College of San José, enacted January 5, 1901.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Section 1 of Act No. 69 is hereby amended by substituting the name of Louis M. Maus, Major and Surgeon in the United States Army, for that of Charles R. Greenleaf, M. D., Colonel and Chief Surgeon of the Division of the Philippines, in the United States Army.

SEC. 2. This act shall take effect on its passage.

Enacted, March 4, 1901.

[No. 94.]

AN ACT appropriating seven hundred and fifty dollars (\$750) in money of the United States, to be paid to the widow of Celestino Cruz, late Presidente of Santa Cruz, Marinduque.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Whereas, Celestino Cruz, late Presidente of Santa Cruz, Marinduque, was murdered while in the discharge of his official duties, on September 15, 1900, because of his efficient administration of the civil government of the municipality and his loyalty to the United States; and

Whereas, his untimely death leaves his wife and his six young children in needy circumstances.

The sum of seven hundred and fifty dollars (\$750), in money of the United States, is hereby appropriated, to be paid to the Provost Marshal General of Manila, to be held and expended by him for the use and benefit of the widow and children of the said Celestino Cruz.

SEC. 2. This act shall take effect on its passage.

Enacted, March 4, 1901.

 [No. 95.]

AN ACT amending sections 17 and 18 of the Manila Liquor Licenses Act.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Sections 17 and 18 of the Manila Liquor Licenses Act are hereby amended to read as follows:

“SECTION 17. Licenses for periods of one year may be issued to any person or persons of good character, authorizing him or them to keep in stock and sell or give away fermented malt, vinous and spirituous liquors in quantities of one gallon (3.78 litres) or more, upon payment in advance of the sum of twelve hundred (1200) pesos; but such licenses may be paid in advance in four quarterly installments of three hundred (300) pesos each, at the election of the licensee. A license of this class shall be known as a ‘First Class Wholesale Liquor License,’ and it shall be unlawful for any person or persons to sell or otherwise dispose of fermented malt, vinous and spirituous liquors at wholesale without such license, or, having obtained such license, to sell or otherwise dispose of such liquors except as herein prescribed, but nothing herein shall be construed as prohibiting any person or persons holding a ‘Brewer’s License’ or ‘Distiller’s License’ from disposing of the products of such brewery or distillery.”

“SEC. 18. Licenses for periods of one year may be issued to any person or persons of good character, authorizing him or them to keep in stock and sell or give away fermented malt and fermented vinous liquors in quantities of one gallon (3.78 litres) or more, upon payment in advance of the sum of six hundred (600) pesos; but such licenses may be paid in advance in four quarterly installments of one hundred and fifty (150) pesos each, at the election of the licensee. A license of this class shall be known as a ‘Second Class Wholesale Liquor License,’ and it shall be unlawful for any person or persons to sell or otherwise dispose of fermented malt or fermented vinous liquors at

wholesale without such license, or, having obtained such license, to sell or otherwise dispose of any liquor but fermented malt or fermented vinous liquors, or to sell or otherwise dispose of such liquors except as herein prescribed."

SEC. 2. This act shall take effect upon its passage.

Enacted, March 4, 1901.

[No. 96.]

AN ACT accepting the gift of the American Circulating Library Association of Manila, authorizing the Military Governor to execute the instrument of acceptance and to appoint a board of trustees to administer the property.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Whereas, "The American Circulating Library Association of Manila, P. I." has established a library of some ten thousand or more volumes as a memorial to those officers and men of the United States Military and Naval forces who have lost their lives in the military service of their country in the Philippines; and

Whereas, the objects of the Association were the establishment of a source of instruction and profitable entertainment for all residents of Manila, whether permanent or transient, and of whatever race or nationality, and the dissemination of useful knowledge and literary diversion among those officers and men of the American military and naval forces who are stationed throughout the Philippine Archipelago; and

Whereas, the Board of Trustees and the Executive Board of the Association have proposed to convey to the military government, and any succeeding civil government of the Philippine Islands, all the interest of the Association in its books to be held by such government or its successor, in trust, for the free use of the United States soldiers and sailors stationed in the Philippine Islands and of the residents of the city of Manila, and for all the purposes of the Association as fully set forth in the constitution and by-laws, the trust to be administered under the legislative control of the Military Government, or its successor, the Civil Government, of the Philippine Islands, on condition that suitable appropriations, within the discretion of the government for these Islands, shall be made for the proper housing of the books and their circulation in accordance with the purposes of the original gifts, and that the name shall remain unchanged; that the memorial feature shall be perpetuated, and that the magazines and such books as can be spared shall be sent as promptly as possible to the outlying districts of the Archipelago;

The proposition is hereby accepted, and, upon the execution of the necessary instruments of conveyance by the Association, the Military Governor is authorized and directed to execute the same on behalf of the Insular Government and to accept the delivery of the books and property of the Association.

SEC. 2. The Military Governor shall appoint a Board of Trustees to consist of five members resident or stationed in the Philippine Islands, two of whom shall be members of the Army or Navy of the United States, and two of whom shall be natives of the Islands. It shall be the duty of the Board to take into its custody and control the books

and other property of the American Circulating Library Association of Manila, so conveyed, the acceptance of which is hereby authorized; to provide the necessary rooms or buildings; to appoint the necessary librarians, janitors and other employés, and to make rules for the circulation of the books in accordance with the terms and conditions of the trust. Vacancies in the Board shall be filled in the same manner as the original appointments are made.

SEC. 3. The Military Governor shall neither execute the instrument of conveyance nor accept delivery of the books or property until after the instrument of conveyance shall have been declared by the Attorney General of the Supreme Court to be valid and effective for the purposes therein stated.

SEC. 4. This act shall take effect on its passage.

Enacted, March 5, 1901.

[No. 97.]

AN ACT appropriating three hundred and twenty-three thousand, seven hundred and thirty-four dollars and sixty-eight cents (\$323,734.68), in money of the United States, to pay expenses incurred and salaries earned, not provided for in the general appropriation act for the first quarter of the year 1901.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The following sums in money of the United States are hereby appropriated out of any money in the Insular Treasury not otherwise appropriated, for the payment of salaries earned and expenses incurred, not provided for in the General Appropriation Act for the First Quarter of the year 1901.

DISBURSING QUARTERMASTER OF CIVIL BUREAUS.

For the purchase of flags for government and school buildings, one hundred (100) flags at five dollars and forty-nine cents (\$5.49) each and one thousand (1,000) flags at one dollar and ninety cents (\$1.90) each, two thousand, four hundred and forty-nine dollars (\$2,449); for the purchase of the steamship "Vitaliana" for the United States Coast and Geodetic Survey, sixteen thousand dollars (\$16,000); for fitting the steamer, six thousand dollars (\$6,000); for coal for running the steamer for six (6) months, two thousand dollars (\$2,000); for salaries and expenses for the office of the Division of Military Information during the year 1901, twelve thousand dollars (\$12,000).

In all, thirty-eight thousand, four hundred and forty-nine dollars (\$38,449).

AUDITOR OF THE PHILIPPINE ARCHIPELAGO.

For the salary of the Auditor from December 15th to December 31st, 1900, at the rate of six thousand dollars (\$6,000) per annum, and for an increase in the salary of the Auditor over the amount already appropriated for the period from January 1st to March 31st, 1901, seven hundred and fifty dollars (\$750); for one clerk of class 1 from January 4th to March 31st, 1901, seven hundred and twenty-five dollars (\$725); for two clerks, class 6, from January 5th to March 31st, 1901, eight hundred and sixty dollars (\$860); for one clerk of class 7 from January 4th to March 31st, 1901, three hundred and eighty-six dollars and

sixty-six cents (\$386.66); for one clerk of class 8 from January 4th to March 31st, 1901, three hundred and thirty-eight dollars and thirty-two cents (\$338.32); for the employment by the Auditor of such additional clerks as may be necessary, for the quarter ending March 31st, 1901, two thousand, nine hundred and forty dollars and two cents (\$2,940.02); for the expenses of the Auditor and employees in traveling from the United States to Manila, authorized by the Secretary of War, one thousand dollars (\$1,000); for half salary of Julian L. Adams, for one month from March 1st, 1901, one hundred and twenty-five dollars (\$125); for the traveling expenses from Manila to Washington of Julian L. Adams, one hundred and fifty dollars (\$150); for traveling expenses of W. S. Jenkins from Manila to Washington, one hundred dollars (\$100); for amount allowed W. S. Jenkins in lieu of any salary appropriated for his services after March 15th, 1901, two hundred and fifty dollars (\$250); for the salary of clerks between October 10th and December 31st, who, though employed without authorization, rendered actual services, eight hundred and ninety-one dollars and sixty-six cents (\$891.66):

In all, eight thousand, five hundred and sixteen dollars and sixty-six cents (\$8,516.66).

PROVOST MARSHAL GENERAL AND DEPARTMENTS REPORTING TO HIM.

DEPARTMENT OF SECRET SERVICE.

For the salary of two agents at one hundred dollars (\$100) per month, for the first quarter of the year 1901, six hundred dollars (\$600). For an increase of twenty-five dollars (\$25) a month in the salaries of three agents hereby authorized, for the months of January, February and March, 1901, two hundred and twenty-five dollars (\$225).

DEPARTMENT OF POLICE.

For the salaries of twenty-four sergeants at ninety dollars (\$90) a month, twenty-four corporals at seventy-five dollars (\$75) a month, and three hundred privates at sixty-five dollars (\$65) a month, from January 21st to March 31st, 1901, fifty-four thousand and seven hundred and forty-one dollars (\$54,741); for salaries of twenty-four sergeants at ninety dollars (\$90) a month, twenty-four corporals at seventy-five dollars (\$75) a month and three hundred privates at sixty-five dollars (\$65) a month, for the month of March, 1901, twenty-three thousand, four hundred and sixty dollars (\$23,460); for the salaries of additional native police, authorized by Act No. 54, one lieutenant at forty dollars (\$40) a month, three sergeants at twenty dollars (\$20) a month, three corporals at fifteen dollars (\$15) a month and fifty privates at twelve dollars (\$12) a month for the first quarter of the year 1901, two thousand, two hundred and thirty-five dollars (\$2,235); for the employment of one clerk of class 9 for the Ordnance Officer and Quartermaster of the Police Department for the month of March, 1901, one hundred dollars (\$100).

DEPARTMENT OF MUNICIPAL RECORDS.

For two clerks of class C in each of the following courts: the court of First Instance of Binondo, the court of First Instance of Tondo, the court of First Instance of Quiapo, and the court of First Instance, Intramuros, for the months of August, September, October and

November, 1900, nineteen hundred and twenty dollars (\$1,920); for twelve clerks at a salary of ten dollars (\$10) a month each in each of the following courts: the court of First Instance of Binondo, the court of First Instance of Tondo, the court of First Instance of Quiapo, and the court of First Instance, Intramuros, for August, September, October and November, 1900, nineteen hundred and twenty dollars (\$1,920); for an increase of one dollar (\$1) a month in the salaries of sixteen bailiffs for the months of August, September, October and November, 1900, in each of the following courts: the court of First Instance of Binondo, the court of First Instance of Tondo, the court of First Instance of Quiapo, and the court of First Instance, Intramuros, sixty-four dollars (\$64); for one clerk of class I for the Justice of the Peace of Binondo, for August, September, October and November, 1900, for one clerk of class I for the Justice of the Peace of Tondo for the same period, for one clerk of class I for the Justice of the Peace of Quiapo for the same period, three hundred dollars (\$300); for one clerk of class I for the Justice of the Peace, Intramuros, for the months of August, September, October, November and December, 1900, one hundred and twenty-five dollars (\$125):

In all, for the Provost Marshal General and departments reporting to him, eighty-five thousand, six hundred and ninety dollars (\$85,690).

CHIEF QUARTERMASTER, DEPARTMENT OF THE VISAYAS.

For payment for the schooner "Defender," three thousand and two dollars and sixty-three cents (\$3,002.63); for additional expenses of maintenance of leprosy hospital at Cebu, five hundred and ten dollars (\$510); for the payment of the salaries and clothing allowances of native scouts, five thousand, five hundred dollars (\$5,500); for additional amount required for the payment of school teachers within the four districts of the Department, two thousand, five hundred dollars (\$2,500); for the purchase of supplies for the schools at Iloilo, seven hundred and fifty dollars (\$750); for an additional amount required for the payment of additional civilian employés, five hundred and fifty dollars (\$550); for the settlement of back rents for the buildings occupied by United States troops, five hundred dollars (\$500); for payment of rents contracted in excess of amounts estimated for the quarter ending March 31st, 1901, occupied as barracks for troops, four thousand, seven hundred and fifty dollars (\$4,750); for the purchase of coal required at Iloilo for use on steam vessels operated by civil bureaus, five thousand dollars (\$5,000); for payments for ponies purchased in Antique Province for native scouts, six hundred and seventy dollars (\$670):

In all, twenty-three thousand, seven hundred and thirty-two dollars and sixty-three cents (\$23,732.63).

FORESTRY BUREAU.

For the purchase of two native ponies for the use of forestry officials in the province of Benguet, sixty dollars (\$60).

CHIEF COMMISSARY, DIVISION OF THE PHILIPPINES.

For reimbursement for subsistence furnished native convicts in the Provinces of Pangasinan, Pampanga, Tarlac, Sorsogon, Ilocos Norte, Camarines Sur, Albay, and in the Islands of Jolo, Mindanao and Panay, one thousand, seven hundred and eighty-five dollars and seventy-one cents (\$1,785.71).

COLLECTOR OF INTERNAL REVENUE OF THE ISLANDS.

For regular supplies, nine dollars and fifty cents (\$9.50); for incidental expenses, seven dollars and fifty cents (\$7.50); for rents and repairs, two hundred and fifty-one dollars and fifty cents (\$251.50); for tax refunds, one hundred and fifty-eight dollars and six cents (\$158.06); for transportation, seventy-one dollars and twenty cents (\$71.20); for miscellaneous expenses, sixteen dollars and twenty-five cents (\$16.25); for salaries and wages, twelve hundred and seventy-eight dollars and ninety-four cents (\$1,278.94); for increase in the salary of the chief clerk of the Collector of Internal Revenue of the Third District of Northern Luzon, hereby authorized, from sixty dollars (\$60) a month to seventy-five dollars (\$75) a month, for the months of February and March, 1901, thirty dollars (\$30):

In all, eighteen hundred and twenty-two dollars and ninety-five cents (\$1,822.95).

TREASURER OF THE PHILIPPINE ISLANDS.

For the salary of an additional clerk of class 9, whose temporary employment is hereby authorized, from February 11th to March 31st, 1901, one hundred and sixty-six dollars and sixty-seven cents (\$166.67); for the salary of an expert accountant in the Spanish-Filipino Bank examination, thirty-seven dollars and fifty cents (\$37.50):

In all, two hundred and four dollars and seventeen cents (\$204.17).

MINING BUREAU.

For the employment of a clerk of class C from February 10th to March 31st, 1901, one hundred dollars (\$100).

GENERAL SUPERINTENDENT OF EDUCATION.

For the purchase of school books, authorized by the resolution of the Commission of February 11th, 1901, one hundred and twenty-eight thousand, four hundred and forty-five dollars (\$128,445); for the purchase of school supplies and stationery, authorized by the same resolution, thirty-four thousand, two hundred and twenty-one dollars and seventy-five cents (\$34,221.75); for increase in the salary of the property clerk from twelve hundred dollars (\$1,200) to fourteen hundred dollars (\$1,400) a year, hereby authorized, for the month of March, sixteen dollars and sixty-seven cents (\$16.67); for the salary of one clerk, class 9, from February 23d to March 31st, 1901, one hundred and twenty dollars (\$120); for one clerk for four afternoons each week at the rate of twelve dollars (\$12) per week from March 11th to March 31st, 1901, thirty-six dollars (\$36):

In all, one hundred and sixty-two thousand, eight hundred and thirty-nine dollars and forty-two cents (\$162,839.42).

DEPARTMENT OF POSTS.

For the purchase of three native ponies, two hundred and fifty dollars (\$250); for a double harness, forty-five dollars (\$45):

In all, two hundred and ninety-five dollars (\$295).

PROVINCIAL INSPECTOR, PROVINCE OF BENGUET.

For salary at the rate of four hundred dollars (\$400) a year from January 11th to June 30th, 1901, one hundred and eighty-nine dollars and fourteen cents (\$189.14).

REGISTRAR OF PROPERTY OF CAMARINES SUR.

For the salary of a clerk at the rate of twelve dollars and fifty cents (\$12.50) a month for the months of December, 1900, January, February and March, 1901, fifty dollars (\$50).

Total appropriations for all purposes, in money of the United States, three hundred and twenty-three thousand, seven hundred and thirty-four dollars and sixty-eight cents (\$323,734.68).

SEC. 2. The public good requiring the speedy enactment of this Appropriation Bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26th, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted March 8, 1901.

[No. 98.]

AN ACT to regulate commerce in the Philippine Islands.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. No person or corporation engaged as a common carrier of passengers or property shall directly or indirectly by any special rate, rebate, drawback or other device, charge, demand, collect or receive from any person or persons, a greater or less compensation for any service rendered, or to be rendered in the transportation of passengers or property on land or water between any points in the Philippine Islands than such common carrier charges, demands, collects or receives from any other person or persons for doing for him a like or contemporaneous service in the transportation of a like kind of traffic under substantially similar circumstances and conditions, and any such unjust discrimination is hereby prohibited and declared to be unlawful.

SEC. 2. It shall be unlawful for any common carrier engaged in the transportation of passengers or property as above set forth to make or give any unnecessary or unreasonable preference or advantage to any particular person, company, firm, corporation or locality or any particular kind of traffic in any respect whatsoever, or to subject any particular person, company, firm, corporation or locality or any particular kind of traffic, to any undue or unreasonable prejudice or discrimination whatsoever, and such unjust preference or discrimination is also hereby prohibited and declared to be unlawful.

SEC. 3. No common carrier engaged in the carriage of passengers or property as aforesaid shall, under any pretense whatsoever, fail or refuse to receive for carriage, and as promptly as it is able to do so without discrimination, to carry any person or property offering for carriage, and in the order in which such persons or property are offered for carriage, nor shall any such common carrier enter into any arrangement, contract or agreement with any other person or corporation whereby the latter is given an exclusive or preferential privilege over any other person or persons to control or monopolize the carriage of any class or kind of property to the exclusion or partial exclusion of any other person or persons, and the entering into any such

arrangement, contract or agreement, under any form or pretense whatsoever, is hereby prohibited and declared to be unlawful.

SEC. 4. Any wilful violation of the provisions of this Act by any common carrier engaged in the transportation of passengers or property as hereinbefore set forth, is hereby declared to be punishable by a fine not exceeding five thousand dollars (\$5,000.00) money of the United States, or by imprisonment not exceeding two years, or both, within the discretion of the court.

SEC. 5. Any person or corporation who may be damaged by reason of the doing by a common carrier of any of the matters and things by this act prohibited, shall be entitled to sue for and recover all damages so incurred by him, together with the costs of such suits, and a penalty of one hundred dollars (\$100.00) in money of the United States to be recovered by the person or corporation in the same action, such suit to be brought in any court in the Islands having jurisdiction thereof.

SEC. 6. All managers, agents or servants of common carriers directing or assisting in the acts and doings prohibited by this act shall be subject to the same penalty as provided for the common carrier.

SEC. 7. This act shall take effect on its passage.

Enacted, March 9, 1901.

[No. 99.]

AN ACT to amend an act entitled "A general act for the organization of provincial governments in the Philippine Islands."

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. To facilitate the collection of revenues for the existing quarter and the rendition by the Collector of Internal Revenue of the Islands of the statements required in section 18 of the Provincial Government Act, the provincial treasurers appointed under said act shall not assume their duties as collectors of internal revenue until the beginning of the next quarter of the fiscal year, April 1, 1901.

SEC. 2. Until March 1, 1902, the necessary stationery, blank forms, books, etc., used in the collection of internal revenue, shall be furnished by the Collector of Internal Revenue of the Islands upon the requisition of provincial treasurers.

SEC. 3. This act shall take effect on its passage.

Enacted, March 9, 1901.

[No. 100.]

AN ACT empowering the Military Governor and his proper subordinates to organize town governments not already organized in provinces to which the Provincial Government Act has not been extended.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. In all provinces to which the provisions of the Provincial Government Act have not been extended, the Military Governor, or his proper subordinates, shall have power to organize town governments not already organized under General Order No. 40, series of

1900, Office of the Military Governor of the Philippine Islands, or the Municipal Code, in accordance with the provisions of General Order No. 43, series of 1899, Headquarters Division of the Philippines. Such organization shall be provisional and shall remain in force only until the Commission shall establish a municipal government in accordance with the terms and provisions of the Municipal Code.

SEC. 2. This act shall take effect on its passage.

Enacted, March 9, 1901.

[No. 101.]

AN ACT to amend an act entitled "An act appropriating one million dollars in money of the United States for improving the Port of Manila," enacted October 15, 1900.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Section one of an act entitled "An act appropriating one million dollars in money of the United States for improving the Port of Manila," enacted October 15, 1900, is hereby amended to read as follows:

"The sum of one million dollars (\$1,000,000), in money of the United States, is hereby appropriated, to be paid out of any money in the Insular Treasury not otherwise appropriated, to be immediately available and to be expended by the Military Governor, through the Chief Engineer, United States Army, for the Division of the Philippine Islands, for continuing the improvements of the harbor of Manila, including the outer harbor and the Pasig River from the Bridge of Spain to the mouth, in accordance with the plans and specifications prepared by the Chief Engineer, Division of the Philippines, which have been submitted to and approved by the Commission, and are on file in this office, and which are a modification of the plans and specifications adopted and partially carried out by the Spanish Government for the improvement of said harbor and which are also on file in the office of the Chief Engineer."

SEC. 2. Section 2 of said act is hereby amended so as to read as follows:

"The appropriation hereby made shall be first used, so far as it will go, toward finishing what is known in the Spanish plan as the western breakwater of said harbor, and extending the same in a southerly direction so that its end will be in water about the depth of thirty feet at mean low water, and in dredging behind and within said breakwater to a depth not exceeding thirty feet at mean low water, so that shipping of the largest class now frequenting the port of Manila may be able to lie under its protection; to improve the present canal connecting the harbor thus made with the Pasig River, and to improve the Pasig River below the Bridge of Spain and the bar at the mouth of the river. So much of the material excavated by such dredging as shall be necessary for the purpose shall be deposited behind a timber bulkhead and elsewhere where required to form land in shallow water near and along the shore line of the harbor. The said bulkhead shall also be erected in accordance with the said modified plans of the Chief Engineer. As soon as reasonably practicable a channel shall be provided about five hundred feet in width and thirty feet in depth at mean low water from the end of the western breakwater, when completed according to said modified plans, to the said bulkhead, so that

deep draft vessels may lie alongside any wharves which may hereafter be provided on the line of said bulkhead and load and unload without the use of lighters.

The improvement of the Pasig River hereby provided for shall consist of the necessary work to provide by dredging and maintain a depth of eighteen feet at mean low water from deep water in the Bay to the Bridge of Spain. The improvement of the canal between the harbor and the Pasig River shall consist of the necessary works to give a depth of fifteen feet at mean low water through the said canal and into the Pasig River."

SEC. 3. Section 5 of said act is hereby amended by making all of said section prior to Rule (a) read as follows:

"The work herein provided for shall, as far as practicable, be done and the necessary materials purchased by contract or contracts with private individuals or corporations. Bids for doing the same shall be advertised for and the contracts for doing the same shall be awarded to the lowest responsible bidder or bidders, except as hereinafter provided.

"When the Chief Engineer shall decide that public exigency requires the immediate delivery of any article or performance of any service the article or service required may be procured by open purchase or hire at the places and in the manner in which articles are usually bought and sold or such services engaged between individuals, provided the price of such article or service does not in any single instance exceed five thousand dollars (\$5,000) Mexican. Provided, that the Chief Engineer is hereby authorized to make contracts for the work of harbor improvements as projected and set forth in said modified plans and specifications prepared by him as above set forth, in addition to the sum already appropriated, to an amount not exceeding two million dollars, money of the United States. Additional appropriations will be made from time to time to make payments for said contracts on or before the exhaustion of funds available for said contracts. And provided further, that in the improvement of the Pasig River and the canal between the harbor and the river, the Chief Engineer may cause the work to be done by the use of hired labor and purchase of materials without first advertising for bids, if in his opinion this method is most economical and advantageous to public interests.

"The Chief Engineer may advertise and contract for the doing of the work prescribed by this act either as a whole or in parts, as he may deem most advantageous to the public interests.

"In making such advertisements or contracts he shall observe the following general rules and regulations, viz: "

SEC. 4. This act shall take effect on its passage.

Enacted, March 9, 1901.

[No. 102.]

AN ACT regulating the salaries of officers and employees in the Philippine civil service.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The Philippine Civil Service Board having submitted its plan for the readjustment of salaries in the Philippine civil service, in accordance with the provisions of act No. 57 of December 12,

1900, the following officers and employees shall be employed in the departments and offices in the Philippine civil service and the salaries for officers or employees in each class shall be construed to be the minimum salary for that class, as provided in Civil Service Rule XII, adopted by the Board under the provisions of the Civil Service Act, as follows:

RULE XII.

SALARY CLASSIFICATION.

The officers and employees in the Philippine civil service, for the purpose of these rules, shall be arranged in the following classes, and, unless otherwise provided by law, it shall be understood that the minimum amount specified for each class indicates the annual salary of each employee in that class:

CLASS 1. All persons receiving an annual salary of \$3,000 or more, or a compensation at the rate of \$3,000 or more per annum.

CLASS 2. All persons receiving an annual salary of \$2,750 or more, or a compensation at the rate of \$2,750 or more, but less than \$3,000 per annum.

CLASS 3. All persons receiving an annual salary of \$2,500 or more, or a compensation at the rate of \$2,500 or more, but less than \$2,750 per annum.

CLASS 4. All persons receiving an annual salary of \$2,250 or more, or a compensation at the rate of \$2,250 or more, but less than \$2,500 per annum.

CLASS 5. All persons receiving an annual salary of \$2,000 or more, or a compensation at the rate of \$2,000 or more, but less than \$2,250 per annum.

CLASS 6. All persons receiving an annual salary of \$1,800 or more, or a compensation at the rate of \$1,800 or more, but less than \$2,000 per annum.

CLASS 7. All persons receiving an annual salary of \$1,600 or more, or a compensation at the rate of \$1,600 or more, but less than \$1,800 per annum.

CLASS 8. All persons receiving an annual salary of \$1,400 or more, or a compensation at the rate of \$1,400 or more, but less than \$1,600 per annum.

CLASS 9. All persons receiving an annual salary of \$1,200 or more, or a compensation at the rate of \$1,200 or more, but less than \$1,400 per annum.

CLASS 10. All persons receiving an annual salary of \$1,000 or more, or a compensation at the rate of \$1,000 or more, but less than \$1,200 per annum.

CLASS A. All persons receiving an annual salary of \$900 or more, or a compensation at the rate of \$900 or more, but less than \$1,000 per annum.

CLASS B. All persons receiving an annual salary of \$840 or more, or a compensation at the rate of \$840 or more, but less than \$900 per annum.

CLASS C. All persons receiving an annual salary of \$720 or more, or a compensation at the rate of \$720 or more, but less than \$840 per annum.

CLASS D. All persons receiving an annual salary of \$600 or more, or a compensation at the rate of \$600 or more, but less than \$720 per annum.

CLASS E. All persons receiving an annual salary of \$540 or more, or a compensation at the rate of \$540 or more, but less than \$600 per annum.

CLASS F. All persons receiving an annual salary of \$480 or more, or a compensation at the rate of \$480 or more, but less than \$540 per annum.

CLASS G. All persons receiving an annual salary of \$420 or more, or a compensation at the rate of \$420 or more, but less than \$480 per annum.

CLASS H. All persons receiving an annual salary of \$360 or more, or a compensation at the rate of \$360 or more, but less than \$420 per annum.

CLASS I. All persons receiving an annual salary of \$300 or more, or a compensation at the rate of \$300 or more, but less than \$360 per annum.

CLASS J. All persons receiving an annual salary of \$240 or more, or a compensation at the rate of \$240 or more, but less than \$300 per annum.

CLASS K. All persons receiving an annual salary of less than \$240, or a compensation at the rate of less than \$240 per annum.

MILITARY GOVERNOR.

SEC. 2. There shall be employed in the office of the Military Governor of the Philippine Archipelago: one private secretary; one law clerk of class one; one chief clerk of class four; one clerk in charge of the Department of Archives of class five; one clerk of class six; three clerks of class seven; nine clerks of class eight; twelve clerks of class nine; three clerks of class A; eight clerks of class C; two clerks of class II; two clerks of class I; two clerks at a compensation at the rate of two hundred and ten dollars per annum each; two clerks at a compensation at the rate of one hundred and fifty dollars per annum each; two porters at a compensation at the rate of one hundred and twenty dollars per annum each.

U. S. PHILIPPINE COMMISSION.

SEC. 3. There shall be employed at the office of the U. S. Philippine Commission: one private secretary for each member of the Commission; one secretary of the Commission at an annual compensation of seven thousand, five hundred dollars; one assistant secretary and one recorder at an annual compensation of two thousand, seven hundred and fifty dollars each; two clerks of class six; eight clerks of class eight; one clerk of class A; one clerk of class C; one night watchman of class D; one clerk of class I; four messengers at a compensation at the rate of one hundred and fifty dollars per annum each; and, until otherwise directed, one assistant in customs work at a compensation at the rate of three thousand, six hundred dollars per annum; and one Tagalog-Spanish interpreter and translator at a compensation at the rate of one thousand five hundred dollars per annum.

OFFICE OF THE TREASURER.

SEC. 4. The Treasurer of the Philippine Archipelago shall receive an annual compensation of six thousand dollars, and the chief clerk of the Treasurer shall receive an annual compensation of two thousand, two hundred and fifty dollars.

In addition to the officers whose salaries are fixed above, there shall be employed in the office of the Treasurer of the Philippine Archipelago: one clerk of class six; one clerk of class nine; two clerks of class I.

OFFICE OF THE AUDITOR.

SEC. 5. The Auditor for the Philippine Archipelago shall receive an annual compensation of six thousand dollars. The Deputy Auditor shall receive an annual compensation of four thousand dollars, and the chief clerk of the Auditor shall receive an annual compensation of thousand, two hundred and fifty dollars.

In addition to the officers whose salaries are fixed above, there shall be employed in the office of the Auditor for the Philippine Archipelago: seven clerks of class six; five clerks of class seven; six clerks of class eight; nine clerks of class nine; two clerks of class ten; two clerks of class A; two clerks of class B; two clerks of class C; two clerks of class D; two clerks of class E; two clerks of class F; two clerks of class I; and three messengers at a compensation at the rate of one hundred and fifty dollars per annum each.

THE COLLECTOR OF CUSTOMS.

SEC. 6. The Collector of Customs for the Philippine Archipelago and the Chief Port shall receive an annual compensation of six thousand dollars; the Deputy Collector of Customs for the Philippine Archipelago and the Chief Port shall receive an annual compensation of four thousand dollars.

In addition to the officers whose salaries are fixed above, there shall be employed in the custom house at Manila: one cashier at an annual compensation of three thousand dollars; seven chiefs of division of class five; two clerks of class six; seventeen inspectors of class eight; nine inspectors of class nine; twenty-one inspectors of class ten; sixty-two inspectors of class A; one employee of class D; fifteen employees of class F; three employees of class H; nine employees of class I; one hundred and twenty-eight employees of class J; three employees at a compensation at the rate of one hundred and fifty dollars per annum each; forty-four employees at a compensation at the rate of one hundred and twenty dollars per annum each; seven messenger boys at a compensation at the rate of ninety dollars per annum each.

THE COLLECTOR OF INTERNAL REVENUE.

SEC. 7. The Collector of Internal Revenue for the Philippine Archipelago shall receive an annual compensation of four thousand dollars; the Deputy Collector of Internal Revenue shall receive an annual compensation of two thousand dollars.

In addition to the officers whose salaries are fixed above, there shall be employed in the office of the Collector of Internal Revenue: one clerk of class six; one clerk of class seven; two clerks of class eight; two clerks and seven inspectors of class nine; three clerks of class F; three clerks of class J; seventeen employees at a compensation at the rate of one hundred and fifty dollars per annum each; three messenger boys at a compensation at the rate of seventy-two dollars per annum each.

THE DEPARTMENT OF POSTS.

SEC. 8. The Director General of Posts for the Philippine Archipelago shall receive an annual compensation of five thousand dollars.

There shall be employed in the office of the Director General of Posts: one chief clerk and disbursing officer at an annual compensation of two thousand, two hundred and fifty dollars; one post office inspector of class five; one custodian of stamps and supplies of class five; one clerk of class seven; two clerks and one printer of class eight; one clerk of class nine; one assistant printer of class 1; one janitor and messenger, and one coachman at a compensation at the rate of one hundred and fifty dollars per annum each.

MANILA POSTOFFICE.

SEC. 9. The Postmaster of Manila shall receive an annual compensation of thirty-five hundred dollars. The Assistant Postmaster of Manila shall receive an annual compensation of twenty-two hundred and fifty dollars.

In addition to the officers whose salaries are fixed above, there shall be employed in the postoffice at Manila: one superintendent of mails at an annual compensation of two thousand dollars; one superintendent of the money order division and one superintendent of the registry division at an annual compensation of eighteen hundred dollars each; one clerk of class seven; twenty-five clerks of class eight; three clerks of class nine; five clerks of class ten; one clerk of class B; one clerk of class C; eight clerks of class F; five clerks of class H; two clerks of class I; ten drivers, porters and janitors at a compensation at the rate of one hundred and fifty dollars per annum each; and twelve messengers at a compensation at the rate of one hundred and twenty dollars per annum each.

OTHER POSTOFFICES.

SEC. 10. The Postmasters in charge of the offices named below shall receive an annual compensation as follows:

Iloilo, two thousand dollars; Cavite, Cebu, Dagupan, and Vigan, eighteen hundred dollars; Aparri, Bacolod, Jolo, and Zamboanga, sixteen hundred dollars; Angeles, Batangas, Cagayan de Misamis, Calamba, Catbalogan, Nueva Caceres, San Fernando de la Pampanga, San Isidro, Santa Cruz de Laguna and Tacloban, fourteen hundred dollars; First Reserve Hospital, Manila, twelve hundred dollars.

PHILIPPINE CIVIL SERVICE BOARD.

SEC. 11. The members of the Philippine Civil Service Board shall each receive an annual compensation of three thousand five hundred dollars.

There shall be employed in the office of the Philippine Civil Service Board: one examiner of class four; one examiner of class five; three clerks of class eight; one clerk of class nine; one clerk of class D; and two messengers at a compensation at the rate of one hundred and fifty dollars per annum each.

THE GENERAL SUPERINTENDENT OF PUBLIC INSTRUCTION.

SEC. 12. The General Superintendent of Public Instruction of the Philippine Archipelago shall receive an annual compensation of six thousand dollars.

There shall be employed in the office of the General Superintendent of Public Instruction: one chief clerk at an annual compensation of two thousand dollars; two clerks of class eight; two clerks of class nine; one clerk of class A; one clerk of class C; one janitor at a compensation at the rate of one hundred and twenty dollars per annum; and two packers at a compensation at the rate of ninety dollars per annum each.

THE CAPTAIN OF THE PORT AT MANILA.

SEC. 13. There shall be employed in the office of the Captain of the Port at Manila: one chief clerk at an annual compensation of two thousand dollars; one clerk of class seven; four clerks of class nine; two clerks of class A; and four clerks of class F.

The launch crews which may be authorized by law shall be compensated as follows: captains and engineers of launches (first class), four hundred and eighty dollars per annum; captains and engineers of launches (second class), three hundred dollars per annum; launch firemen, two hundred and forty dollars per annum; launch sailors, one hundred and twenty dollars per annum.

THE CUSTOMS SERVICE AT ILOILO, CEBU, JOLO, ZAMBOANGA AND SIASSI.

SEC. 14. The Collector of Customs at Iloilo shall receive an annual compensation of three thousand, five hundred dollars; the Deputy Collector of Customs at Iloilo, who shall also act as cashier, shall receive an annual compensation of two thousand dollars.

The Collector of Customs at Cebu shall receive an annual compensation of three thousand, five hundred dollars; the Deputy Collector of Customs at Cebu, who shall also act as cashier, shall receive an annual compensation of two thousand dollars.

The Collectors of Customs at Jolo, Zamboanga and Siassi shall each receive an annual compensation of two thousand dollars.

The inspectors in the customs service at the ports above mentioned, who may be authorized by law, shall be compensated as follows: inspectors of the first-class, fourteen hundred dollars per annum; inspectors of the second class, twelve hundred dollars per annum; inspectors of the third class, one thousand dollars per annum; inspectors of the fourth class, nine hundred dollars per annum, and the salary for such additional employees as may be found necessary shall be estimated for on the basis of the salary classification adopted by the Civil Service Board.

THE MUNICIPAL SERVICE OF MANILA.

SEC. 15. There shall be employed in the Municipal Service of Manila: nine employees of class six; twelve employees of class seven; fifteen employees of class eight; fifty-nine employees of class nine; nine employees of class A; four employees of class B; nineteen employees of class C; nineteen employees of class D; thirteen

employees of class F; twenty employees of class G; twelve employees of class H; twenty-eight employees of class I; forty-three employees of class J; one hundred and two employees at a compensation at the rate of one hundred and eighty dollars per annum each; one hundred and sixty-four employees at a compensation at the rate of one hundred and fifty dollars per annum each; fifty-three employees at a compensation at the rate of one hundred and twenty dollars per annum each; forty-four employees at a compensation at the rate of ninety dollars per annum each; one employee at a compensation at the rate of forty-eight dollars per annum; two employees at a compensation at the rate of twenty-four dollars per annum each.

THE POLICE DEPARTMENT OF THE CITY OF MANILA.

SEC. 16. There shall be employed in the Department of Police: two clerks of class eight; seven clerks, one inspector of native police and seven secret service employees of class nine; one assistant inspector of native police, one surgeon of native police and two secret service employees of class A; three clerks and one secret service employee of class D; one clerk and one secret service employee of class F; eight clerks of class G; five secret service employees of class I; four secret service employees of class J; and two clerks and six secret service employees at a compensation at the rate of one hundred and eighty dollars per annum each.

CITY PRISON AND PRESIDIO.

SEC. 17. There shall be employed in the City Prison and Presidio: three employees of class nine; three employees of class D; two employees of class G; eight employees of class I; six employees of class J; four employees at a compensation at the rate of one hundred and eighty dollars per annum each; and one employee at a compensation at the rate of one hundred and twenty dollars per annum.

THE BUREAU OF STATISTICS.

SEC. 18. The Chief of the Bureau of Statistics shall receive an annual compensation of three thousand, five hundred dollars.

There shall be employed in the office of the Chief of the Bureau of Statistics: one clerk of class seven; one clerk of class eight; one clerk of class A; one clerk of class I; and one messenger at a compensation at the rate of one hundred and fifty dollars per annum.

SEC. 19. No person serving as a stenographer and typewriter, at present appropriated for at an annual compensation of twelve hundred dollars, or less, shall be promoted to the fourteen hundred dollar per annum class, as herein provided for such employees in each office, until after six months' service and until he shall have passed the examination in stenography and typewriting prescribed by the Civil Service Board or by the United States Civil Service Commission.

SEC. 20. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 21. This act shall take effect on and after April 1, 1901.

Enacted, March 9, 1901.

[No. 103.]

AN ACT extending the provisions of the "Provincial Government act" to the Province of Tayabas.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All the provisions of an act entitled "A General Act for the Organization of Provincial Governments in the Philippine Islands," enacted February 6, 1901, shall apply to and govern the establishment of a provincial government in that territory in the Island of Luzon known as the Province of Tayabas, with such exceptions, modifications and supplementary provisions as are hereinafter contained.

SEC. 2. The compensation to be paid provincial officers of the Province of Tayabas shall be at the following rate per year, money of the United States:

For the Provincial Governor, sixteen hundred dollars (\$1,600.00);
 For the Provincial Secretary, eleven hundred dollars (\$1,100.00);
 For the Provincial Treasurer, twenty-two hundred dollars (\$2,200.00);
 For the Provincial Supervisor, eighteen hundred dollars (\$1,800.00);
 For the Provincial Fiscal, thirteen hundred and fifty dollars (\$1,350.00).

The salary of the provincial officers shall be payable monthly so that one-twelfth ($\frac{1}{12}$) of the annual salary shall be paid on the last day of each calendar month.

Each provincial officer shall be allowed his necessary and actual traveling expenses, not exceeding two and a half dollars (\$2.50) per day, in money of the United States, while absent from the capital of the province on official business. The allowance shall be made by the Provincial Board upon certificate of the officer that the travel was necessary for the public business, and shall not be paid until the account, accompanied by the resolution of the Board approving the same, shall be forwarded to the Insular Treasurer and by him approved.

SEC. 3. The bond of the Provincial Treasurer shall be nine thousand dollars (\$9,000.00), until the first day of March, 1902, when, in view of the collection of the land tax, the Commission may require a new bond or an additional bond to cover the probable increase of the funds of which the Provincial Treasurer shall have custody at any one time. The bond to be given shall be conditioned to secure on the part of the Provincial Treasurer that he shall account for the internal revenue collections coming into his hands as Internal Revenue Collector; the taxes collected by him for each municipality, for the province, and for the Central Government. The form of the bond shall be prescribed by the Insular Treasurer. If, upon the request of the Commission, the Military Governor shall detail any military officer to fill a provincial office, no bond shall be required of him and no salary shall be paid him until after July 1, 1901.

SEC. 4. The presidentes or alcaldes of the municipalities of the province shall meet on the third Monday in January, April, July and October to consider improvements needed in the province and for the Provincial Government, and to make recommendations to the Provincial Board. The convention shall be called together by the Provincial Secretary and shall elect a chairman for each quarter's session. The Provincial Secretary shall act as secretary of the convention, and shall certify its recommendations to the Provincial Board.

SEC. 5. The capital of the province shall be at the town of Lucena.

SEC. 6. This act shall take effect on its passage.

Enacted, March 12, 1901.

[No. 104.]

AN ACT extending the provisions of "the Provincial Government Act" to the province of Romblon, as therein defined.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All the provisions of an act entitled "A General Act for the Organization of Provincial Governments in the Philippine Islands," enacted February 6, 1901, shall apply to and govern the establishment of a provincial government in that territory embracing the Islands of Romblon, Tablas, Sibuyan, Banton, Maestro de Campo and Simara, heretofore known as the District of Romblon, together with the Island of Carabao, with such exceptions, modifications and supplementary provisions as are hereinafter contained.

SEC. 2. The compensation to be paid provincial officers of the Province of Romblon shall be at the following rate per year, money of the United States:

For the Provincial Governor, twelve hundred dollars (\$1,200.00);

For the Provincial Secretary, nine hundred dollars (\$900.00);

For the Provincial Treasurer, fifteen hundred dollars (\$1,500.00);

For the Provincial Supervisor, thirteen hundred dollars (\$1,300.00);

For the Provincial Fiscal, one thousand dollars (\$1,000.00).

The salary of provincial officers shall be payable monthly so that one-twelfth ($\frac{1}{12}$) of the annual salary shall be paid on the last day of each calendar month.

Each provincial officer shall be allowed his necessary and actual traveling expenses, not exceeding two dollars (\$2.00) per day, in money of the United States, while absent from the capital of the province on official business. The allowance shall be made by the Provincial Board upon the certificate of the officer that the travel was necessary for the public business, and shall not be paid until the account, accompanied by the resolution of the Board approving the same, shall be forwarded to the Insular Treasurer and by him approved.

SEC. 3. The bond of the Provincial Treasurer shall be seventy-five hundred dollars (\$7,500.00,) until the first day of March, 1902, when, in view of the collection of the land tax, the Commission may require a new bond or an additional bond to cover the probable increase of the funds of which the Provincial Treasurer shall have custody at any one time. The bond to be given shall be conditioned to secure on the part of the Provincial Treasurer that he shall account for the internal revenue collections coming into his hands as Internal Revenue Collector; the taxes collected by him for each municipality, for the province, and for the Central Government. The form of the bond shall be prescribed by the Insular Treasurer. If, upon the request of the Commission, the Military Governor shall detail any military officer to fill a provincial office, no bond shall be required of him and no salary shall be paid him until after July 1, 1901.

SEC. 4. The presidentes or alcaldes of the municipalities of the province shall meet on the third Monday in January, April, July and October to consider improvements needed in the province and for the Provincial Government, and to make recommendations to the Provincial Board. The convention shall be called together by the Provincial Secretary and shall elect a chairman for each quarter's session. The Provincial Secretary shall act as secretary of the convention, and shall certify its recommendations to the Provincial Board.

SEC. 5. The capital of the province shall be, as formerly, at the town of Romblon.

SEC. 6. This act shall take effect on its passage.

Enacted, March 16, 1901.

[No. 105.]

AN ACT extending the provisions of "The Provincial Government Act" to the Province of Masbate.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All the provisions of an act entitled "A General Act for the Organization of Provincial Governments in the Philippine Islands," enacted February 6, 1901, shall apply to and govern the establishment of a provincial government in the territory of the Islands of Masbate, Ticao and Burias, and all the small outlying adjacent islands, before known as the District of Masbate, with such exceptions, modifications and supplementary provisions as are hereinafter contained.

SEC. 2. The compensation to be paid provincial officers of the Province of Masbate shall be at the following rate per year, money of the United States:

For the Provincial Governor, twelve hundred dollars (\$1,200.00);

For the Provincial Treasurer, twelve hundred dollars (\$1,200.00);

For the Provincial Supervisor, seven hundred and twenty dollars (\$720.00).

The salary of provincial officers shall be payable monthly so that one-twelfth ($\frac{1}{12}$) of the annual salary shall be paid on the last day of each calendar month.

Each provincial officer shall be allowed his necessary and actual traveling expenses, not exceeding two dollars (\$2.00) per day, in money of the United States, while absent from the capital of the province on official business. The allowance shall be made by the Provincial Board upon the certificate of the officer that the travel was necessary for the public business, and shall not be paid until the account, accompanied by the resolution of the Board approving the same, shall be forwarded to the Insular Treasurer and by him approved.

SEC. 3. The bond of the Provincial Treasurer shall be four thousand dollars (\$4,000.00), until the first day of March, 1902, when, in view of the collection of the land tax, the Commission may require a new bond or an additional bond to cover the probable increase of the funds of which the Provincial Treasurer shall have custody at any one time. The bond to be given shall be conditioned to secure on the part of the Provincial Treasurer that he shall account for the internal revenue collections coming into his hands as Internal Revenue Collector; the taxes collected by him for each municipality; for the province; and for the Central Government. The form of the bond shall be prescribed by the Insular Treasurer. If, upon the request of the Commission, the Military Governor shall detail any military officer to fill a provincial office, no bond shall be required of him and no salary shall be paid him until after July 1, 1901.

SEC. 4. The presidentes or alcaldes of the municipalities of the province shall meet on the third Monday in January, April, July and October to consider improvements needed in the province and for the Provin-

cial Government, and to make recommendations to the Provincial Board. The convention shall be called together by the Provincial Secretary and shall elect a chairman for each quarter's session. The Provincial Secretary shall act as secretary of the convention, and shall certify its recommendations to the Provincial Board.

SEC. 5. The capital of the province shall be, as formerly, at the town of Masbate.

SEC. 6. In the Province of Masbate the Provincial Governor shall discharge the duties of Provincial Secretary, and the duties of Provincial Fiscal shall be discharged by the Provincial Fiscal of the Province of Romblon, for which he shall receive from the treasury of the Province of Masbate the sum of two hundred dollars (\$200.00) in money of the United States, per year, and his traveling expenses between Romblon and Masbate.

SEC. 7. This act shall take effect on its passage.

Enacted, March 18, 1901.

[No. 106.]

AN ACT amending act No. 78, entitled "An act declaring all persons in arms against the authority of the United States in the Philippine Islands, and all persons aiding or abetting them, on the first day of April, 1901, or thereafter, ineligible to hold office," and the provincial and municipal codes in such sections as relate thereto.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Act No. 78, entitled "An act declaring all persons in arms against the authority of the United States in the Philippine Islands, and all persons aiding or abetting them, on the first day of April, 1901, or thereafter, ineligible to hold office," is hereby amended by striking out the word "April" in the first line of section one and inserting in lieu thereof the word "May."

SEC. 2. Act No. 82, entitled "A general act for the organization of municipal governments in the Philippine Islands," is hereby amended by striking out the word "April" in the first line of sub-section (d), section eight, and inserting in lieu thereof the word "May."

SEC. 3. Act No. 83, entitled "A general act for the organization of provincial governments in the Philippine Islands," is hereby amended by striking out the word "April" in the eleventh line of section three, and inserting in lieu thereof the word "May."

SEC. 4. This act shall take effect on its passage.

Enacted, March 22, 1901.

[No. 107.]

AN ACT authorizing the military governor to detail military officers temporarily to discharge the duties of provincial officers under circumstances defined in this act.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Whenever a province shall have been organized by the passage of a special act applying to it the provisions of the General

Provincial Act, and the Commission is not prepared to make permanent appointments to any or all of the provincial offices, or by reason of a refusal of appointees to accept the appointments made by the Commission, or for any other cause, vacancies shall exist so that the Provincial Boards cannot organize, or act under the terms of the General Provincial Act, the Military Governor is hereby authorized, upon the request of the Commission, temporarily to fill the vacancies by detail of military officers.

SEC. 2. The Military Governor shall report to the Commission any action taken by him under the provisions of the foregoing section.

SEC. 3. The officers detailed under section one of this act shall perform the duties of their offices until successors are duly appointed and qualified.

SEC. 4. Bonds shall not be required of officers detailed under section one, although by the General Provincial Act bonds are required of the incumbents of such offices.

SEC. 5. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section two of "An act prescribing the order of procedure by the Commission in the enactment of laws," passed September 26, 1900.

SEC. 6. This act shall take effect on its passage.

Enacted, March 28, 1901.

[No. 108.]

AN ACT fixing the salary of the Boiler Inspector in the office of the Captain of the Port at Manila, and requiring that all vacancies in the position shall be filled under the provisions of the Civil Service Act.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The Boiler Inspector appointed by the Captain of the Port of Manila shall receive an annual salary of two thousand, two hundred and fifty dollars (\$2,250.00) in money of the United States.

SEC. 2. A vacancy in the office shall be filled by appointment, in accordance with the provisions of the Civil Service Act.

SEC. 3. The public good requiring the speedy enactment of this bill, the passage of same is hereby expedited in accordance with section two of "An act prescribing the order of procedure by the Commission in the enactment of laws," passed September 26, 1900.

SEC. 4. This act shall take effect on its passage.

Enacted, March 28, 1900.

[No. 109.]

AN ACT amending Act No. 36, entitled "An act regulating the system of keeping accounts of public revenues and the return thereof, and repealing certain orders and circulars relating to those subjects, and modifying its application in the Jolo Archipelago.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Section two of Act number 36, entitled "An act regulating the system of keeping accounts of public revenues and the return thereof, and repealing certain orders and circulars relating to

those subjects," is hereby amended by adding at the end thereof the following words: "Provided, nevertheless, that the Collector of the Port of Jolo and all other officers or agents authorized to receive money, arising from the revenues of the Islands, of whatsoever kind, may pay the full amounts received and collected by them respectively, to the Treasurer of the Islands in money of the United States, irrespective of the kinds of money in which the payments were received and collected, and for the purpose of such payments to the Treasurer of the Islands all insular moneys received may be reduced to money of the United States at the ratio of two dollars of insular currency for one dollar of money of the United States until another ratio shall be established for that purpose by order of the Military Governor."

SEC. 2. The public good requiring the speedy enactment of this bill, the passage of same is hereby expedited in accordance with section two of "An act prescribing the order of procedure by the Commission in the enactment of laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, March 28, 1901.

[No. 110.]

AN ACT Appropriating one million, two hundred and sixty-three thousand, seven hundred and eleven dollars and fifty-nine cents (\$1,263,711.59) in money of the United States, for the payment of sundry expenses incurred for the benefit of the Insular Government for the second quarter of the year 1901 and other designated periods.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The following sums in money of the United States are hereby appropriated out of any money in the Insular Treasury not otherwise appropriated, for the payment of current expenses of the Insular Government, for the second quarter of the year 1901 and other designated periods, for the purposes and objects hereinafter expressed, viz.:

CHIEF QUARTERMASTER, DIVISION OF THE PHILIPPINES.

For gutters on the Spanish mint, two hundred and twenty-five dollars (\$225); pay of native doctors at Iriga, seventy-five dollars (\$75); street lamps and chimneys, twenty-one dollars (\$21); engineer and foreman for repairs to roads at Iriga, eighty-three dollars and eighty cents (\$83.80); construction of dock at San Miguel, fifteen hundred dollars (\$1,500); construction of quarantine station, fifteen hundred and fourteen dollars and thirty-one cents (\$1,514.31); reimbursement for hire of carriers and bancas, eighty-seven dollars and fifty cents (\$87.50); prisoners at Zamboanga, seventy-seven dollars (\$77); payment of all cablegrams throughout the Islands and to the United States, and for the hire of telephones, twenty-seven thousand dollars (\$27,000); cleaning cess-pools, vaults and dry earth closets, six thousand dollars (\$6,000); repairs to the Audiencia Building, sixty-two dollars and fifty cents (\$62.50); awnings for the Intendencia Building, eighty-seven dollars and fifty cents (\$87.50); awnings for the Santa Potenciana Building, eighty-two dollars and fifty cents (\$82.50); expenses of the Ice Plant at Manila as follows: for equipment to

handle stores and supplies, sixty-eight thousand, eight hundred and twenty-five dollars (\$68,825): supplies for a period of six months, including emergency repairs, care and maintenance of land and water transportation, and care of buildings, grounds, etc., fifty-one thousand, five hundred and twenty-one dollars (\$51,521); labor for a period of six months, twenty-five thousand, three hundred and sixty-seven dollars (\$25,367);

In all, one hundred and eighty-two thousand, five hundred and twenty-nine dollars and eleven cents (\$182,529.11).

DISBURSING QUARTERMASTER OF CIVIL BUREAUS.

For salaries in the Court of First Instance at Vigan:

One judge at sixteen hundred and fifty dollars (\$1,650) per annum; one district attorney at thirteen hundred and fifty dollars (\$1,350) per annum; one clerk Class C; one defender of poor prisoners at one hundred and fifty dollars (\$150) per annum; one interpreter at seventy-two dollars (\$72) per annum; three clerks at ninety-six dollars (\$96) each per annum; four bailiffs at sixty dollars (\$60) each per annum; one clerk Class 9; one jailer at one hundred and fifty dollars (\$150) per annum; two assistant jailers at seventy-two (\$72) each per annum; fourteen hundred and ninety-one dollars (\$1,491).

Court of Justice at Vigan:

Salary of one justice at eight hundred and sixty-four dollars (\$864) per annum; one clerk Class I; two hundred and ninety-one dollars (\$291).

Court of First Instance at Dagupan:

One judge at sixteen hundred and fifty dollars (\$1,650) per annum; one district attorney at thirteen hundred and fifty dollars (\$1,350) per annum; one clerk Class C; one defender of poor prisoners at one hundred and fifty dollars (\$150) per annum; one interpreter at seventy-two dollars (\$72) per annum; three clerks at ninety-six dollars (\$96) each per annum; four police at sixty dollars (\$60) each per annum; eleven hundred and seventeen dollars and fifty cents (\$1,117.50).

Court of Justice at Dagupan:

One justice at eight hundred and sixty-four dollars (\$864) per annum; one clerk Class I; two hundred and ninety-one dollars (\$291).

Court of First Instance at Tuguegarao:

One judge at sixteen hundred and fifty dollars (\$1,650) per annum; one district attorney at thirteen hundred and fifty dollars (\$1,350) per annum; one clerk Class C; one defender of poor prisoners at ninety dollars (\$90) per annum; one interpreter at forty-eight dollars (\$48) per annum; three clerks at ninety-six dollars (\$96) each per annum; four bailiffs at sixty dollars (\$60) each per annum; one thousand and ninety-six dollars and fifty cents (\$1,096.50).

Court of Justice at Tuguegarao:

One justice at eight hundred and sixty-four dollars (\$864) per annum; one clerk Class I; two hundred and ninety-one dollars (\$291).

Court of First Instance at Bacolor:

One judge at sixteen hundred and fifty dollars (\$1,650) per annum; one district attorney at thirteen hundred and fifty dollars (\$1,350) per annum; one clerk Class C; one defender of poor prisoners at ninety dollars (\$90) per annum; one interpreter at forty-eight dollars (\$48) per annum; three clerks at ninety-six dollars (\$96) per annum each;

four police at sixty dollars (\$60) each per annum; ten hundred and ninety-six dollars and fifty cents (\$1,096.50).

Court of Justice at Bacolor:

One judge at eight hundred and sixty-four dollars (\$864) per annum; one clerk Class I; two hundred and ninety-one dollars (\$291).

Court of First Instance at Iloilo:

One judge at sixteen hundred and fifty dollars (\$1,650) per annum; one district attorney at thirteen hundred and fifty dollars (\$1,350) per annum; one clerk Class C; one defender of poor prisoners at ninety dollars (\$90) per annum; one interpreter at forty-eight dollars (\$48) per annum; three clerks at ninety-six dollars (\$96) each per annum; four police at sixty dollars (\$60) each per annum; ten hundred and ninety-six dollars and fifty cents (\$1,096.50).

Court of Justice at Iloilo:

One justice at eight hundred and sixty-four dollars (\$864) per annum; one clerk Class I; one constable at sixty dollars (\$60) per annum; three hundred and six dollars (\$306).

Court of First Instance at Cebu:

One judge at sixteen hundred and fifty dollars (\$1,650) per annum; one district attorney at thirteen hundred and fifty dollars (\$1,350) per annum; one clerk Class C; one defender of poor prisoners at ninety dollars (\$90) per annum; one interpreter at forty-eight dollars (\$48) per annum; three clerks at ninety-six dollars (\$96) each per annum; four police at sixty dollars (\$60) each per annum; ten hundred and ninety-six dollars and fifty cents (\$1,096.50).

Court of Justice at Cebu:

One justice at eight hundred and sixty-four dollars (\$864) per annum; one clerk Class I; one clerk at seventy-two dollars (\$72) per annum; one constable at forty-eight dollars (\$48) per annum; three hundred and twenty-one dollars (\$321).

Court of First Instance at Cavite:

One judge at thirteen hundred and fifty dollars (\$1,350) per annum; one district attorney at eleven hundred and twenty-five dollars (\$1,125) per annum; one clerk Class D; one defender of poor prisoners at ninety dollars (\$90) per annum; one clerk at seventy-two dollars per annum; two bailiffs at forty-eight dollars (\$48) per annum each; eight hundred and thirty-three dollars and twenty-five cents (\$833.25).

Court of Justice at Cavite:

One justice at seven hundred and twenty dollars (\$720) per annum; one clerk at one hundred and eighty dollars (\$180) per annum; two hundred and twenty-five dollars (\$225).

Court of First Instance at San Isidro:

One judge at thirteen hundred and fifty dollars (\$1,350) per annum; one district attorney at eleven hundred and twenty-five dollars (\$1,125) per annum; one clerk Class D; one defender of poor prisoners at ninety dollars (\$90) per annum; one interpreter at forty-eight dollars (\$48) per annum; three clerks at seventy-two dollars (\$72) each per annum; four bailiffs at forty-eight dollars (\$48) each per annum; nine hundred and five dollars and twenty-five cents (\$905.25).

Court of Justice at San Isidro:

One justice at seven hundred and twenty dollars (\$720) per annum; one clerk at one hundred and eighty dollars (\$180) per annum; two hundred and twenty-five dollars (\$225).

Court of First Instance at Laoag:

One judge at thirteen hundred and fifty dollars (\$1,350) per annum; one district attorney at eleven hundred and twenty-five dollars (\$1,125) per annum; one clerk Class D; one defender of poor prisoners at ninety dollars (\$90) per annum; one interpreter at forty-eight dollars (\$48) per annum; three clerks at seventy-two dollars (\$72) per annum each; four bailiffs at forty-eight dollars (\$48) per annum each; one jailer at one hundred and fifty dollars (\$150) per annum; two assistant jailers at seventy-two dollars (\$72) per annum each; nine hundred and seventy-eight dollars and seventy-five cents (\$978.75).

Court of Justice at Laoag:

One justice at seven hundred and twenty dollars (\$720) per annum; one clerk at one hundred and eighty dollars (\$180) per annum; two hundred and twenty-five dollars (\$225).

Court of First Instance at San Fernando de la Union:

One judge at thirteen hundred and fifty dollars (\$1,350) per annum; one district attorney at eleven hundred and twenty-five dollars (\$1,125) per annum; one clerk Class D, one defender of poor prisoners at ninety dollars (\$90) per annum; one interpreter at forty-three dollars and twenty cents (\$43.20) per annum; three clerks at seventy-two dollars (\$72) each per annum; four bailiffs at forty-eight dollars (\$48) each per annum; nine hundred and four dollars and five cents (\$904.05).

Court of First Instance at Balanga:

One judge at eleven hundred and twenty-five dollars (\$1,125) per annum; one district attorney at nine hundred dollars (\$900) per annum; one clerk Class D; one defender of poor prisoners at ninety dollars (\$90) per annum; one interpreter at forty-eight dollars (\$48) per annum; two clerks at seventy-two dollars (\$72) each per annum; four bailiffs at forty-eight dollars (\$48) each per annum; seven hundred and seventy-four dollars and seventy-five cents (\$774.75).

Court of Justice at Balanga:

One justice at seven hundred and twenty dollars (\$720) per annum; one clerk at one hundred and eighty dollars (\$180) per annum; two hundred and twenty-five dollars (\$225).

Court of First Instance at Bohol:

One judge at eleven hundred and twenty-five dollars (\$1,125) per annum; one district attorney at nine hundred dollars (\$900) per annum; one clerk Class D; one defender of poor prisoners at ninety dollars (\$90) per annum; two clerks at seventy-two dollars (\$72) each per annum; four bailiffs at forty-eight dollars (\$48) each per annum; one interpreter at thirty-six dollars (\$36) per annum; seven hundred and seventy-one dollars and seventy-five cents (\$771.75).

Board of Officers on Claims:

One counsel at three thousand dollars (\$3,000) per annum, whose employment as counsel for the United States for the period ending June 30, 1901, is hereby authorized, one clerk Class 10; two clerks Class 9; fifteen hundred and ninety-nine dollars and ninety-nine cents (\$1,599.99).

Office of the Military Secretary:

One clerk at twenty-eight hundred dollars (\$2,800) per annum; one clerk at twenty-four hundred dollars (\$2,400) per annum; two clerks Class 6; twenty four clerks Class 9; one clerk Class A; nine clerks Class D; ten thousand, nine hundred and seventy-four dollars and ninety-nine cents (\$10,974.99).

Department of Archives:

One clerk Class 6; two clerks Class D; two clerks Class I; two clerks Class J; two clerks at two hundred and ten dollars (\$210) each per annum; two clerks at one hundred and eighty dollars (\$180) each per annum; two clerks at one hundred and fifty dollars (\$150) each per annum; two porters at one hundred and twenty dollars (\$120) each per annum; thirteen hundred and fifty dollars (1,350).

Supreme Court:

One clerk at twenty-four hundred dollars (\$2,400) per annum; one clerk Class 5; one clerk at fifteen hundred dollars (\$1,500) per annum; two clerks Class 6; three clerks Class 9; three thousand, two hundred and seventy-five dollars and one cent (\$3,275.01).

For miscellaneous salaries, as follows:

One clerk Class 9, in the office of Chief Assistant, First District, Department of Northern Luzon, hereby authorized; two clerks Class 9, and two laborers at one hundred and twenty dollars (\$120) each per annum, to perform the clerical and manual labor necessary in the managing and carrying on of the Disbursing Depot for the Provost Guard; nine hundred and sixty dollars (\$960).

For the payment of public printing for the offices of the Military Secretary, the Civil Commission and various other civil bureaus for the first and second quarters of the year 1901, eighteen thousand dollars (\$18,000).

In all, fifty-one thousand and thirteen dollars and twenty-nine cents (\$51,013.29).

MEDICAL SUPPLY DEPOT, DEPARTMENT OF NORTHERN LUZON.

For the pay of fifty vaccinators, three thousand, one hundred and fifty dollars (\$3,150); for the pay of native physicians employed in small-pox hospitals for natives, and for the treatment of native prisoners at Bacolor, San Isidro, Iba, Dagupan, Lingayen and Vigan, and for the purchase of medical supplies for native prisoners in the military prisons at those places, twenty-eight hundred dollars (\$2,800); for the purchase of medical supplies for sick and indigent natives, twelve hundred dollars (\$1,200); for the purchase of stationery for the Disbursing Officer, fifteen dollars (\$15);

In all, seven thousand, one hundred and sixty-five dollars (\$7,165).

PATHOLOGICAL LABORATORY.

For the payment of one native laborer at five dollars per month, fifteen dollars (\$15).

CHIEF SIGNAL OFFICER.

For purchases and services in connection with the construction and maintenance of telegraph, telephone and cable lines in the Islands and for the hire of native linemen, messengers, machinists and native cable operators, sixteen thousand dollars (\$16,000).

GENERAL SUPERINTENDENT OF EDUCATION.

For salaries: General Superintendent at six thousand dollars (\$6,000) per annum; one clerk Class 6; one clerk at fifteen hundred dollars

(\$1,500) per annum; three clerks Class 9, hereby authorized; one clerk Class A; one clerk Class C; one janitor at one hundred and twenty dollars (\$120) per annum; two packers at ninety dollars (\$90) each per annum; one clerk at twelve dollars (\$12) per week; ten Division Superintendents at twenty-four hundred dollars (\$2,400) per annum each; nine thousand, eight hundred and sixty-one dollars (\$9,861).

For traveling expenses of Division Superintendents and other employees, fifty-four hundred and forty dollars and eighty cents (\$5,440.80); for salaries of teachers from the States and teachers now employed, two hundred and fifty thousand dollars (\$250,000); for traveling expenses of teachers from the States, fifty thousand dollars (\$50,000); for books for the Department library, two hundred and fifty dollars (\$250); for continuation of financial aid to schools at Balayan and San Pedro Macati, two hundred and ten dollars (\$210); for foreign postage, ten dollars (\$10); for office stationery, supplies and printing, not obtainable from the Disbursing Quartermaster, two hundred and fifty dollars (\$250); for purchase of quilez and horse for Department use, two hundred and twenty-two dollars and fifty cents (\$222.50); for financial aid for schools at Batangas for 1900 and for the first quarter of 1901, four hundred and eighty-eight dollars (\$488); for financial aid for schools at Isabela de Basilan for the last quarter of 1900 and the first quarter of 1901, two hundred and sixty-four dollars and fifty cents (\$264.50); for financial aid for the schools at Lucban, two hundred and seventy dollars (\$270).

In all, three hundred and seventeen thousand, two hundred and sixty-six dollars and eighty cents (\$317,266.80).

COLLECTOR OF CUSTOMS OF THE ISLANDS AND OF THE CHIEF PORT.

Sixty-eight thousand, two hundred and forty-two dollars and nine cents (\$68,242.09), for the following purposes, viz.:

For regular supplies, eight thousand dollars (\$8,000); for incidental expenses, five hundred and seventeen dollars and twelve cents (\$517.12); for rents and repairs to buildings, two thousand and eighty-one dollars and fifty cents (\$2,081.50); for transportation, five thousand, nine hundred and eighty-four dollars (\$5,984); for salaries and wages, fifty-five thousand, four hundred and sixty-two dollars and forty-nine cents (\$55,462.49); for miscellaneous expenses, seven thousand, seven hundred and sixty-five dollars and twenty-five cents (\$7,765.25); for refunds, three thousand, five hundred and sixty-eight dollars and six cents (\$3,568.06); making a total of eighty-three thousand, three hundred and seventy-eight dollars and forty-two cents (\$83,378.42), from which is to be deducted the sum of fifteen thousand, one hundred and thirty-six dollars and thirty-three cents (\$15,136.33), the balance from former appropriations which may be applied for the above purposes.

COLLECTOR OF INTERNAL REVENUE OF THE ISLANDS.

For regular supplies, three thousand, two hundred and sixty-two dollars and fifty cents (\$3,262.50); for incidental expenses, fifty-seven dollars and fifty-five cents (\$57.55); for rents and repairs to buildings, one thousand, four hundred and eleven dollars and twenty-three cents (\$1,411.23); for transportation, five hundred and twenty-eight dollars

and sixty-three cents (\$528.63); for miscellaneous expenses, sixty-eight dollars and twenty cents (\$68.20); for salaries and wages, eleven thousand, one hundred and seventy-two dollars and thirty cents (\$11,172.30);

In all, sixteen thousand, five hundred dollars and forty-one cents (\$16,500.41).

TREASURER OF THE ISLANDS.

One clerk at twenty-one hundred dollars (\$2,100) per annum; one clerk Class 8; one clerk Class 9; one clerk Class I; one employee at one hundred and twenty dollars (\$120) per annum; one thousand, two hundred and eighty dollars and one cent (\$1,280.01).

OFFICE OF PATENTS, COPYRIGHTS AND TRADE MARKS.

For one clerk Class A, two hundred and twenty-five dollars (\$225).

FORESTRY BUREAU.

For salaries for the month of April, 1901: four foresters at twenty-four hundred dollars (\$2,400) each per annum; one clerk Class 6; three clerks Class 9; two clerks Class A; ten assistant foresters at six hundred dollars (\$600) each per annum; thirty rangers at three hundred dollars (\$300) each per annum; one wood-worker at seventy-five cents (\$0.75) per day; one messenger at ninety dollars (\$90) per annum; two thousand, six hundred and seventy-eight dollars and fifty cents (\$2,678.50); incidental expenses, two hundred and twenty-five dollars (\$225); traveling expenses, three hundred dollars (\$300);

In all, three thousand, two hundred and three dollars and fifty cents (\$3,203.50).

BUREAU OF MINING.

For salaries: One mining engineer at fifteen hundred dollars (\$1,500) per annum; one clerk at fifteen hundred dollars (\$1,500) per annum; one clerk at three hundred and thirty dollars (\$330) per annum; one clerk at one hundred and fifty dollars (\$150) per annum; one clerk Class C; one clerk at ninety dollars (\$90) per annum; one laborer at sixty dollars (\$60) per annum; one thousand and eighty-seven dollars and fifty cents (\$1,087.50); for transportation, ninety dollars (\$90); for rent of post office box, four dollars (\$4);

In all, one thousand, one hundred and eighty-one dollars and fifty cents (\$1,181.50).

DEPARTMENT OF POSTS.

For salaries: Director General at five thousand dollars (\$5,000) per annum; one clerk Class 4; two clerks Class 5; one clerk Class 7; three clerks Class 8; two clerks Class 9; one clerk Class 10; one clerk Class I; three clerks at one hundred and fifty dollars (\$150) each per annum; fifty-five hundred and fifty dollars (\$5,550); traveling expenses of post office inspectors, one hundred and eighty dollars (\$180); sea transportation foreign mails, one thousand dollars (\$1,000); inland mail transportation, five hundred dollars (\$500); for miscellaneous expenses, five hundred dollars (\$500); for sea and foreign mail transportation for the first quarter of the year 1901, fifteen thousand, eight hundred

dollars (\$15,800); for miscellaneous expenses for the first quarter 1901, one thousand dollars (\$1,000);

In all, twenty-four thousand, five hundred and thirty dollars (\$24,530).

CAPTAIN OF THE PORT AT MANILA.

Office supplies, one hundred and seventy-three dollars and fifty cents (\$173.50); for salaries: one clerk Class 6; one clerk at thirteen hundred and fifty dollars (\$1,350) per annum; four clerks Class 9; two clerks Class A; three clerks at four hundred and fifty dollars (\$450) each per annum; one clerk Class I; one clerk at one hundred and fifty dollars (\$150) per annum; one chief ordenanza at one hundred and eighty dollars (\$180) per annum; five ordenanzas at one hundred and fifty dollars (\$150) each per annum; three thousand, one hundred and twenty dollars (\$3,120); launch crews, eight hundred and eighty-eight dollars (\$888); lighthouses and signal stations, two thousand, six hundred and fifty-seven dollars and sixty cents (\$2,657.60); machine shops, five thousand three hundred and ninety-six dollars and four cents (\$5,396.04);

In all, twelve thousand, two hundred and thirty-five dollars and fourteen cents (\$12,235.14).

CHIEF PAYMASTER, DEPARTMENT OF NORTHERN LUZON.

For payment of the Squadron of Filipino Cavalry, thirteen thousand dollars (\$13,000).

DISTRICT COMMANDER AT ISABELLA DE BASILAN.

For salaries: one clerk at one hundred and eighty dollars (\$180) per annum; one clerk Class D; one hundred and ninety-five dollars (\$195); regular supplies, nine dollars (\$9); rent for office used by District Commander, thirty-seven dollars and fifty cents (\$37.50); incidental expenses, ten dollars (\$10);

In all, two hundred and fifty-one dollars and fifty cents (\$251.50).

OFFICE OF AUDITOR FOR THE PHILIPPINE ISLANDS.

For salaries: Auditor at six thousand dollars (\$6,000) per annum; Deputy Auditor at four thousand dollars (\$4,000) per annum; Chief Clerk at twenty-two hundred and fifty dollars (\$2,250) per annum; seven clerks Class 6; five clerks Class 7; six clerks Class 8; nine clerks Class 9; two clerks Class 10; two clerks Class A; two clerks Class B; two clerks Class C; two clerks Class D; two clerks Class E; two clerks Class F; two clerks Class I; three messengers at one hundred and fifty dollars (\$150) each per annum; fifteen thousand, eight hundred and fifteen dollars (\$15,815); for printing and binding, four thousand dollars (\$4,000); for purchase of rubber stamps, fifty dollars (\$50); for washing towels, twenty-five dollars (\$25);

In all, nineteen thousand, eight hundred and ninety dollars (\$19,890).

OFFICE OF PROVOST MARSHAL GENERAL AND DEPARTMENTS REPORTING TO HIM.

Department of Streets, Parks, Fire and Sanitation:

For employees in fire, street and sanitary work: one chief street and sanitary inspector at eighteen hundred dollars (\$1,800) per annum;

one engineer at fifteen hundred dollars (\$1,500) per annum; two street and sanitary inspectors at twelve hundred dollars (\$1,200) each per annum; six street and sanitary inspectors at eight hundred and forty dollars (\$840) each per annum; one captain of firemen at seventy-five dollars (\$75) per month; five first lieutenants at thirty-seven dollars and fifty cents (\$37.50) each per month; eight second lieutenants at twenty-five dollars (\$25) each per month; one first machinist at twenty-five dollars (\$25) per month; one second machinist at twenty dollars (\$20) per month; two clerks Class 9; one clerk Class A; one clerk Class D; one clerk at one hundred and eighty dollars (\$180) per annum; one clerk at one hundred and fifty dollars (\$150) per annum; one clerk Class I; three guards at ten dollars (\$10) each per month; thirty-four sergeants at ten dollars (\$10) each per month; six mechanics at eight dollars (\$8) each per month; sixty firemen at seven dollars and fifty cents (\$7.50) each per month; seven hundred and eighty laborers at seven dollars and fifty cents (\$7.50) each per month; one engineer and machinist for road rollers at sixty dollars (\$60) per month; two engineers for road rollers at twenty-five dollars (\$25) each per month; two firemen for road rollers at twenty dollars (\$20) each per month; twenty-five thousand, nine hundred and forty-four dollars (\$25,944).

For salaries of employees for the city parks: one superintendent at one hundred and twenty-five dollars (\$125) per month; one inspector at one hundred and twenty-five dollars (\$125) per month; one overseer at twenty-five dollars (\$25) per month; two assistant overseers at eleven dollars and twenty-five cents (\$11.25) each per month; four foremen at ten dollars (\$10) each per month; five gardeners at nine dollars (\$9) each per month; one hundred laborers at seven dollars and fifty cents (\$7.50) each per month; three carpenters at eleven dollars and twenty-five cents (\$11.25) each per month; one mason at nine dollars (\$9) per month; one mason at eleven dollars and twenty-five cents (\$11.25) per month; twelve carts for hauling stone and gravel at one dollar (\$1) per day each; four thousand, six hundred and fifty-one dollars and fifty cents. (\$4,651.50).

For cleaning Matadero and city markets: One inspector at seventy dollars (\$70) per month; one assistant inspector at thirty dollars (\$30) per month; one overseer at twelve dollars and fifty cents (\$12.50) per month; thirty laborers at seven dollars and fifty cents (\$7.50) each per month; one horse and cart at seventy-five cents (\$0.75) per day; ten hundred and eighty dollars and seventy five cents (\$1,080.75); for removing night soil, three hundred dollars (\$300); for operating the rock quarry at Binangonan: one foreman at sixty dollars (\$60) per month; one engineer at thirty dollars (\$30) per month; forty laborers at fifty cents (\$0.50) per day each; two thousand and ninety dollars (\$2,090); for the wages of crew of launch towing garbage and stone scows: one captain, twenty-five dollars (\$25) per month; one engineer at twenty-five dollars (\$25) per month; one assistant engineer at seventeen dollars and fifty cents (\$17.50) per month; one steersmen at eleven dollars and twenty-five cents (\$11.25) per month; two firemen at twelve dollars and fifty cents (\$12.50) each per month; three sailors at seven dollars and fifty cents (\$7.50) each per month; three hundred and seventy-eight dollars and seventy-five cents (\$378.75); for night labor on the Calle Rosario and Escolta, five hundred and eighty-five dollars (\$585); for cleaning streets, collecting and disposing of garbage,

ten thousand, eight hundred and eighty-seven dollars and eighty cents (\$10,887.80); for road material, fifteen thousand dollars (\$15,000); for forage and shoeing of fire department horses, six hundred and eighty-eight dollars and fifty cents (\$688.50); for continuation of the opening, cleaning and repairing of drains and sewers, six thousand dollars (\$6,000); for rent of land on which the Paco crematory is situated, forty-five dollars (\$45); for ten additional laborers for operating the rock quarry, hereby authorized, four hundred and fifty-five dollars (\$455); for purchase of forage for one hundred mules, two thousand, eight hundred and sixty-six dollars and fifty cents (\$2,866.50); for twenty-five teamsters at fifty dollars (\$50) each per month, hereby authorized, thirty-seven hundred and fifty dollars (\$3,750); for twenty-five teamsters at twenty dollars (\$20) per month each, hereby authorized, fifteen hundred dollars (\$1,500); for salary of one superintendent of department transportation at one hundred dollars (\$100) per month, hereby authorized, three hundred dollars; for coal, rope, oil, chain, paint, lumber and incidental expenses, three thousand dollars (\$3,000); for hoes, rakes, shovels, wheelbarrows and other incidental expenses for fire stations, street cleaning and sanitation, three thousand dollars (\$3,000).

In all, eighty-two thousand, five hundred and twenty-two dollars and eighty cents (\$82,522.80).

DEPARTMENT OF WATER SUPPLY.

For salaries: One clerk at fifteen hundred dollars (\$1,500) per annum; one clerk Class 9; two clerks Class A; one clerk Class F; one clerk at three hundred and thirty dollars (\$330) per annum; two clerks Class J; two clerks at two hundred and ten dollars (\$210) each per annum; two clerks at one hundred and eighty dollars (\$180) per annum each; one clerk at two hundred and seventy dollars (\$270) per annum; twenty laborers at ten dollars (\$10) per month each; eight inspectors at nine dollars (\$9) per month each; eleven pipemen at ten dollars (\$10) per month each; eleven pipemen at nine dollars (\$9) per month each; eleven pipemen at seven dollars and fifty cents (\$7.50) each per month; one engineer at one hundred dollars (\$100) per month; one engineer at fifty dollars (\$50) per month; one engineer at thirty-five dollars (\$35) per month; one engineer at thirty dollars (\$30) per month; three assistant engineers at twenty dollars (\$20) per month each; three firemen at twelve dollars and fifty cents (\$12.50) per month each; one mechanic at ten dollars (\$10) per month; three greasers at fifteen dollars (\$15) per month each; one greaser at ten dollars (\$10) per month; eleven coal passers at ten dollars (\$10) per month each; one blacksmith at fifteen dollars (\$15) per month; four carpenters at ten dollars (\$10) per month each; six employees at seven dollars and fifty cents (\$7.50) per month each; five thousand one hundred and sixty-three dollars (\$5,163); for maintenance and supply, one thousand dollars (\$1,000); for office expense, one hundred dollars (\$100); for coal, seven thousand dollars (\$7,000); for installation of hydrants for street sprinklers, seven hundred and fifty dollars (\$750); for covering of air vents over water reservoirs and along pipe lines from Santolan to Deposito, one thousand dollars (\$1,000);

In all, fifteen thousand and thirteen dollars (\$15,013).

DEPARTMENT OF CITY PUBLIC WORKS.

For salaries: First Assistant Engineer at eighteen hundred dollars (\$1,800) per annum; Second Assistant Engineer at nine hundred dollars (\$900) per annum; one inspector at fifteen hundred dollars (\$1,500) per annum; three inspectors at twelve hundred dollars (\$1,200) each per annum; two inspectors at nine hundred dollars (\$900) each per annum; one clerk Class A; two inspectors at seven hundred and fifty dollars (\$750) each per annum; one clerk at two hundred and seventy dollars (\$270) per annum; one chainman at two hundred and seventy dollars (\$270) per annum; one chainman at one hundred and eighty dollars (\$180) per annum; one rodman at two hundred and seventy dollars (\$270) per annum; one draughtsman at one hundred and eighty dollars (\$180) per annum; one flagman at one hundred and eighty dollars (\$180) per annum; two clerks at one hundred and eighty dollars (\$180) per annum each; three watchmen at ninety dollars (\$90) per annum each; two cocheros at ninety dollars (\$90) per annum each; one clerk Class H; one clerk at one hundred and fifty dollars (\$150) per annum; one draughtsman at nine hundred dollars (\$900) per annum; three thousand, eight hundred and ninety-two dollars and fifty cents (\$3,892.50).

For office expense, seventy-five dollars (\$75); for city bridges, three thousand dollars (\$3,000); for Santolan road, four hundred and fifty dollars (\$450); for instruments, fifty dollars (\$50); drawing materials, seventy-five dollars (\$75); map of Manila, five hundred dollars (\$500); for the completion of Quinta Market, twenty-five thousand, four hundred and twenty-two dollars (\$25,422); for maintenance of stock, three hundred dollars (\$300); for repairing gratings at Matadero, six hundred and seventy-five dollars (\$675); for the completion of the work on Santa Cruz bridge at Manila, thirty thousand, seven hundred and sixty dollars and fifteen cents (\$30,760.15).

In all, sixty-five thousand, one hundred and ninety-nine dollars and sixty-five cents (\$65,199.65).

DEPARTMENT OF PRISONS.

For the Presidio de Manila: for subsistence for seven hundred and fifty (750) prisoners, five thousand, one hundred and eighteen dollars and seventy-five cents (\$5,118.75); for lights, ninety dollars (\$90); for salaries: one superintendent at eighteen hundred dollars (\$1,800) per annum; one capataz at three hundred and sixty dollars (\$360) per annum; one capataz at three hundred and thirty dollars (\$330) per annum; four capataces at two hundred and forty dollars (\$240) per annum each; three hospital stewards at two hundred and seventy dollars (\$270) per annum each; one chaplain at three hundred dollars (\$300) per annum; one interpreter at six hundred dollars (\$600) per annum; one store-keeper at nine hundred dollars (\$900) per annum; one teamster at ninety dollars (\$90) per annum; two clerks at one hundred and fifty dollars (\$150) per annum each; one lieutenant at forty dollars (\$40) per month; three sergeants at twenty dollars (\$20) per month each; six corporals at fifteen dollars (\$15) per month each; forty privates at twelve dollars (\$12) per month each; three thousand, six hundred and twenty-two dollars and fifty cents (\$3,622.50).

For sundry office supplies, sixty dollars (\$60); for transportation repairs, thirty dollars (\$30); for repairs, three hundred dollars (\$300); drugs for hospital, two hundred and twenty-five dollars (\$225); uniforms for police, two hundred and sixty dollars (\$260); for purchase of materials and tools for manufacturing department, and supplies for the laundry department, two thousand dollars (\$2,000).

For one sergeant for native police guard at twenty dollars (\$20) per month, two corporals for native police guard at fifteen dollars (\$15) per month each, one hundred and fifty dollars (\$150); for ten privates for the month of March and eighteen days in February at twelve dollars (\$12) per month each, one hundred and ninety-two dollars (\$192); one sergeant for the month of March at twenty dollars (\$20) per month, two corporals for the month of March at fifteen dollars (\$15) per month each, hereby authorized, fifty dollars (\$50); for lights for the months of February and March, thirty-seven dollars and fifty cents (\$37.50).

In all, for the Presidio de Manila, twelve thousand, one hundred and thirty-five dollars and seventy-five cents (\$12,135.75).

Carcel Publica:

For subsistence for six hundred (600) native prisoners, four thousand and ninety-five dollars (\$4,095); for twenty (20) European prisoners, two hundred and fifty-four dollars and eighty cents (\$254.80); for lights, fifty dollars (\$50); for salaries: one alcalde at seventy-five dollars (\$75) per month; one physician at one hundred dollars (\$100) per month; one chaplain at twenty-five dollars (\$25) per month; one interpreter at thirty dollars (\$30) per month; one capataz at twenty-five dollars (\$25) per month; three capataces at seventeen dollars and fifty cents (\$17.50) per month each; four bastoneros at twelve dollars and fifty cents (\$12.50) per month each; two clerks at twelve dollars and fifty cents (\$12.50) per month each; one thousand, one hundred and forty-seven dollars and fifty cents (\$1,147.50).

For sundry office supplies, thirty-six dollars (\$36); for miscellaneous repairs, three hundred dollars (\$300); for salary of one capataz for eight days in February and for the month of March at seventeen dollars and fifty cents (\$17.50) per month, twenty-two dollars and seventeen cents (\$22.17); for twenty-five (25) lanterns, thirty-seven dollars and fifty cents (\$37.50).

In all, for the Carcel Publica, five thousand, nine hundred and forty-two dollars and ninety-seven cents (\$5,942.97).

In all, for the Department of Prisons, eighteen thousand, and seventy-eight dollars and seventy-two cents (\$18,078.72).

DEPARTMENT OF INSPECTION.

For salaries: one clerk of Class 9, and one clerk at four hundred and fifty dollars (\$450) per annum, four hundred and twelve dollars and fifty cents (\$412.50).

For subsistence and treatment of indigent and insane natives and Spaniards at Hospicio de San Jose, seven thousand and five hundred dollars (\$7,500);

In all, seven thousand, nine hundred and twelve dollars and fifty cents (\$7,912.50).

DEPARTMENT OF LICENSES AND MUNICIPAL REVENUE.

For salaries: One clerk at twelve hundred and sixty dollars (\$1,260) per annum; four clerks Class 9; one clerk Class I; one clerk at two

hundred and eighty-eight dollars (\$288) per annum; one clerk at two hundred and ten dollars (\$210) per annum; two clerks Class J; nine clerks at one hundred and fifty dollars (\$150) per annum each; four clerks at one hundred and twenty dollars (\$120) per annum each; one vehicle inspector at twelve hundred dollars (\$1,200) per annum; one license inspector at twelve hundred dollars (\$1,200) per annum; one inspector at nine hundred dollars (\$900) per annum; one inspector at one thousand and twenty dollars (\$1,020) per annum; one inspector at eight hundred and twenty-eight dollars (\$828) per annum; one inspector at four hundred and eighty dollars (\$480) per annum; one inspector at four hundred and fifty (\$450) per annum; three inspectors at one hundred and eighty dollars (\$180) per annum each; two inspectors at one hundred and fifty dollars (\$150) per annum each; one inspector at ninety dollars (\$90) per annum; two dog-catchers at five dollars (\$5) a month each; one cart, horse and driver at one dollar and fifty cents (\$1.50) per day; four thousand, two hundred and ten dollars and fifty cents (\$4,210.50).

For salaries for the slaughter house: One superintendent at nine hundred dollars (\$900) per annum; one conserge at two hundred and forty dollars (\$240) per annum; one minister at ninety dollars (\$90) per annum; one weigher at one hundred and fifty dollars (\$150) per annum; one book-keeper at one hundred and eighty dollars (\$180) per annum; eight laborers at one hundred and twenty dollars (\$120) per annum each; one clerk at one hundred and twenty dollars (\$120) per annum; one guard at one hundred and eighty dollars (\$180) per annum; three guards at one hundred and forty-four dollars (\$144) per annum each; eight hundred and thirteen dollars (\$813).

For salaries in the markets: For one inspector at fifteen hundred dollars (\$1,500) per annum; three inspectors at three hundred and sixty dollars (\$360) per annum each; one chief collector at three hundred dollars (\$300) per annum; three chief collectors at two hundred and forty dollars (\$240) per annum each; thirty-one collectors at one hundred and forty-four dollars (\$144) per annum each; one market superintendent at four hundred and twenty dollars (\$420) per annum; two market superintendents at three hundred and sixty dollars (\$360) per annum each; two thousand, three hundred and one dollars (\$2,301).

For stationery and printing, five hundred dollars (\$500); for bounty for twelve hundred dogs, thirty dollars (\$30); for matadero fuel, three hundred dollars (\$300); for brassards, fifty-six dollars and twenty-five cents (\$56.25); for numbering vehicles, fifty-six dollars and twenty-five cents (\$56.25); for transportation, one hundred and fifty dollars (\$150); for incidental expenses, one hundred dollars (\$100).

In all, eight thousand, five hundred and seventeen dollars (\$8,517).

DEPARTMENT OF THE BOARD OF HEALTH.

For salaries of the office force: four clerks Class 9; one clerk Class A; one physician at fifty dollars (\$50) per month; one clerk Class J; one thousand, six hundred and thirty-five dollars (\$1,635).

For municipal physicians and midwives: eleven municipal physicians at thirty-seven dollars and fifty cents (\$37.50) per month each; eight municipal midwives at seven dollars and fifty cents (\$7.50) per month each; one thousand, four hundred and seventeen dollars and fifty cents (\$1,417.50).

Vaccine Station:

One director at four hundred and fifty dollars (\$450) per annum;

one assistant at two hundred and forty dollars (\$240) per annum; one inspector of vaccination at one hundred and eighty dollars (\$180) per annum; twelve public vaccinators at one hundred and eighty dollars (\$180) per annum each; four ordenanzas at ninety dollars (\$90) per annum each; eight hundred and forty-seven dollars and fifty cents (\$847.50).

Veterinary Department and Meat Inspection:

One city veterinarian at eighteen hundred dollars (\$1,800) per annum; one assistant veterinarian at fifteen hundred dollars (\$1,500) per annum; one meat inspector at nine hundred dollars (\$900) per annum; two assistants at twenty-five dollars (\$25) per month each, one conserge at the cattle quarantine station at fifteen dollars (\$15) per month; one man with disinfecting cart at seven dollars and fifty cents (\$7.50) per month; one thousand, two hundred and sixty-seven dollars and fifty cents (\$1,267.50).

Plague Hospital:

Two practicanes at twenty-five dollars (\$25) per month each; two servants at seven dollars and fifty cents (\$7.50) per month each; one female nurse at six dollars (\$6) per month; one cook at ten dollars (\$10) per month; two hundred and forty-three dollars (\$243).

Steam Disinfecting Plant:

One fireman at fifteen dollars (\$15) per month, forty-five dollars (\$45).

Smallpox Hospital:

One inspector at twenty-two dollars and fifty cents (\$22.50) per month; one cook at ten dollars (\$10) per month; one servant at five dollars (\$5) per month; one hundred and twelve dollars and fifty cents (\$112.50).

Pay-roll at Paco cemetery, three hundred and twenty-two dollars and fifty cents (\$322.50); pay-roll at La Loma cemetery, two hundred and ten dollars (\$210); rent of keepers' houses, Paco and La Loma cemeteries, fifty-one dollars (\$51); one burial permit clerk at fifteen dollars (\$15) per month; forty-five dollars (\$45).

In all, six hundred and twenty-eight dollars and fifty cents (\$628.50).

Inspector's Department:

For salaries: One chief inspector at fifty dollars (\$50) per month; ten district inspectors at twenty-five dollars (\$25) per month each; fifteen sub-district inspectors at twenty dollars (\$20) per month each; forty-five sanitary inspectors at fifteen dollars (\$15) per month each; one interpreter at fifty dollars (\$50) per month; three thousand, nine hundred and seventy-five dollars (\$3,975).

Municipal Laboratory:

For salaries: One assistant bacteriologist at twenty-five dollars (\$25) per month; one janitor at twenty dollars (\$20) per month; one servant at seven dollars and fifty cents (\$7.50) per month; one chemist at one hundred and fifty dollars (\$150) per month; one chemist at seventy-five dollars (\$75) per month; one assistant chemist at sixty-two dollars and fifty cents (\$62.50) per month; one practicante at twenty dollars (\$20) per month; one servant at seven dollars and fifty cents (\$7.50) per month; one thousand, one hundred and two dollars and fifty cents (\$1,102.50).

For transportation, one thousand and ninety-two dollars (\$1,092); for miscellaneous expenses, nine hundred and forty-five dollars (\$945); for preparing vaccine virus, three hundred dollars (\$300); for incidental expenses in the Veterinary Department, Board of Health,

Chemical Department, Bacteriological Department, anti-plague virus farm and cemeteries, nine hundred and eighty-five dollars (\$985); for running expenses for the smallpox hospital and the plague hospital, eight hundred and fifty dollars (\$850); for fuel for the plague hospital and for the steam disinfecting plant, five hundred dollars (\$500); for printing for the office of the Board of Health, three hundred dollars (\$300); for burial of paupers, one hundred and eighty-five dollars (\$185); for lime, sand and cement for cemeteries, sixty dollars (\$60).

In all, for the Department of the Board of Health, sixteen thousand, four hundred and ninety-one dollars (\$16,491).

DEPARTMENT OF POLICE.

For the Metropolitan Police of Manila: forty-eight sergeants at ninety dollars (\$90) per month each; forty-eight corporals at seventy-five dollars (\$75) dollars per month each; six hundred privates at sixty-five dollars (\$65) per month each; one hundred and forty thousand, seven hundred and sixty dollars (\$140,760).

For the native police of Manila, thirty-three thousand, seven hundred and sixty-five dollars (\$33,765), for the following purposes: One inspector at seventy dollars (\$70) per month; one assistant inspector at fifty dollars (\$50) per month; one doctor at fifty dollars (\$50) per month; two telephone men at fifteen dollars (\$15) per month each; nine captains at fifty dollars (\$50) per month each; twenty lieutenants at forty dollars (\$40) per month each; one sergeant major at twenty-five dollars (\$25) per month; seventy-two sergeants at twenty dollars (\$20) per month each; seventy-three corporals at fifteen dollars (\$15) per month each; and eleven hundred and two privates at twelve dollars (\$12) per month each; making in all fifty-one thousand, seven hundred and two dollars (\$51,702), from which is to be deducted seventeen thousand, nine hundred and thirty-seven dollars (\$17,937) appropriated by Act 58.

For salaries: Two interpreters at one hundred dollars (\$100) per month each; three interpreters at fifty dollars (\$50) per month each; five interpreters at thirty-seven dollars and fifty cents (\$37.50) per month each; four interpreters at twenty-five dollars (\$25) per month each; one thousand, nine hundred and twelve dollars and fifty cents (\$1,912.50).

One secret service man at one hundred dollars (\$100) per month; three secret service men at twenty-five dollars (\$25) per month each; three secret service men at fifteen dollars (\$15) per month each; six hundred and sixty dollars (\$660).

Six clerks Class 9, two clerks at ten hundred and twenty dollars (\$1,020) per annum each; two thousand, three hundred and ten dollars (\$2,310).

Medical supplies, two hundred and twenty-five dollars (\$225); contingent expenses, seventy-five dollars (\$75); for native laborers employed at stations of the Metropolitan Police for the month of March and the second quarter of the year 1901, fourteen native laborers at six dollars and fifty cents (\$6.50) per month, hereby authorized, three hundred and sixty-four dollars (\$364).

In all, for the Department of Police, one hundred and eighty thousand and seventy-one dollars and fifty cents (\$180,071.50).

DEPARTMENT OF ILLUMINATIONS AND TELEPHONES.

For maintaining street and harbor lights, nine thousand and fifty-four dollars and seventy-five cents (\$9,054.75); maintaining lights in public buildings, police stations, public markets and Carcel de Bilibid, fourteen hundred and thirty-one dollars and sixty cents (\$1,431.60), for rent of telephones, four hundred and thirty-five dollars (\$435); for salaries: one electrician inspector at twelve hundred dollars (\$1,200) per annum; one clerk Class 9, six hundred dollars (\$600).

For supplies and materials for repairs to existing installations and for increased service, three hundred and seventy-nine dollars and seventy-two cents (\$379.72).

In all, eleven thousand, nine hundred and one dollars and seven cents (\$11,901.07).

DEPARTMENT OF SECRET SERVICE.

For salaries: Five agents at twelve hundred dollars (\$1,200) per annum each; one agent at nine hundred dollars (\$900) per annum; one agent at four hundred and fifty dollars (\$450) per annum; one agent at three hundred dollars (\$300) per annum; four agents at two hundred and forty (\$240) per annum each; six agents at one hundred and eighty dollars (\$180) per annum each; one clerk Class 9; one clerk at four hundred and fifty dollars (\$450) per annum; one driver at ninety dollars (\$90) per annum; two thousand, eight hundred and fifty-seven dollars and fifty cents (\$2,857.50).

For Rufino Jimino, in lieu of pension, thirty dollars (\$30); for transportation of agents, two hundred and twenty-five dollars (\$225); for secret service information, three hundred dollars (\$300); for photographs for rogues' gallery, thirty-seven dollars and fifty cents (\$37.50).

In all, three thousand, four hundred and fifty dollars (\$3,450).

DEPARTMENT OF ADJUTANT GENERAL'S OFFICE.

For salaries: One clerk Class 6; two clerks Class 7; six clerks Class 8; nineteen clerks Class 9; one clerk at four hundred and fifty dollars (\$450) per annum; one clerk Class I; four clerks Class C; one clerk at one hundred and eighty dollars (\$180) per annum; ten thousand, two dollars and fifty-four cents (\$10,002.54).

For fifty orphans at Santa Isabel College at six dollars and fifty cents (\$6.50) per month each, nine hundred and seventy-five dollars (\$975); for stationery, printing and advertising and for contingent expenses, two thousand, five hundred dollars (\$2,500).

In all, thirteen thousand, four hundred and seventy-seven dollars and fifty-four cents (\$13,477.54).

DEPARTMENT OF CITY PUBLIC SCHOOLS.

For salaries: forty-eight teachers at average monthly salary of eighty-three dollars and thirty-three cents (\$83.33); forty-eight teachers at average monthly salary of thirty dollars (\$30); eighty teachers at average monthly salary of twenty-five dollars (\$25); twenty-two thousand, three hundred and nineteen dollars and fifty-two cents (\$22,319.52).

For salaries in the Superintendent's office: One superintendent at three thousand dollars (\$3,000) per annum; one clerk Class 9; one property clerk Class 9, hereby authorized; one clerk at one thousand and eighty dollars (\$1,080) per annum; one clerk Class I; one laborer at seven dollars and fifty cents (\$7.50) per month; one thousand, seven hundred and seventeen dollars and fifty cents (\$1,717.50).

For salaries for teachers in the night schools: Eleven principals at two dollars (\$2) per night each for the month of June; for eighty teachers at one dollar and fifty cents (\$1.50) per night each for the same period; for four janitors at four dollars (\$4) per month each for the same period; two thousand and four dollars (\$2,004).

For carromata hire for the Superintendent of City Schools and for the Superintendent of the Nautical School, two hundred and twenty-five dollars (\$225); for books, stationery and incidentals for the Nautical and the municipal schools, nine hundred dollars (\$900); for oil, thirty dollars (\$30); for rent of building, girls' school, Pasay, thirty dollars (\$30); for salaries in the Nautical School: one Superintendent at one hundred dollars (\$100) per month; one instructor at fifty-four dollars and seventeen cents (\$54.17) per month; one instructor at fifty dollars (\$50) per month; one instructor at forty-one dollars and sixty-seven cents (\$41.67) per month; one instructor at eighty-three dollars and thirty-three cents (\$83.33) per month; one rigger at thirty dollars (\$30) per month; one assistant rigger at seven dollars and fifty cents (\$7.50) per month; one secretary at seven dollars and fifty cents (\$7.50) per month; one janitor at fifteen dollars (\$15) per month; one thousand, one hundred and sixty-seven dollars and fifty-one cents (\$1,167.51).

For increase in salaries of principals and others in lieu of rent: forty principals at fifteen dollars (\$15) per month each; eight janitors at ten dollars (\$10) per month each; thirty-two janitors at seven dollars and fifty cents (\$7.50) per month each; four janitors at nine dollars (\$9) per month each; eight janitors at six dollars and fifty cents (\$6.50) per month each; three thousand and twenty-four dollars (\$3,024).

One delivery cart and horse, seventy-five dollars (\$75); for new furniture and repairs to furniture in new schools at San Nicolas, Dulumbayan, Santa Mesa, and to equip rooms in present schools vacated by principals' families, three thousand, seven hundred dollars (\$3,700); printing, five hundred dollars (\$500).

In all, thirty-five thousand, six hundred and ninety-two dollars and fifty-three cents (\$35,692.53).

DEPARTMENT OF MUNICIPAL RECORDS.

For salaries in Supreme Court: One president at four thousand, two hundred and fifty dollars (\$4,250) per annum; one president of the criminal branch at three thousand, two hundred and fifty dollars (\$3,250) per annum; one president of the civil branch at three thousand, two hundred and fifty dollars (\$3,250) per annum; two associate justices of the criminal branch at two thousand and five hundred dollars (\$2,500) per annum each; one associate justice of the civil branch at two thousand five hundred dollars (\$2,500) per annum; four thousand, five hundred and sixty-two dollars and forty-six cents (\$4,562.46).

Attorney General's Department:

One attorney general at three thousand, seven hundred dollars (\$3,700) per annum; one assistant attorney general at two thousand, one hundred dollars (\$2,100) per annum; two assistant attorneys at sixteen

hundred and fifty dollars (\$1,650) per annum each; four district attorneys at one thousand, three hundred and fifty dollars (\$1,350) per annum each; one clerk Class C; one clerk at twelve dollars (\$12) per month; one clerk at nine dollars (\$9) per month; one clerk at seven dollars and twenty-nine cents (\$7.29) per month; one porter at five dollars (\$5) per month; one clerk at five dollars (\$5) per month; three thousand, nine hundred and nineteen dollars and eighty-six cents (\$3,919.86).

Civil Branch: One clerk at one thousand, three hundred and fifty dollars (\$1,350) per annum; two clerks at twelve dollars (\$12) per month each; three clerks at six dollars (\$6) per month each; for allowances for expenses at twenty dollars and eighty-four cents (\$20.84) per month; five hundred and twenty-six dollars and two cents (\$526.02).

Criminal Branch: One clerk at one thousand, three hundred and fifty dollars (\$1,350) per annum; four clerks at twelve dollars (\$12) per month each; four clerks at six dollars (\$6) per month each; one clerk at one thousand, five hundred dollars (\$1,500) per annum; for allowances for expenses at twenty dollars and eighty-four cents (\$20.84) per month; nine hundred and ninety-one dollars and two cents (\$991.02).

General Offices: One clerk at one thousand, three hundred and fifty dollars (\$1,350) per annum; one official counsellor at nine hundred dollars (\$900) per annum; one clerk at thirty-six dollars (\$36) per month, one clerk at fifteen dollars (\$15) per month; one clerk at twelve dollars (\$12) per month; two clerks at ten dollars (\$10) per month each; two clerks at nine dollars (\$9) per month each; two clerks at six dollars (\$6) per month each; one clerk Class H; six bailiffs at ten dollars and eighty-three cents (\$10.83) per month each; five porters at five dollars (\$5) per month each; allowance for expenses at fifty-eight dollars and thirty-four cents (\$58.34) per month; one thousand, four hundred and thirty-six dollars and forty-six cents (\$1,436.46).

Medico-Legal Department: Two physicians at fifty dollars (\$50) per month each; two practicanes at fifteen dollars (\$15) per month each; one conserge at fifteen dollars (\$15) per month; one servant at five dollars (\$5) per month; four hundred and fifty dollars (\$450).

For salaries: One judge at one thousand, six hundred and fifty dollars (\$1,650) per annum; two clerks Class C; twelve clerks at ten dollars (\$10) per month each; four bailiffs at six dollars (\$6) per month each in each of the District Courts of First Instance of Binondo, Tondo, Quiapo, Intramuros, four thousand, eight hundred and eighteen dollars (\$4,818); one interpreter at forty-one dollars and sixty-six cents (\$41.66) per month in each of the above courts, with the exception of the District Court of First Instance at Quiapo, three hundred and seventy-four dollars and ninety-seven cents (\$374.97); for the salary of one justice of the peace at eight hundred and sixty-four dollars (\$864) per annum; one clerk Class I; four clerks at ten dollars (\$10) per month each; two bailiffs at six dollars (\$6) per month each in each of the Justice of the Peace Courts of Binondo, Tondo, Quiapo and Intramuros, one thousand, seven hundred and eighty-eight dollars (\$1,788).

Superior Provost Court: One clerk Class 9; one clerk at four hundred and fifty dollars (\$450) per annum; four hundred and twelve dollars and fifty cents (\$412.50).

Inferior Provost Court: One clerk Class A; one clerk at four hundred and fifty dollars (\$450) per annum; three hundred and thirty-seven dollars and fifty cents (\$337.50).

Collector of Taxes:

One clerk Class 9; two clerks at one hundred and eighty dollars (\$180) per annum each; three hundred and ninety dollars (\$390).

Department of Municipal Records: One clerk Class 9; one clerk Class A; one clerk Class C; one clerk Class I; one clerk at seven hundred and fifty dollars (\$750) per annum; for stationery at seven dollars and fifty cents (\$7.50) per month; contingent fund at twenty-five dollars (\$25) per month; one thousand and sixty-five dollars (\$1,065).

Department of Prison Records: Two clerks at four hundred and fifty dollars (\$450) per annum each, two hundred and twenty-five dollars (\$225).

Office of Judge Advocate, Provost Guard: One clerk Class 9, three hundred dollars (\$300).

In all, twenty-one thousand, five hundred and ninety-six dollars and seventy-nine cents (\$21,596.79).

Department of Chief Surgeon, Provost Guard: For subsistence of Metropolitan Police admitted to Military Hospitals from February 15 to June 30, 1901, one thousand, seven hundred and seventy-two dollars and sixty-four cents (\$1,772.64).

Department of Receipts and Disbursements:

For salaries: Two clerks Class 9; one clerk Class A; eight hundred and twenty-five dollars (\$825).

Public Prosecutor:

One clerk at seven hundred and fifty dollars (\$750) per annum, one hundred and eighty-seven dollars and fifty cents (\$187.50).

In all, for the office of the Provost Marshal General and departments reporting to him, four hundred and eighty-two thousand, seven hundred and nine dollars and twenty-four cents (\$482,709.24).

Disbursing Officer at Iloilo, Panay:

For maintenance of vaccine farm, three hundred and seventy-four dollars (\$374); for salaries of native help, one hundred dollars (\$100); for purchase of medicines, one thousand dollars (\$1,000).

In all, one thousand, four hundred and seventy-four dollars (\$1,474).

Disbursing Officer of the United States Philippine Commission:

For salaries and expenses, forty-five thousand dollars (\$45,000).

Total of appropriations for all purposes, in money of the United States, one million, two hundred and sixty-three thousand, seven hundred and eleven dollars and fifty-nine cents (\$1,263,711.59).

SEC. 2. The public good requiring the speedy enactment of this Appropriation Bill, the passage of the same is hereby expedited in accordance with Section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, March 30, 1901.

[No. 111.]

AN ACT exempting the inhabitants of the Province of Benguet from the payment of internal revenue taxes.

By authority of the President of the United States, be it enacted by United States Philippine Commission, that:

SECTION 1. From and after the first day of April, 1901, no internal

revenue taxes shall be collected from the inhabitants of the Province of Benguet.

SEC. 2. All internal revenue taxes collected from the Province of Benguet from and after the first day of January, 1901, shall be paid to the Governor of that Province out of the Insular Treasury, to be by him deposited in the treasury of the province, and to be held as other funds for provincial purposes.

SEC. 3. The Collector of Internal Revenue shall certify to the Military Governor the amount of taxes collected in the Province of Benguet from the first of January, 1901, until the first day of April, 1901, and warrant shall issue in favor of the Governor of Benguet for the amount so certified, in accordance with law.

SEC. 4. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section two of "An act prescribing the order of procedure by the Commission in the enactment of laws," passed September 26, 1900.

SEC. 5. This act shall take effect on its passage.

Enacted, March 30, 1901.

[No. 112.]

AN ACT appropriating one-fourth of the internal revenue collections made in the Provinces of Pampanga, Pangasinan, Tarlac, Bulacan, Bataan, Tayabas, Romblon and Masbate after January 1, 1901, down to and including the 31st day of March, 1901, to be paid to the respective treasurers of said provinces in accordance with section nine of the General Provincial Act.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. There is hereby appropriated from the Insular Treasury, out of funds not otherwise appropriated, to be paid to the Provincial Treasurers of the Provinces of Pampanga, Pangasinan, Tarlac, Bulacan, Bataan, Tayabas, Romblon and Masbate, respectively, one-fourth of the total amount of internal revenue collections made in each of said provinces from and after the first day of January, 1901, down to and including March 31, 1901, to comply with the requirements of section nine of the General Provincial Act. The amount so to be paid shall be determined by the Collector of Internal Revenue for the Islands, and shall be certified by him to the Military Governor and the Auditor of the Archipelago, and warrants shall be drawn in accordance with the law for the amounts so certified.

SEC. 2. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section two of "An act prescribing the order of procedure by the Commission in the enactment of laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, March 30, 1901.

[No. 113.]

AN ACT extending the provisions of "the Provincial Government act" to the Province of Iloilo.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All the provisions of an act entitled "A General Act for the Organization of Provincial Governments in the Philippine Islands," enacted February 6, 1901, shall apply to and govern the establishment of a provincial government in that territory in the Island of Panay known as the Province of Iloilo, including the Comandancia of Concepcion, with such exceptions, modifications and supplementary provisions as are hereinafter contained.

SEC. 2. The compensation to be paid provincial officers of the Province of Iloilo shall be at the following rate per year, money of the United States.

For the Provincial Governor, three thousand dollars (\$3,000);

For the Provincial Secretary, one thousand eight hundred dollars (\$1,800);

For the Provincial Treasurer, three thousand dollars (\$3,000);

For the Provincial Supervisor, two thousand, two hundred dollars (\$2,200);

For the Provincial Fiscal, one thousand, eight hundred dollars (\$1,800);

The salary of provincial officers shall be payable monthly so that one-twelfth ($\frac{1}{12}$) of the annual salary shall be paid on the last day of each calendar month.

Each provincial officer shall be allowed his necessary and actual traveling expenses, not exceeding two dollars and fifty cents (\$2.50) per day, while absent from the capital of the province on official business. The allowance shall be made by the Provincial Board upon the certificate of the officer that the travel was necessary for the public business, and shall not be paid until the account, accompanied by the resolution of the Board approving the same, shall be forwarded to the Insular Treasurer and by him approved.

SEC. 3. The bond of the Provincial Treasurer shall be twenty-five thousand dollars (\$25,000), until the first day of March, 1902, when, in view of the collection of the land tax, the Commission may require a new bond or an additional bond to cover the probable increase of the funds of which the Provincial Treasurer shall have custody at any one time. The bond to be given shall be conditioned to secure on the part of the Provincial Treasurer that he shall account for the internal revenue collections coming into his hands as Internal Revenue Collector; the taxes collected by him for each municipality, for the province and for the Central Government. The form of the bond shall be prescribed by the Insular Treasurer. If, upon the request of the Commission, the Military Governor shall detail any military officer to fill a provincial office, no bond shall be required of him and no salary shall be paid him until after July 1, 1901.

SEC. 4. The presidentes or alcaldes of the municipalities of the province shall meet on the third Monday in January, April, July and October to consider improvements needed in the province and for the Provincial Government, and to make recommendations to the Provin-

cial Board. The convention shall be called together by the Provincial Secretary and shall elect a chairman for each quarter's session. The Provincial Secretary shall act as secretary of the convention, and shall certify its recommendations to the Provincial Board.

SEC. 5. The capital of the province shall be, as formerly, at the town of Iloilo.

SEC. 6. This act shall take effect on its passage.

Enacted, April 11, 1901.

[No. 114.]

AN ACT extending the provisions of "the Provincial Government Act" to the Province of Antique.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All the provisions of an act entitled "A General Act for the Organization of provincial Governments in the Philippine Islands," enacted February 6, 1901, shall apply to and govern the establishment of a provincial government in that territory in the Island of Panay known as the Province of Antique, with such exceptions, modifications and supplementary provisions as are hereinafter contained.

SEC. 2. The compensation to be paid provincial officers of the Province of Antique shall be at the following rate per year, money of the United States.

For the Provincial Governor, one thousand, six hundred dollars (\$1,600);

For the Provincial Secretary, one thousand, two hundred dollars (\$1,200);

For the Provincial Treasurer, one thousand, eight hundred dollars (\$1,800);

For the Provincial Supervisor, one thousand, six hundred dollars (\$1,600);

For the Provincial Fiscal, one thousand, two hundred dollars (\$1,200);

The salary of provincial officers shall be payable monthly so that one twelfth ($\frac{1}{12}$) of the annual salary shall be paid on the last day of each calendar month.

Each provincial officer shall be allowed his necessary and actual traveling expenses, not exceeding two dollars and fifty cents (\$2.50) per day, while absent from the capital of the province on official business. The allowance shall be made by the Provincial Board upon the certificate of the officer that the travel was necessary for the public business, and shall not be paid until the account, accompanied by the resolution of the Board approving the same, shall be forwarded to the Insular Treasurer and by him approved.

SEC. 3. The bond of the Provincial Treasurer shall be ten thousand dollars (\$10,000), until the first day of March, 1902, when, in view of the collection of the land tax, the Commission may require a new bond or an additional bond to cover the probable increase of the funds of which the Provincial Treasurer shall have custody at any one time. The bond to be given shall be conditioned to secure on the part of the Provincial Treasurer that he shall account for the internal revenue col-

lections coming into his hands as Internal Revenue Collector; the taxes collected by him for each municipality; for the province; and for the Central Government. The form of the bond shall be prescribed by the Insular Treasurer. If, upon the request of the Commission, the Military Governor shall detail any military officer to fill a provincial office, no bond shall be required of him and no salary shall be paid him until after July 1, 1901.

SEC. 4. The presidentes or alcaldes of the municipalities of the province shall meet on the third Monday in January and June to consider improvements needed in the province and for the provincial government, and to make recommendations to the Provincial Board. The convention shall be called together by the Provincial Secretary, and shall elect a chairman for each six months' session. The Provincial Secretary shall act as secretary of the convention, and shall certify its recommendations to the Provincial Board.

SEC. 5. The capital of the province shall be, as formerly, at the town of San Jose.

SEC. 6. The oath of office of provincial officers may be administered by a member of the Commission, by any judicial officer or by the governor of the province.

SEC. 7. This act shall take effect on its passage.

Enacted, April 13, 1901.

[No. 115.]

AN ACT Extending the provisions of "the Provincial Government act" to the Province of Capiz.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All the provisions of an act entitled "A General Act for the Organization of Provincial Governments in the Philippine Islands," enacted February 6, 1901, shall apply to and govern the establishment of a provincial government in that territory in the Island of Panay known as the Province of Capiz, with such exceptions, modifications and supplementary provisions as are hereinafter contained.

SEC. 2. The compensation to be paid provincial officers of the Province of Capiz shall be at the following rate per year, money of the United States:

For the Provincial Governor, one thousand, seven hundred dollars (\$1,700);

For the Provincial Secretary, one thousand, two hundred dollars (\$1,200);

For the Provincial Treasurer, two thousand dollars (\$2,000);

For the Provincial Supervisor, one thousand, eight hundred dollars (\$1,800);

For the Provincial Fiscal, one thousand, two hundred dollars (\$1,200).

The salary of provincial officers shall be payable monthly so that one-twelfth ($\frac{1}{12}$) of the annual salary shall be paid on the last day of each calendar month.

Each provincial officer shall be allowed his necessary and actual traveling expenses, not exceeding two dollars and fifty cents (\$2.50) per day, while absent from the capital of the province on official busi-

ness. The allowance shall be made by the Provincial Board upon the certificate of the officer that the travel was necessary for the public business, and shall not be paid until the account, accompanied by the resolution of the Board approving the same, shall be forwarded to the Insular Treasurer and by him approved.

SEC. 3. The bond of the Provincial Treasurer shall be fifteen thousand dollars (\$15,000), until the first day of March, 1902, when, in view of the collection of the land tax, the Commission may require a new bond or an additional bond to cover the probable increase of the funds of which the Provincial Treasurer shall have custody at any one time. The bond to be given shall be conditioned to secure on the part of the Provincial Treasurer that he shall account for the internal revenue collections coming into his hands as Internal Revenue Collector; the taxes collected by him for each municipality; for the province; and for the Central Government. The form of the bond shall be prescribed by the Insular Treasurer. If, upon the request of the Commission, the Military Governor shall detail any military officer to fill a provincial office, no bond shall be required of him and no salary shall be paid him until after July 1, 1901.

SEC. 4. The presidentes or alcaldes of the municipalities of the province shall meet on the third Monday in January, April and July to consider improvements needed in the province and for the provincial government, and to make recommendations to the Provincial Board. The convention shall be called together by the Provincial Secretary and shall elect a chairman for each session. The Provincial Secretary shall act as secretary of the convention and shall certify its recommendations to the Provincial Board.

SEC. 5. The capital of the province shall be, as formerly, at the town of Capiz.

SEC. 6. The oath of office of provincial officers may be administered by a member of the Commission, by any judicial officer, or by the Governor of the province.

SEC. 7. This act shall take effect on its passage.

Enacted, April 15, 1901.

[No. 116.]

AN ACT Extending the provisions of "the Provincial Government act" to the Province of Cebu, and incorporating the Pueblo of San Nicolas in the municipality of Cebu.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All the provisions of an act entitled "A General Act for the Organization of Provincial Governments in the Philippine Islands," enacted February 6, 1901, shall apply to and govern the establishment of a provincial government in that territory in the island of Cebu and neighboring Islands, known as the Province of Cebu, with such exceptions, modifications and supplementary provisions as are hereinafter contained.

SEC. 2. The compensation to be paid provincial officers of the Province of Cebu shall be at the following rate per year, money of the United States:

For the Provincial Governor, three thousand dollars (\$3,000);

For the Provincial Secretary, one thousand, eight hundred dollars (\$1,800);

For the Provincial Treasurer, three thousand dollars (\$3,000);

For the Provincial Supervisor, two thousand, five hundred dollars (\$2,500);

For the Provincial Fiscal, one thousand, eight hundred dollars (\$1,800);

The salary of provincial officers shall be payable monthly so that one-twelfth ($\frac{1}{12}$) of the annual salary shall be paid on the last day of each calendar month.

Each provincial officer shall be allowed his necessary and actual traveling expenses, not exceeding two and one-half dollars (\$2.50) per day, while absent from the capital on official business. The allowance shall be made by the Provincial Board upon the certificate of the officer that the travel was necessary for the public business, and shall not be paid until the account, accompanied by the resolution of the Board approving the same, shall be forwarded to the Insular Treasurer and by him approved.

SEC. 3. The bond of the Provincial Treasurer shall be twenty-five thousand dollars (\$25,000) until the first day of March, 1902, when, in view of the collection of the land tax, the Commission may require a new bond or an additional bond to cover the probable increase of the funds of which the Provincial Treasurer shall have custody at any one time. The bond to be given shall be conditioned to secure on the part of the Provincial Treasurer that he shall account for the internal revenue collections coming into his hands as Internal Revenue Collector; the taxes collected by him for each municipality; for the province; and for the Central Government. The form of the bond shall be prescribed by the Insular Treasurer. If, upon the request of the Commission, the Military Governor shall detail any military officer to fill a provincial office, no bond shall be required of him and no salary shall be paid him until after July 1, 1901.

SEC. 4. The presidentes or alcaldes of the municipalities of the province shall meet on the third Monday in January, April, July and October to consider improvements needed in the province and for the Provincial Government, and to make recommendations to the Provincial Board. The convention shall be called together by the Provincial Secretary, and shall elect a chairman for each quarter's session. The Provincial Secretary shall act as secretary of the convention, and shall certify its recommendations to the Provincial Board.

SEC. 5. The capital of the province shall be, as formerly, at the town of Cebu, and the pueblo of San Nicolas is hereby incorporated in the municipality of Cebu, and made subject to the government thereof. Should the Provincial Governor determine that the incorporation of San Nicolas, in Cebu, shall change the class of the municipality under the Municipal Code, and require the number of Councilors to be increased, it shall be the duty of the present municipal council of Cebu, upon the certificate of the Provincial Governor, to elect the necessary additional Councillors from among the residents of the added district of San Nicolas. At the next regular election in December, 1901, under the Municipal Code, the whole municipal council of Cebu shall be elected as if the town were being newly organized under the Municipal Code, and the Councillors elected shall be divided by lot, as prescribed in the Code, into those who shall hold their offices for

one year, and those who shall hold their offices for two years. The municipal government which exists *de facto* in San Nicolas is hereby abolished. The existing police force of the pueblo of San Nicolas shall be part of the police of Cebu, and subject to the orders of the Presidente of Cebu until the municipal council shall make further provisions.

SEC. 6. The provincial building or *casa Gobierno* in the town of Cebu shall be occupied for the provincial offices, and as the official residence of the Governor.

SEC. 7. This act shall take effect on its passage.

Enacted, April 18, 1901.

[No. 117.]

AN ACT extending the provisions of "the provincial government act" to the province of Bohol.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All the provisions of an act entitled "A General Act for the Organization of Provincial Governments in the Philippine Islands," enacted February 6, 1901, shall apply to and govern the establishment of a provincial government in that territory in the Island of Bohol and neighboring islands known as the Province of Bohol, with such exceptions, modifications and supplementary provisions as are hereinafter contained.

SEC. 2. The compensation to be paid provincial officers of the Province of Bohol shall be at the following rate per year, money of the United States:

For the Provincial Governor, one thousand, five hundred dollars (\$1,500);

For the Provincial Secretary, one thousand dollars (\$1,000);

For the Provincial Treasurer, one thousand, eight hundred dollars (\$1,800);

For the Provincial Supervisor, one thousand, six hundred dollars (\$1,600);

For the Provincial Fiscal, one thousand, one hundred dollars (\$1,100).

The salary of provincial officers shall be payable monthly so that one-twelfth ($\frac{1}{12}$) of the annual salary shall be paid on the last day of each calendar month.

Each provincial officer shall be allowed his necessary and actual traveling expenses, not exceeding two dollars (\$2.00) per day, while absent from the capital of the province on official business. The allowance shall be made by the Provincial Board upon the certificate of the officer that the travel was necessary for the public business, and shall not be paid until the account, accompanied by the resolution of the Board approving the same, shall be forwarded to the Insular Treasurer and by him approved.

SEC. 3. The bond of the Provincial Treasurer shall be twelve thousand dollars (\$12,000), until the first day of March, 1902, when, in view of the collection of the land tax, the Commission may require a new bond or an additional bond to cover the probable increase of the funds of which the Provincial Treasurer shall have custody at any one

time. The bond to be given shall be conditioned to secure on the part of the Provincial Treasurer that he shall account for the internal revenue collections coming into his hands as Internal Revenue Collector; the taxes collected by him for each municipality; for the province; and for the Central Government. The form of the bond shall be prescribed by the Insular Treasurer. If, upon the request of the Commission, the Military Governor shall detail any military officer to fill a provincial office, no bond shall be required of him and no salary shall be paid him until after July 1, 1901.

SEC. 4. The presidentes or alcaldes of the municipalities of the province shall meet on the third Monday in January, April, July and October to consider improvements needed in the province and for the provincial government, and to make recommendations to the Provincial Board. The convention shall be called together by the Provincial Secretary, and shall elect a chairman for each quarter's session. The Provincial Secretary shall act as secretary of the convention, and shall certify its recommendations to the Provincial Board.

SEC. 5. The capital of the province shall be, as formerly, at the town of Tagbilaran.

SEC. 6. This act shall take effect on its passage.

Enacted, April 20, 1901.

[No. 118.]

AN ACT appropriating one hundred and seventeen thousand, five hundred and fifty-nine dollars and ninety-six cents (\$117,559.96), in money of the United States, for expenses incurred and salaries earned, not provided for in the general appropriation act for the second quarter of the year 1901.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. It appearing by the statement of the Chief Quartermaster, Division of the Philippines, that his office has on hand an amount upwards of six hundred thousand dollars (\$600,000), money of the United States, unexpended from appropriations heretofore made, authority is hereby given to the Chief Quartermaster, Division of the Philippines, to expend from such unexpended sum the following amounts, viz:

Repairs to engineer quarters, thirteen thousand, four hundred and ninety-three dollars (\$13,493); awnings for the Intendencia Building, sixteen hundred and forty-two dollars and fifty cents (\$1,642.50); construction of prison at Olongapo, five thousand, nine hundred and five dollars (\$5,905); purchase of launch 701, used for telegraph and cable work, thirteen thousand dollars (\$13,000).

Funds for the Department of Northern Luzon, fifty-five thousand, eight hundred dollars (\$55,800), as follows:

Linemen, twenty-four hundred dollars (\$2,400); witnesses before civil commissions, forty-five hundred dollars (\$4,500); physicians and practicante, fifteen hundred dollars (\$1,500); repairs to telegraph lines, twenty-four hundred dollars (\$2,400); native scouts and interpreters, forty-five thousand dollars (\$45,000).

Funds for the Department of Southern Luzon, nineteen thousand,

one hundred and fifty-one dollars and twenty cents (\$19,151.20), as follows:

Repairs to buildings at Santa Ana, seven hundred dollars (\$700); hire of interpreters, three thousand, five hundred and sixty-five dollars (\$3,565); hire of native scouts, twelve thousand, eight hundred and eighty-six dollars and twenty cents (\$12,886.20); witnesses before civil commissions, two thousand dollars (\$2,000).

Funds for the Department of Mindanao and Jolo, five thousand, nine hundred and fifty dollars (\$5,950), as follows:

Hire of interpreters, one thousand dollars (\$1,000); payment of subsidies to the Sultan of Jolo and Dattos, in accordance with the Bates Treaty, four thousand, five hundred and sixty dollars (\$4,560); salary of the United States representative at Cagayan de Jolo, three hundred and ninety dollars (\$390).

Funds for the Department of the Visayas, ninety-nine thousand, four hundred and ninety dollars (\$99,490), as follows:

Purchase of oil, four hundred dollars (\$400); support of lepers, fifteen hundred and ninety dollars (\$1,590); salaries of native scouts, sixty-four thousand dollars (\$64,000), deficiency pay for scouts for February and March, ten thousand dollars (\$10,000); maintenance of vessels operated by civil bureaus, twelve thousand, five hundred dollars (\$12,500); hire of interpreters, one thousand dollars (\$1,000); purchase of sanitary supplies for use around schools, native reserve quarters and other public buildings, twenty-five hundred dollars (\$2,500); rent of buildings for civil bureaus, thirty-five hundred dollars (\$3,500); pay of civil prison guards, thirty-five hundred dollars (\$3,500); purchase of furniture for civil bureaus, five hundred dollars (\$500).

In all, two hundred and fourteen thousand, four hundred and thirty-one dollars and seventy cents (\$214,431.70).

SEC. 2. The following sums in money of the United States are hereby appropriated out of any money in the Insular Treasury not otherwise appropriated, to pay expenses incurred and salaries earned, not provided for in the general appropriation act for the second quarter of the year 1901:

DISBURSING QUARTERMASTER OF CIVIL BUREAUS.

Board of Officers on Claims:

One clerk class C, hereby authorized, from March 14 to June 30, 1901, two hundred and fourteen dollars (\$214).

Assistant to Chief Quartermaster:

Salaries for the second quarter of the year 1901: One draughtsman at forty dollars (\$40) per month; two clerks at sixty-two dollars and fifty cents (\$62.50) per month each; one clerk class 9; one clerk at thirty-seven dollars and fifty cents (\$37.50) per month; one clerk class H; three laborers at ten dollars (\$10) per month each; thirteen laborers at seven dollars and fifty cents (\$7.50) per month each; three laborers at seven dollars (\$7) per month each; six laborers at eight dollars and fifty cents (\$8.50) per month each; fifteen hundred and ninety-six dollars (\$1,596).

Judge Advocate:

Salary of one clerk class 9 for the second quarter of the year 1901, three hundred dollars (\$300).

Military Governor's Office:

For increase in salaries authorized by Act 102, over the amount appro-

provided by Act 110, for the second quarter of the year 1901, thirteen hundred and twenty-two dollars and fifty eight cents (\$1,322.58).

Supreme Court:

Salary of one clerk class 9, hereby authorized, from March 7 to June 30, 1901, three hundred and eighty dollars (\$380); one clerk class C for the second quarter of the year 1901, one hundred and eighty dollars (\$180).

Bureau of Statistics:

Salaries for the second quarter of the year 1901: Chief Statistician at thirty-five hundred dollars (\$3,500) per annum; one clerk class 7; one clerk class 8; one clerk class A; one clerk class I; one clerk at twelve dollars and fifty cents (\$12.50) per month; nineteen hundred and sixty-two dollars and fifty-one cents (\$1,962.51).

Inspector General:

Salaries for the second quarter of the year 1901: One clerk class 7; one clerk class 9; one clerk class D; eight hundred and forty-nine dollars and ninety-nine cents (\$849.99).

Adjutant General's Office:

Salaries for the second quarter of the year 1901: Twelve clerks at sixteen dollars and sixty-seven cents (\$16.67) each per month; four clerks class 7; three clerks class 8; twenty-three clerks class 9; four clerks class C; ten thousand, eight hundred and seventy dollars and eleven cents (\$10,870.11).

Disbursing Quartermaster of Civil Bureaus:

Salaries for the second quarter of the year 1901: One clerk at fifteen hundred dollars (\$1,500) per annum; one clerk class 8; three clerks class 9; two storekeepers at eighty-seven dollars and fifty cents (\$87.50) per month each; one clerk class D; two clerks class H; twenty-four hundred and eighty dollars and one cent (\$2,480.01).

For the salaries of laborers for the Disbursing Quartermaster for the second quarter of the year 1901, three hundred and seventy-six dollars and twenty cents (\$376.20); extra labor, nine hundred dollars (\$900); janitor for Intendencia Building, thirty-three dollars and seventy-five cents (\$33.75); four assistant janitors, ninety dollars (\$90); washing towels, one dollar and fifty cents (\$1.50); salary of one clerk class 9, in Court of First Instance, Vigan, from February 20 to June 30 1901, four hundred and thirty-three dollars and thirty-three cents (\$433.33).

For rent for buildings for civil purposes for the second quarter of the year 1901:

No. 6 Calle San Miguel; No. 2 Calle Alena; No. 32 Calle San Sebastian, and for the repair and rent of buildings outside of Manila, twenty-four hundred dollars (\$2,400); for the increase of rent of No. 2 Calle Alena from July 1, 1900, to January 31, 1901, four hundred and twenty dollars (\$420).

For salaries in the Court of Peace at San Fernando de la Union from January 1 to June 30, 1901:

One justice at sixty dollars (\$60) per month; one clerk at fifteen dollars (\$15) per month; four hundred and fifty dollars (\$450).

For the payment of salaries and wages necessary in operating the civil fund printing plant for the second quarter of the year 1901:

One clerk class 9; one clerk class A; one clerk class D; two clerks at twenty-two dollars and fifty cents (\$22.50) each per month; two clerks at eighteen dollars and ninety cents (\$18.90) each per month; one clerk at fifteen dollars (\$15) per month; estimated overtime work

at one hundred and forty dollars (\$140) per month; nineteen hundred and fifty-eight dollars and forty cents (\$1,958.40).

In all, twenty-seven thousand, two hundred and eighteen dollars and thirty-eight cents (\$27,218.38).

OFFICE OF THE PROVOST MARSHAL GENERAL AND DEPARTMENTS
REPORTING TO HIM.

Department of Water Supply:

For removal of buildings at Aceres and establishing shops, testing plant and city offices of the water department in the Cuartel Fortin, five hundred dollars (\$500).

Department of Illumination and Telephones: For maintenance of electric light service in the Palace of Malacañan and in the residence of the Provost Marshal General, five hundred and four dollars and twenty-one cents (\$504.21).

Office of the Public Prosecutor:

For salaries for the second quarter of the year 1901: Two clerks class 9; one clerk class C; seven hundred and eighty dollars (\$780).

Quartermaster for the Provost Guard:

Rent for civil police stations, seventy-five hundred and sixty-eight dollars and fifty cents (\$7,568.50); rent for school houses and rent of Manila Central Observatory, thirty-four hundred and sixty-two dollars and fifty cents (\$3,462.50); rent for market sites, seventy-five dollars (\$75); expenses of the city morgue, two hundred and nineteen dollars (\$219); rent for vaccine station, one hundred and twenty dollars (\$120); rent of land for quarantine station, thirty-seven dollars and forty-four cents (\$37.44); operating Manila Observatory, two thousand, one hundred and eighty-five dollars and fifty cents (\$2,185.50); janitor service, headquarters Provost Marshal General, four hundred and fifty dollars (\$450); pension of Jacinto Brillante, fifteen dollars (\$15); repairs to and hire of transportation, fifty-three hundred dollars (\$5,300); forage and shoeing, twelve hundred and sixty-five dollars (\$1,265); hire of nine teamsters for excavator wagons, sixteen hundred and twenty dollars (\$1,620); salary of three clerks class 9 and one clerk class A for the second quarter of the year 1901, eleven hundred and twenty-five dollars (\$1,125); for advertising, seventy-five dollars (\$75); incidental expenses, two hundred and twenty-five dollars (\$225); rice for indigent citizens, eight hundred dollars (\$800); alterations and repairs to civil police stations, three thousand dollars (\$3,000); miscellaneous repairs, two thousand dollars (\$2,000); manufacturing and printing books, forms, etc., one thousand dollars (\$1,000); increase of salary of one clerk from seventy-five dollars per month to one hundred dollars per month, seventy-five dollars (\$75); one master mechanic at one hundred dollars per month, three hundred dollars (\$300); two native laborers at ten dollars (\$10) per month each, sixty dollars (\$60).

In all, thirty thousand, nine hundred and seventy-seven dollars and ninety-four cents (\$30,977.94).

Chief Surgeon:

One clerk class 9, three hundred dollars (\$300).

Department of Police:

For feeding the prisoners confined at the Metropolitan and Native Police Stations for three months, three thousand dollars (\$3,000); for employment of ten native laborers at six dollars and fifty cents (\$6.50) per month each, one hundred and ninety-five dollars (\$195).

In all, three thousand, one hundred and ninety-five dollars (\$3,195).

Department of Licenses and Municipal Revenues:

For the salaries of one liquor inspector for the second quarter of the year 1901, at twelve hundred dollars (\$1,200) per annum, and of one native driver from December 1, 1900, to June 30, 1901, hereby authorized, at one hundred and eight dollars (\$108) per annum, three hundred and sixty-three dollars (\$363); for stationery for the quarter ending March 31, 1901, four hundred dollars (\$400).

In all, seven hundred and sixty-three dollars (\$763).

In all, for the office of the Provost Marshal General and departments reporting to him, thirty-seven thousand and twenty dollars and fifteen cents (\$37,020.15).

GENERAL SUPERINTENDENT OF PUBLIC INSTRUCTION.

For the continuation of financial aid in payment of native teachers for the public schools at the following places, for the second quarter of the year 1901:

Isabela de Basilan, one hundred and twenty-six dollars (\$126); Batangas, two hundred and forty-one dollars and fifty cents (\$241.50); Lucban, Tayabas, two hundred and seventy dollars (\$270); for the increase in the salaries for the second quarter of the year 1901, authorized by Act 102 over the amount appropriated by Act 110, seventy-five dollars (\$75); for incidental office expenses, twenty-five dollars (\$25).

In all, seven hundred and thirty-seven dollars and fifty cents (\$737.50).

COLLECTOR OF CUSTOMS OF THE ISLANDS AND OF THE CHIEF PORT.

For rents and repairs to buildings at Iloilo, one hundred dollars (\$100); for increase in salaries for the second quarter of the year 1901, authorized by Act 102 over the amount appropriated by Act 110, thirty-eight hundred and forty-seven dollars (\$3,847); for salaries in the office of the Collector of Customs at Siassi, fifty-four dollars (\$54); for miscellaneous expenses, twenty-nine hundred and fifty dollars (\$2,950).

In all, six thousand, nine hundred and fifty-one dollars (\$6,951).

CAPTAIN OF THE PORT OF MANILA.

For an increase in salaries for the second quarter of the year 1901, authorized by Act 102 over the amount appropriated by Act 110, two hundred and fifty-five dollars and fifty cents (\$255.50); for launch crews, two hundred and twenty-two dollars (\$222); for transportation for light house and signal station supplies, thirty dollars (\$30); for repairs to steam launches, five hundred dollars (\$500).

In all, ten hundred and seven dollars and fifty cents, (\$1,007.50).

Collector of Internal Revenue for the Islands, nine hundred and eighteen dollars and fifty cents (\$918.50), to be expended as follows:

For an increase in salaries for the second quarter of the year 1901, authorized by Act 102 over the amount appropriated by Act 110, ten hundred and thirty-one dollars (\$1,031), from which is to be deducted one hundred and twelve dollars and fifty cents (\$112.50) appropriated by Act 110 for six clerks discharged March 31, 1901, and which the

Collector of Internal Revenue is hereby authorized to spend in paying the above mentioned increase.

TREASURER OF THE ISLANDS.

For increase in the salaries of the second quarter of the year 1901, authorized by Act 102 over the amount appropriated by Act 110, one hundred and thirty-seven dollars and forty-nine cents (\$137.49).

DIRECTOR GENERAL OF POSTS.

For salaries of the Manila Post-office for the second quarter of the year 1901, as follows:

Postmaster at thirty-five hundred dollars (\$3,500) per annum; one clerk class 4; one clerk class 5; two clerks class 6; one clerk class 7; twenty-five clerks class 8; three clerks class 9; five clerks class 10; one clerk class B; one clerk class C; eight clerks class F; five clerks class H; two clerks class I; ten clerks at one hundred and fifty dollars (\$150) per annum each; twelve clerks at one hundred and twenty dollars (\$120) per annum each; sixteen thousand, eight hundred and twenty-two dollars and fifty cents (\$16,822.50).

For salaries for the same period in other postoffices, as follows:

One clerk class 5; four clerks class 6; four clerks class 7; ten clerks class 8; two clerks class 8, hereby authorized; one clerk class 9; five clerks class 9, hereby authorized; one clerk class 10, hereby authorized; 3 clerks class 8, hereby authorized; two clerks class 10, hereby authorized; one clerk class H, hereby authorized; eighteen clerks at an aggregate of four hundred dollars (\$400) for three months, twelve thousand, one hundred and ninety dollars (\$12,190); for the employment of substitutes for clerks granted leaves of absence with pay under the provisions of Act 80, one thousand dollars (\$1,000); for miscellaneous expenses, two hundred dollars (\$200).

In all, thirty thousand, two hundred and twelve dollars and fifty cents (\$30,212.50).

DISTRICT COMMANDER, ISABELA DE BASILAN.

Salaries and wages from February 1 to June 30, 1901: One captain at one hundred dollars (\$100) per month; one boatswain at forty dollars (\$40) per month; one engineer at forty dollars (\$40) per month; one quartermaster at twelve dollars and fifty cents (\$12.50) per month; one assistant engineer at thirty dollars (\$30) per month; three firemen at fifteen dollars (\$15) per month each; four sailors at ten dollars (\$10) per month each; fifteen hundred and thirty-seven dollars and fifty cents (\$1,537.50); coal, one thousand dollars (\$1,000); rations for one captain and for a crew of eleven men, from February 1 to June 30, 1901, three hundred and fifty dollars (\$350); for repairs and articles needed for the launch Basilan, three hundred dollars (\$300).

In all, thirty-one hundred and eighty-seven dollars and fifty cents (\$3,187.50).

CHIEF SIGNAL OFFICER.

Construction of telegraph lines in the Department of the Visayas, fifteen hundred dollars (\$1,500); general repairs, fifteen hundred dollars (\$1,500).

In all, three thousand dollars (\$3,000).

QUARTERMASTER AND DISBURSING OFFICER OF THE UNITED STATES
MILITARY PRISON AT SAN ISIDRO.

For subsistence for 450 native convicts for the second quarter of the year 1901, three thousand and thirty-seven dollars and fifty cents (\$3,037.50); for salaries for the same period: one clerk class 9; one clerk at four hundred and fifty dollars (\$450) per annum; four hundred and twelve dollars and fifty cents (\$412.50).

In all, three thousand, four hundred and fifty dollars (\$3,450).

CHIEF COMMISSARY.

For reimbursement for subsistence for native convicts in the provinces of Laguna, Camarines Sur, Batangas, Pangasinan, Ilocos Norte and Sur, Panganga, Albay, Union, Cavite, Manila, Tarlac, Sorsogon, and in the islands of Mindanao, Jolo, Panay; Leyte and Samar, thirty-five hundred and nineteen dollars and forty-four cents (\$3,519.44); for rice furnished to destitute natives at Tuguegarao, Luzon, two hundred dollars (\$200).

In all, thirty-seven hundred and nineteen dollars and forty-four cents (\$3,719.44).

Total of all appropriations in money of the United States, one hundred and seventeen thousand, five hundred and fifty-nine dollars and ninety-six cents (\$117,559.96).

SEC. 3. The public good requiring the speedy enactment of this appropriation bill, the same is hereby expedited in accordance with section 2 of "An act prescribing the order of procedure by the Commission in the enactment of laws," passed September 26, 1900.

SEC. 4. This act shall take effect on its passage.

Enacted, April 20, 1901.

[No. 119.]

AN ACT extending the provisions of the Provincial Government act and the Municipal Code to the Province of Occidental Negros.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION. 1. All the provisions of an act entitled "A General Act for the Organization of Provincial Governments in the Philippine Islands," enacted February 6, 1901, shall apply to and govern the establishment of a provincial government in that territory in the island of Negros known under the Spanish sovereignty as the province of "Occidental Negros," with such exceptions, modifications and supplementary provisions as are hereinafter contained.

SEC. 2. The compensation to be paid provincial officers of the province of Occidental Negros shall be at the following rate per year, in money of the United States:

- For the Provincial Governor, twenty-five hundred dollars (\$2,500);
- For the Provincial Secretary, fifteen hundred dollars (\$1,500);
- For the Provincial Treasurer, twenty-five hundred dollars (\$2,500);
- For the Provincial Supervisor, twenty-two hundred dollars (\$2,200);
- For the Provincial Fiscal, fifteen hundred dollars (\$1,500).

The salary of provincial officers shall be payable monthly so that one-twelfth ($\frac{1}{12}$) of the annual salary shall be paid on the last day of each calendar month.

Each provincial officer shall be allowed his necessary and actual traveling expenses, not exceeding two dollars and fifty cents (\$2.50) per day, while absent from the capital of the province on official business. The allowance shall be made by the Provincial Board upon the certificate of the officer that the travel was necessary for the public business, and shall not be paid until the account, accompanied by the resolution of the Board approving the same, shall be forwarded to the Insular Treasurer and by him approved.

SEC. 3. The bond of the Provincial Treasurer shall be twenty thousand dollars (\$20,000), until the first day of March, 1902, when, in view of the collection of the land tax, the Commission may require a new bond or an additional bond to cover the probable increase of the funds of which the Provincial Treasurer shall have custody at any one time. The bond to be given shall be conditioned that the Provincial Treasurer shall faithfully perform the duties of his office and shall account for the internal revenue collections coming into his hands as Internal Revenue Collector; the taxes collected by him for each municipality; for the province; and for the Central Government. The form of the bond shall be prescribed by the Insular Treasurer. If, upon the request of the Commission, the Military Governor shall detail any military officer to fill a provincial office, no bond shall be required of him and no salary shall be paid him until after July 1, 1901.

SEC. 4. The presidentes or alcaldes of the municipalities of the province shall meet on the third Monday in January, April, July and October to consider improvements needed in the province and for the Provincial Government, and to make recommendations to the Provincial Board. The convention shall be called together by the Provincial Secretary and shall elect a chairman for each quarter's session. The Provincial Secretary shall act as secretary of the convention, and shall certify its recommendations to the Provincial Board.

SEC. 5. The capital of the province shall be, as formerly, at the town of Bacolod.

SEC. 6. The oaths of the provincial officers may be administered by a member of the Commission, by a judicial officer or by the Provincial Governor.

SEC. 7. All of General Order No. 30, issued by the Military Governor of the Philippine Islands, July 22, 1899, except sections 17, 18, 19, 20 and 21, relating to the judiciary, and section 24 relating to the collection of customs, postal matters and Philippine inter-island trade and commerce, is hereby repealed, and all legislation enacted by the existing Advisory Council and approved by the Military Governor of the government of the island of Negros under and by virtue of the powers conferred upon such Council by that part of said General Order No. 30, of July 22, 1899, now repealed, is also hereby repealed, but such repeal shall not affect individual rights of property or contract which have vested under and by virtue of lawful and authorized enactments of such Advisory Council.

SEC. 8. The repeal of section 22 of General Order No. 40 authorizing the establishment of free public schools in the island of Negros, together with the legislation enacted by authority of such section by

the Legislative Council, shall not affect the employment of the teachers now engaged in teaching the public schools of Negros under such article and legislation, but the same persons shall continue as public school teachers with their salaries as fixed by laws in force at the time of this enactment, subject to the supervision of the General Superintendent of Public Instruction of the Philippine Islands and any Division Superintendent of the territory appointed by him under the act establishing a Department of Public Instruction in the Philippine Islands, and such schools are hereby made a part of the public school system established by that act.

SEC. 9. Municipal governments established by law of the Advisory Council of the government of the island of Negros under and by virtue of section 15 of said General Order No. 40, 1899, shall continue in existence with the powers and under the limitations of law in accordance with which they were established, except that the functions to be performed in respect thereto by the Military Governor of the Island of Negros shall hereafter be performed by the Governor of Occidental Negros to be appointed under this act. Such municipal governments, on and after the first day of June, 1901, shall become subject to the provisions of the Municipal Code. Where the Governor shall find that by the terms of the Municipal Code, organized towns have such a population that the existing number of councilors is not equal to that required by the Municipal Code, he shall certify the fact to the existing municipal council, which shall, by a majority vote, elect the additional councilors required by law, and where the number of councilors in the towns as now organized exceeds the number to which the Governor shall find the town is entitled under the Municipal Code, the existing councilors shall, by lot, determine those of their number who shall cease to be councilors, and the result of the lot having been spread upon the minutes of the council, the members excluded thereby shall thereafter cease to exercise the functions of municipal councilors. After June 1, 1901, the officers of the towns as now organized shall be known by the titles of the corresponding officers provided in the Municipal Code and shall exercise the powers and discharge the duties prescribed for such officers in the Municipal Code, and the limitations of law upon the action of the municipal officers, councils and corporations shall be as provided in the Municipal Code; provided, however, that where the municipal councils of existing corporations shall have directed the levy of taxes authorized under the laws of their creation and not authorized by the Municipal Code, and part of such taxes shall have been collected, such corporations, after they shall pass under the provisions of the Municipal Code, may nevertheless continue the collection of the taxes thus levied against all the persons liable to pay such taxes under the existing provisions of the law. The funds on hand in the treasury of each municipality shall pass to the new municipality in which it is merged, to be disposed of in accordance with the provisions of the Municipal Code.

SEC. 10. The cedula tax of three dollars, heretofore levied by the Advisory Council for the year 1901, is abolished, and all money collected thereunder and paid by persons residing in Occidental Negros shall be returned by the Provincial Treasurer to the persons paying the same.

SEC. 11. The regulations for the cutting of timber contained in General Order No. 92 shall apply to the island of Negros in place and

in stead of existing acts of the Advisory Council of the government of the island of Negros creating forestry regulations.

SEC. 12. From and after the passage of this act, all internal revenue taxes, including the industrial tax, urbana tax, forestry licenses and the stamp taxes, shall be collectible in the Province of Occidental Negros by the Provincial Treasurer as in other provinces, and shall be distributed between the provincial and the municipal governments as provided in the General Provincial Act. They shall be levied as from the first of April, 1901, for three quarters of the year 1901.

SEC. 13. The method of distributing, between the two provincial governments of Occidental and Oriental Negros, the funds in the treasury of the present government of the Island of Negros shall be as follows: It shall first be determined how much cash will remain in its treasury after all the obligations of the government of the Island of Negros shall have been paid. This sum, together with the amount of taxes due down to May 1, 1901, but not collected from both Occidental and Oriental Negros, under the law, shall constitute the fund for distribution. The share to be distributed to Occidental Negros shall bear the same ratio to the share to be distributed to Oriental Negros as the total amount of taxes collected or due by law from Occidental Negros for the year 1900 and the first four months of 1901 bears to the total amount collected or due by law from Oriental Negros for the same period; and in the distribution of such fund, the right to collect the taxes due from Oriental Negros shall be assigned and transferred to the government of Oriental Negros to be established; the right to collect the taxes due from Occidental Negros shall be assigned and transferred to the government of Occidental Negros hereby established, and the remainder of the

shares of each shall be paid in cash. In the calculations to be made under the foregoing rule, the cedula taxes collected for the year 1901 under the existing laws shall not be considered as funds of the Island of Negros, but shall be treated as obligations of the present government of the island of Negros to the persons for whom the same were collected, nor shall such cedula taxes for the year 1901 uncollected be considered as taxes due by law. For the purpose of determining the date upon which the foregoing calculation and distribution shall be made, in accordance with the rule hereinbefore fixed, the matter is referred to a committee consisting of Don José R. de Luzuriaga, Auditor of the Island, as the representative of Occidental Negros, and Don Demetrio Larena, Secretary of Public Instruction, as the representative of Oriental Negros, and upon their certificate the Treasurer of the present government of the island of Negros shall make the distribution. Should any difference of opinion arise between the two gentlemen constituting the committee, the difference shall be referred to Don Victorino Mapa of the town of Iloilo, in Panay, whose decision shall be final.

SEC. 14. All laws and parts of laws inconsistent with this act are hereby repealed.

SEC. 15. Except as herein otherwise specifically provided, this act shall take effect on the first day of May, 1901, but the appointments hereunder may be made before such date so that the officials appointed may qualify upon the first day of May and at once begin the discharge of their functions.

Enacted, April 20, 1901.

[No. 120.]

AN ACT Extending the provisions of the Provincial Government Act and the Municipal Code to the Province of Oriental Negros.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All the provisions of an act entitled "A General Act for the Organization of Provincial Governments in the Philippine Islands," enacted February 6, 1901, shall apply to and govern the establishment of a provincial government in the territory of the island of Negros known under the Spanish sovereignty as the province of "Oriental Negros," with such exceptions, modifications and supplementary provisions as are hereinafter contained.

SEC. 2. The compensation to be paid provincial officers of the province of Oriental Negros shall be at the following rate per year, in money of the United States:

For the Provincial Governor, two thousand dollars (\$2,000);

For the Provincial Secretary, twelve hundred dollars (\$1,200);

For the Provincial Treasurer, two thousand dollars (\$2,000);

For the Provincial Supervisor, eighteen hundred dollars (\$1,800);

For the Provincial Fiscal, twelve hundred dollars (\$1,200).

The salary of provincial officers shall be payable monthly so that one twelfth ($\frac{1}{12}$) of the annual salary shall be paid on the last day of each calendar month.

Each provincial officer shall be allowed his necessary and actual traveling expenses, not exceeding two dollars and fifty cents (\$2.50) per day, while absent from the capital of the province on official business. The allowance shall be made by the Provincial Board upon the certificate of the officer that the travel was necessary for the public business, and shall not be paid until the account, accompanied by the resolution of the Board approving the same, shall be forwarded to the Insular Treasurer and by him approved.

SEC. 3. The bond of the Provincial Treasurer shall be fifteen thousand dollars (\$15,000), until the first day of March, 1902, when, in view of the collection of the land tax, the Commission may require a new bond or an additional bond to cover the probable increase of the funds of which the Provincial Treasurer shall have custody at any one time. The bond to be given shall be conditioned that the Provincial Treasurer shall faithfully perform the duties of his office and shall account for the internal revenue collections coming into his hands as Internal Revenue Collector; the taxes collected by him for each municipality; for the province; and for the Central Government. The form of the bond shall be prescribed by the Insular Treasurer. If, upon the request of the Commission, the Military Government shall detail any military officer to fill a provincial office, no bond shall be required of him and no salary shall be paid him until after July 1, 1901.

SEC. 4. The presidentes or alcaldes of the municipalities of the province shall meet on the third Monday in January, April, July and October to consider improvements needed in the province and for the provincial government, and to make recommendations to the Provincial Board. The convention shall be called together by the Provincial Secretary and shall elect a chairman for each quarter's session. The Provincial Secretary shall act as secretary of the convention, and shall certify its recommendations to the Provincial Board.

SEC. 5. The capital of the province shall be, as formerly, at the town of Dumaguete.

SEC. 6. The oaths of the provincial officers may be administered by a member of the Commission, by a judicial officer or by the Provincial Governor.

SEC. 7. All of General Order No. 30, issued by the Military Governor of the Philippine Islands July 22, 1899, except sections 17, 18, 19, 20 and 21, relating to the judiciary, and section 24, relating to the collection of customs, postal matters and Philippine inter-island trade and commerce, is repealed, and all legislation enacted by the existing Advisory Council and approved by the Military Governor of the government of the island of Negros under and by virtue of the powers conferred upon such council by that part of said General Order No. 30, of July 22, 1899, now repealed, is also hereby repealed, but such repeal shall not affect individual rights of property or contract which have vested under and by virtue of lawful and authorized enactments of such Advisory Council.

SEC. 8. The repeal of section 22 of General Order No. 40, authorizing the establishment of free public schools in the island of Negros, together with the legislation enacted by authority of such section by the Legislative Council, shall not affect the employment of the teachers now engaged in teaching the public schools of Negros under such article and legislation, but the same persons shall continue as public school teachers with their salaries as fixed by laws in force at the time of this enactment, subject to the supervision of the General Superintendent of Public Instruction of the Philippine Islands, and any Division Superintendent of the territory appointed by him under the act establishing a Department of Public Instruction in the Philippine Islands, and such schools are hereby made a part of the public school system established by that Act.

SEC. 9. Municipal governments established by law of the Advisory Council of the government of the island of Negros under and by virtue of section 15 of said General Order No. 40, 1899, shall continue in existence with the powers and under the limitations of law in accordance with which they were established, except that the functions to be performed in respect thereto by the Military Governor of the island of Negros shall hereafter be performed by the Governor of Oriental Negros to be appointed under this act. Such municipal governments on and after the first day of June, 1901, shall become subject to the provisions of the Municipal Code. Where the governor shall find that by the terms of the Municipal Code, organized towns have such a population that the existing number of councilors is not equal to that required by the Municipal Code, he shall certify the fact to the existing municipal council, which shall, by a majority vote, elect the additional councilors required by law, and where the number of councilors in the towns as now organized exceeds the number to which the Governor shall find the town is entitled under the Municipal Code the existing councilors shall, by lots, determine those of their number who shall cease to be councilors, and the result of the lot having been spread upon the minutes of the council, the members excluded thereby shall thereafter cease to exercise the functions of municipal councilors. After June 1, 1901, the officers of the towns as organized shall be known by the titles of the corresponding officers provided in the Municipal Code, and shall exercise the powers and discharge the duties

prescribed for such officers in the Municipal Code, and the limitations of law upon the action of the municipal officers, councils and corporations shall be as provided in the Municipal Code; provided, however, that where municipal councils of existing corporations shall have directed the levy of taxes authorized under the laws of their creation and not authorized by the Municipal Code, and part of such taxes shall have been collected, such corporation, after it shall pass under the provisions of the Municipal Code, may nevertheless continue the collection of the taxes thus levied against all the persons liable to pay such taxes under the existing provisions of law. The funds on hand in the treasury of each municipality shall pass to the new municipality in which it is merged, to be disposed of in accordance with the provisions of the Municipal Code.

SEC. 10. The cedula tax of three dollars, heretofore levied by the Advisory Council for the year 1901, is abolished, and all money collected thereunder and paid by persons residing in Oriental Negros shall be returned by the Provincial Treasurer to the persons paying the same.

SEC. 11. The regulations for the cutting of timber contained in General Order No. 92 shall apply in the island of Negros in place and in stead of existing acts of the Advisory Council of the government of the island of Negros creating forestry regulations.

SEC. 12. From and after the passage of this act, all internal revenue taxes, including the industrial tax, urbana tax, forestry licenses and the stamp taxes, shall be collectible in the province of Oriental Negros by the Provincial Treasurer as in other provinces, and shall be distributed between the provincial and municipal governments as provided in the General Provincial Act. They shall be levied as from the first of April, 1901, for three quarters of the year 1901.

SEC. 13. The method of distributing, between the two provincial governments of Occidental and Oriental Negros, the funds in the treasury of the present government of the island of Negros shall be as follows: It shall first be determined how much cash will remain in its treasury after all the obligations of the government of the island of Negros shall have been paid. This sum, together with the amount of taxes due down to May 1, 1901, but not collected from both Occidental and Oriental Negros, under the law, shall constitute the fund for distribution. The share to be distributed to Occidental Negros shall bear the same ratio to the share to be distributed to Oriental Negros, as the total amount of taxes collected or due by law from Oriental Negros for the year 1900 and the first four months of 1901 bears to the total amount collected or due by law from Oriental Negros for the same period; and in the distribution of such fund, the right to collect the taxes due from Oriental Negros shall be assigned and transferred to the government of Oriental Negros hereby established; the right to collect the taxes due from Occidental Negros shall be assigned and transferred to the government of Occidental Negros to be established, and the remainder of the shares of each shall be paid in cash. In the calculations to be made under the foregoing rule, the cedula taxes collected for the year 1901 under the existing laws shall not be considered as funds of the Island of Negros, but shall be treated as obligations of the present government of the Island of Negros to the persons from whom the same were collected, nor shall such cedula taxes for the year 1901, uncollected, be considered as taxes due by law. For the pur-

pose of determining the date upon which the foregoing calculation and distribution shall be made, in accordance with the rule hereinbefore fixed, the matter is referred to the committee consisting of Don José R. de Luzuriaga, Auditor of the Island, as the representative of Occidental Negros, and Don Demetrio Larena, Secretary of Public Instruction, as the representative of Oriental Negros, and upon their certificate, the Treasurer of the present government of the island of Negros shall make the distribution. Should any difference of opinion arise between the two gentlemen constituting the committee, the difference shall be referred to Don Victorino Mapa, of the town of Iloilo, in Panay, whose decision shall be final.

SEC. 14. All laws and parts of laws inconsistent with this act are hereby repealed.

SEC. 15. Except as herein otherwise specifically provided, this act shall take effect on the first day of May, 1901, but the appointments hereunder may be made before such date so that the officials appointed may qualify upon the first day of May and at once begin the discharge of their functions.

Enacted, April 20, 1901.

[No. 121.]

AN ACT Extending the provisions of "the Provincial Government act" to the Province of Leyte.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All the provisions of an act entitled "A General Act for the Organization of Provincial Governments in the Philippine Islands," enacted February 6, 1901, shall apply to and govern the establishment of a provincial government in that territory in the island of Leyte and adjoining islands known as the province of Leyte, under Spanish sovereignty, with such exceptions, modifications and supplementary provisions as are hereinafter contained.

SEC. 2. The compensation to be paid provincial officers of the province of Leyte shall be at the following rate per year, money of the United States:

For the Provincial Governor, two thousand dollars (\$2,000);

For the Provincial Secretary, one thousand, five hundred dollars (\$1,500);

For the Provincial Treasurer, two thousand, five hundred dollars (\$2,500);

For the Provincial Supervisor, two thousand dollars (\$2,000);

For the Provincial Fiscal, one thousand, six hundred dollars (\$1,600).

The salary of provincial officers shall be payable monthly, so that one-twelfth ($\frac{1}{12}$) of the annual salary shall be paid on the last day of each calendar month.

Each provincial officer shall be allowed his necessary and actual traveling expenses, not exceeding two dollars and fifty cents (\$2.50) per day, while absent from the capital of the province on official business. The allowance shall be made by the Provincial Board upon the certificate of the officer that the travel was necessary for the public

business, and shall not be paid until the account, accompanied by the resolution of the Board approving the same, shall be forwarded to the Insular Treasurer and by him approved.

SEC. 3. The bond of the Provincial Treasurer shall be twenty thousand dollars (\$20,000), until the first day of March, 1902, when, in view of the collection of the land tax, the Commission may require a new bond or an additional bond to cover the probable increase of the funds of which the Provincial Treasurer shall have custody at any one time. The bond to be given shall be conditioned to secure on the part of the Provincial Treasurer that he shall account for the internal revenue collections coming into his hands as Internal Revenue Collector; the taxes collected by him for each municipality; for the province; and for the Central Government. The form of the bond shall be prescribed by the Insular Treasurer. If, upon the request of the Commission, the Military Governor shall detail any military officer to fill a provincial office, no bond shall be required of him and no salary shall be paid him until after July 1, 1901.

SEC. 4. The presidentes or alcaldes of the municipalities of the province shall meet on the third Monday in January, April, July and October to consider improvements needed in the province and for the provincial government, and to make recommendations to the Provincial Board. The convention shall be called together by the Provincial Secretary and shall elect a chairman for each quarter's session. The Provincial Secretary shall act as secretary of the convention, and shall certify its recommendations to the Provincial Board.

SEC. 5. The capital of the province shall be, as formerly, at the town of Tacloban.

SEC. 6. The oath of office may be administered to the provincial officers by a member of the Commission, by the governor of the province, or by any judicial officer having jurisdiction in the province.

SEC. 7. This act shall take effect on its passage.

Enacted, April 22, 1901.

[No. 122.]

AN ACT Extending the provisions of "the Provincial Government act" to the province of Albay.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All the provisions of an act entitled "A General Act for the Organization of Provincial Governments in the Philippine Islands," enacted February 6, 1901, shall apply to and govern the establishment of a provincial government in that territory in the Island of Luzon known as the Province of Albay, including the islands of San Miguel, Caoraray, Batán and Rapurrapu, with such exceptions, modifications and supplementary provisions as are herein after contained.

SEC. 2. The compensation to be paid provincial officers of the province of Albay shall be at the following rate per year, money of the United States:

For the Provincial Governor, two thousand dollars (\$2,000);

For the Provincial Secretary, one thousand, five hundred dollars (\$1,500);

For the Provincial Treasurer, two thousand, five hundred dollars (\$2,500);

For the Provincial Supervisor, two thousand dollars (\$2,000);

For the Provincial Fiscal, one thousand, five hundred dollars (\$1,500).

The salary of provincial officers shall be payable monthly, so that one-twelfth ($\frac{1}{12}$) of the annual salary shall be paid on the last day of each calendar month.

Each provincial officer shall be allowed his necessary and actual traveling expenses, not exceeding two dollars and fifty cents (\$2.50) per day, while absent from the capital of the province on official business. The allowance shall be made by the Provincial Board upon the certificate of the officer that the travel was necessary for the public business, and shall not be paid until the account, accompanied by the resolution of the Board approving the same, shall be forwarded to the Insular Treasurer and by him approved.

SEC. 3. The bond of the Provincial Treasurer shall be twenty thousand dollars (\$20,000), until the first day of March, 1902, when, in view of the collection of the land tax, the Commission may require a new bond or an additional bond to cover the probable increase of the funds of which the Provincial Treasurer shall have custody at any one time. The bond to be given shall be conditioned to secure on the part of the Provincial Treasurer that he shall account for the internal revenue collections coming into his hands as Internal Revenue Collector; the taxes collected by him for each municipality; for the province; and for the Central Government. The form of the bond shall be prescribed by the Insular Treasurer. If, upon the request of the Commission, the Military Governor shall detail any military officer to fill a provincial office, no bond shall be required of him and no salary shall be paid him until after July 1, 1901.

SEC. 4. The presidentes or alcaldes of the municipalities of the province shall meet on the third Monday in January, April, July and October to consider improvements needed in the province and for the provincial government, and to make recommendations to the Provincial Board. The convention shall be called together by the Provincial Secretary and shall elect a chairman for each quarter's session. The Provincial Secretary shall act as secretary of the convention, and shall certify its recommendations to the Provincial Board.

SEC. 5. The capital of the province shall be, as formerly, at the town of Albay.

SEC. 6. The oath of office may be administered to provincial officers by a member of the Commission, by a judicial officer having jurisdiction in the province, or by any officer of the United States Army stationed in the province.

SEC. 7. This act shall take effect on its passage.

Enacted, April 26, 1901.

[No. 123.]

AN ACT extending the provisions of "the Provincial Government act" to the province of Ambos Camarines.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All the provisions of an act entitled "A General Act

for the Organization of Provincial Governments in the Philippine Islands," enacted February 6, 1901, shall apply to and govern the establishment of a provincial government in that territory in the Island of Luzon and adjacent islands, known as the Province of Ambos Camarines, with such exceptions, modifications and supplementary provisions as are hereinafter contained.

SEC. 2. The compensation to be paid provincial officers of the Province of Ambos Camarines shall be at the following rate per year, money of the United States:

For the Provincial Governor, two thousand dollars (\$2,000);

For the Provincial Secretary, one thousand, five hundred dollars (\$1,500);

For the Provincial Treasurer, two thousand, five hundred dollars (\$2,500);

For the Provincial Supervisor, two thousand dollars (\$2,000);

For the Provincial Fiscal, one thousand, five hundred dollars (\$1,500).

The salary of provincial officers shall be payable monthly so that one-twelfth ($\frac{1}{12}$) of the annual salary shall be paid on the last day of each calendar month.

Each provincial officer shall be allowed his necessary and actual traveling expenses, not exceeding three dollars (\$3.00) per day while absent from the capital of the province on official business. The allowance shall be made by the Provincial Board upon the certificate of the officer that the travel was necessary for the public business, and shall not be paid until the account, accompanied by the resolution of the Board approving the same, shall be forwarded to the Insular Treasurer and by him approved.

SEC. 3. The bond of the Provincial Treasurer shall be twenty thousand dollars (\$20,000), until the first day of March, 1902, when, in view of the collection of the land tax, the Commission may require a new bond or an additional bond to cover the probable increase of the funds of which the Provincial Treasurer shall have custody at any one time. The bond to be given shall be conditioned to secure on the part of the Provincial Treasurer that he shall account for the internal revenue collections coming into his hands as Internal Revenue Collector; the taxes collected by him for each municipality; for the province; and for the Central Government. The form of the bond shall be prescribed by the Insular Treasurer. If, upon the request of the Commission, the Military Governor shall detail any military officer to fill a provincial office, no bond shall be required of him and no salary shall be paid him until after July 1, 1901.

SEC. 4. The presidentes or alcaldes of the municipalities of the province shall meet on the third Monday in January, April, July and October to consider improvements needed in the province and for the provincial government, and to make recommendations to the Provincial Board. The convention shall be called together by the Provincial Secretary and shall elect a chairman for each quarter's session. The Provincial Secretary shall act as secretary of the convention, and shall certify its recommendations to the Provincial Board.

SEC. 5. The capital of the province shall be, as formerly, at the town of Nueva Caceres.

SEC. 6. The oath of office may be administered to provincial officers by a member of the Commission, by a judicial officer having jurisdic-

tion in the province or by any officer of the United States Army stationed in the province.

SEC. 7. This act shall take effect on its passage.

Enacted, April 27, 1901.

[No. 124.]

AN ACT extending the provisions of "the provincial government act" to the province of Sorsogon.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All the provisions of an act entitled "A General Act for the Organization of Provincial Governments in the Philippine Islands," enacted February 6, 1901, shall apply to and govern the establishment of a provincial government in that territory in the island of Luzon known as the province of Sorsogon, with such exceptions, modifications and supplementary provisions as are hereinafter contained.

SEC. 2. The compensation to be paid provincial officers of the province of Sorsogon shall be at the following rate per year, money of the United States:

For the Provincial Governor, one thousand, seven hundred dollars (\$1,700);

For the Provincial Secretary, one thousand, two hundred dollars (\$1,200);

For the Provincial Treasurer, two thousand, two hundred dollars (\$2,200);

For the Provincial Supervisor, one thousand, seven hundred dollars (\$1,700);

For the Provincial Fiscal, one thousand, two hundred and fifty dollars (\$1,250).

The salary of the provincial officers shall be payable monthly so that one-twelfth ($\frac{1}{12}$) of the annual salary shall be paid on the last day of each calendar month.

Each provincial officer shall be allowed his necessary and actual traveling expenses, not exceeding two dollars and fifty cents (\$2.50) per day, while absent from the capital of the province on official business. The allowance shall be made by the Provincial Board, upon the certificate of the officer that the travel was necessary for the public business, and shall not be paid until the account, accompanied by the resolution of the Board approving the same, shall be forwarded to the Insular Treasurer and by him approved.

SEC. 3. The bond of the Provincial Treasurer shall be eighteen thousand dollars (\$18,000), until the first day of March, 1902, when, in view of the collection of the land tax, the Commission may require a new bond or an additional bond to cover the probable increase of the funds of which the Provincial Treasurer shall have custody at any one time. The bond to be given shall be conditioned to secure on the part of the Provincial Treasurer that he shall account for the internal revenue collections coming into his hands as Internal Revenue Collector, the taxes collected by him for each municipality; for the province; and for the Central Government. The form of the bond shall be

prescribed by the Insular Treasurer. If, upon the request of the Commission, the Military Governor shall detail any military officer to fill a provincial office, no bond shall be required of him and no salary shall be paid him until after July 1, 1901.

SEC. 4. The presidentes or alcaldes of the municipalities of the province shall meet on the third Monday in January, April, July and October to consider improvements needed in the province and for the provincial government, and to make recommendations to the Provincial Board. The convention shall be called together by the Provincial Secretary and shall elect a chairman for each quarter's session. The Provincial Secretary shall act as secretary of the convention, and shall certify its recommendations to the Provincial Board.

SEC. 5. The capital of the province shall be, as formerly, at the town of Sorsogon.

SEC. 6. The oath of office may be administered to provincial officers by a member of the Commission, by the Provincial Governor, by a judicial officer having jurisdiction in the province or by any officer of the United States Army stationed in the province.

SEC. 7. This act shall take effect on its passage.

Enacted, April 30, 1901.

[No. 125.]

AN ACT extending the provisions of "the Provincial Government act" to the Province of Marinduque.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All the provisions of an act entitled "A General Act for the Organization of Provincial Governments in the Philippine Islands," enacted February 6, 1901, shall apply to and govern the establishment of a provincial government in that territory in the island of Marinduque and small islands immediately adjacent to be known as the province of Marinduque, with such exceptions, modifications and supplementary provisions as are hereinafter contained.

SEC. 2. The compensation to be paid provincial officers of the province of Marinduque shall be at the following rate per year, money of the United States:

For the Provincial Governor, one thousand dollars (\$1,000);

For the Provincial Secretary, eight hundred dollars (\$800);

For the Provincial Treasurer, one thousand five hundred dollars (\$1,500);

For the Provincial Supervisor, one thousand three hundred dollars (\$1,300);

For the Provincial Fiscal, eight hundred dollars (\$800).

The salary of the provincial officers shall be payable monthly so that one-twelfth ($\frac{1}{12}$) of the annual salary shall be paid on the last day of each calendar month.

Each provincial officer shall be allowed his necessary and actual traveling expenses, not exceeding one dollar (\$1.00) per day, while absent from the capital of the province on official business. The allowance shall be made by the Provincial Board upon the certificate of the officer that the travel was necessary for the public business, and shall

not be paid until the account, accompanied by the resolution of the Board approving the same, shall be forwarded to the Insular Treasurer and by him approved.

SEC. 3. The bond of the Provincial Treasurer shall be seven thousand dollars (\$7,000) until the first day of March, 1902, when, in view of the collection of the land tax, the Commission may require a new bond or an additional bond to cover the probable increase of the funds of which the Provincial Treasurer shall have custody at any one time. The bond to be given shall be conditioned to secure on the part of the Provincial Treasurer that he shall account for the internal revenue collections coming into his hands as Internal Revenue Collector; the taxes collected by him for each municipality; for the province; and for the Central Government. The form of the bond shall be prescribed by the Insular Treasurer. If, upon the request of the Commission, the Military Governor shall detail any military officer to fill a provincial office, no bond shall be required of him and no salary shall be paid him until after July 1, 1901.

SEC. 4. The presidentes or alcaldes of the municipalities of the province shall meet on the third Monday in January, April, July and October to consider improvements needed in the province and for the provincial government, and to make recommendations to the Provincial Board. The convention shall be called together by the Provincial Secretary and shall elect a chairman for each quarter's session. The Provincial Secretary shall act as secretary of the convention, and shall certify its recommendations to the Provincial Board.

SEC. 5. The capital of the province shall be, as formerly, at the town of Boac.

SEC. 6. The oath of office may be administered to provincial officers by a member of the Commission, by the Provincial Governor, by a judicial officer having jurisdiction in the province, or by any officer of the United States Army stationed in the province.

SEC. 7. This act shall take effect on its passage.

Enacted, May 1, 1901.

[No. 126.]

AN ACT extending the provisions of "the Provisional Government act" to the province of Batangas.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All the provisions of an act entitled "A General Act for the Organization of Provincial Governments in the Philippine Islands, enacted February 6, 1901, shall apply to and govern the establishment of a provincial government in that territory in the island of Luzon and small adjoining islands, known as the province of Batangas, with such exceptions, modifications and supplementary provisions as are hereinafter contained.

SEC. 2. The compensation to be paid provincial officers of the province of Batangas shall be at the following rate per year, money of the United States:

For the Provincial Governor, two thousand, two hundred and fifty dollars (\$2,250);

For the Provincial Secretary, one thousand, five hundred dollars (\$1,500);

For the Provincial Treasurer, two thousand, five hundred dollars (\$2,500);

For the Provincial Supervisor, two thousand dollars (\$2,000);

For the Provincial Fiscal, one thousand, five hundred dollars (\$1,500).

The salary of provincial officers shall be payable monthly so that one twelfth ($\frac{1}{12}$) of the annual salary shall be paid on the last day of each calendar month.

Each provincial officer shall be allowed his necessary and actual traveling expenses, not exceeding two dollars and fifty cents (\$2.50) per day, while absent from the capital of the province on official business. The allowance shall be made by the Provincial Board upon the certificate of the officer that the travel was necessary for public business, and shall not be paid until the account, accompanied by the resolution of the Board approving the same, shall be forwarded to the Insular Treasurer and by him approved.

SEC. 3. The bond of the Provincial Treasurer shall be twenty thousand dollars (\$20,000), until the first day of March, 1902, when, in view of the collection of the land tax, the Commission may require a new bond or an additional bond to cover the probable increase of the funds of which the Provincial Treasurer shall have custody at any one time. The bond to be given shall be conditioned to secure on the part of the Provincial Treasurer that he shall account for the internal revenue collections coming into his hands as Internal Revenue Collector; the taxes collected by him for each municipality; for the province and for the Central Government. The form of the bond shall be prescribed by the Insular Treasurer. If, upon the request of the Commission, the Military Governor shall detail any military officer to fill a provincial office, no bond shall be required of him and no salary shall be paid him until after July 1, 1901.

SEC. 4. The presidentes or alcaldes of the municipalities of the province shall meet on the third Monday in January, April, July and October to consider improvements needed in the province and for the provincial government, and to make recommendations to the Provincial Board. The convention shall be called together by the Provincial Secretary, and shall elect a chairman for each quarter's session. The Provincial Secretary shall act as secretary of the convention, and shall certify its recommendations to the Provincial Board.

SEC. 5. The capital of the province shall be, as formerly, at the town of Batangas.

SEC. 6. The oath of office may be administered to provincial officers by a member of the Commission, by the Provincial Governor, by a judicial officer having jurisdiction in the province or by any officer of the United States Army stationed in the province.

SEC. 7. This act shall take effect on its passage.

Enacted, May 2, 1901.

[No. 127.]

AN ACT extending the provisions of the Provincial Government act to the province of Surigao.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All the provisions of an act entitled "A General Act for the Organization of Provincial Governments in the Philippine

Islands," enacted February 6, 1901, shall apply to and govern the establishment of a provincial government in that territory of the island of Mindanao, known under the Spanish sovereignty as the District of Surigao, with such exceptions, modifications and supplementary provisions as are hereinafter contained.

SEC. 2. The compensation to be paid provincial officers of the province of Surigao shall be at the following rate per year, money of the United States:

For the Provincial Governor, one thousand, six hundred dollars (\$1,600);

For the Provincial Secretary, one thousand, one hundred dollars (\$1,100);

For the Provincial Treasurer, two thousand, three hundred dollars (\$2,300);

For the Provincial Supervisor, one thousand, eight hundred dollars (\$1,800);

For the Provincial Fiscal, one thousand, three hundred and fifty dollars (\$1,350).

The salary of provincial officers shall be payable monthly so that one-twelfth ($\frac{1}{12}$) of the annual salary shall be paid on the last day of each calendar month.

Each provincial officer shall be allowed his necessary and actual traveling expenses, not exceeding two dollars and fifty cents (\$2.50) per day, while absent from the capital of the province on official business. The allowance shall be made by the Provincial Board upon the certificate of the officer that the travel was necessary for the public business, and shall not be paid until the account, accompanied by the resolution of the Board approving the same, shall be forwarded to the Insular Treasurer and by him approved.

SEC. 3. The bond of the Provincial Treasurer shall be fourteen thousand dollars (\$14,000) until the first day of March, 1902, when, in view of the collection of the land tax, the Commission may require a new bond or an additional bond to cover the probable increase of the funds of which the Provincial Treasurer shall have custody at any one time. The bond to be given shall be conditioned to secure on the part of the Provincial Treasurer that he shall account for the internal revenue collections coming into his hands as Internal Revenue Collector; the taxes collected by him for each municipality; for the province; and for the Central Government. The form of the bond shall be prescribed by the Insular Treasurer. If, upon the request of the Commission, the Military Governor shall detail any military officer to fill a provincial office, no bond shall be required of him and no salary shall be paid him until after July 1, 1901.

SEC. 4. The presidentes or alcaldes of the municipalities of the province shall meet on the third Mondays in April and October to consider improvements needed in the province and for the provincial government, and to make recommendations to the Provincial Board. The convention shall be called together by the Provincial Secretary and shall elect a chairman for each quarter's session. The Provincial Secretary shall act as secretary of the convention, and shall certify its recommendations to the Provincial Board.

SEC. 5. The capital of the province shall be, as formerly, at the town of Surigao.

SEC. 6. The oaths of office may be administered to provincial offi-

cers by a member of the Commission, by the Governor of the Province, by any judicial officer having jurisdiction therein, and by any United States Army officer stationed in the province.

SEC. 7. The jurisdiction conferred by this act and the General Provincial act upon the provincial officers, hereunder to be appointed, over the territory herein described as the Province of Surigao shall not extend to the government of members of non-Christian tribes living therein, who shall, notwithstanding this act, be subject to the jurisdiction of the Departmental Government of the Island of Mindanao hereafter to be established. The police powers of the provincial government and of the municipalities established in the province under the Municipal Code as to non-Christian tribes shall be exercised only to prevent or prosecute breaches of peace, or crimes by members of non-Christian tribes against Filipinos, citizens of the United States or foreigners, but shall not be exercised to maintain the peace or prevent crime between members of the non-Christian tribes.

SEC. 8. This act shall take effect on its passage.

Enacted, May 15, 1901.

[No. 128.]

AN ACT extending the provisions of "the provincial government act" to the province of Misamis.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All the provisions of an act entitled "A General Act for the Organization of Provincial Governments in the Philippine Islands," enacted February 6, 1901, shall apply to and govern the establishment of a provincial government in that territory in the island of Mindanao beginning at a point one mile west of the western boundary of the barrio of Naboros on point Balato on the north coast of Mindanao; thence running due south to the 8th parallel of latitude; thence east on the 8th parallel of latitude to the boundary as established under Spanish sovereignty between the commandancia of Butuan and the former province of Misamis; thence north on said boundary to Punta Diuata; thence following the northern coast line of Mindanao to the point of beginning, and including therein the island of Camiguin and small adjacent islands, to be known as the province of Misamis, with such exceptions, modifications and supplementary provisions as are hereinafter contained.

SEC. 2. The compensation to be paid provincial officers of the province of Misamis shall be at the following rate per year, money of the United States:

For the Provincial Governor, seventeen hundred dollars (\$1,700);

For the Provincial Secretary, twelve hundred dollars (\$1,200);

For the Provincial Treasurer, twenty-three hundred dollars (\$2,300);

For the Provincial Supervisor, eighteen hundred dollars (\$1,800);

For the Provincial Fiscal, fourteen hundred dollars (\$1,400).

The salary of provincial officers shall be payable monthly, so that one-twelfth ($\frac{1}{12}$) of the annual salary shall be paid on the last day of each calendar month.

Each provincial officer shall be allowed his necessary and actual

traveling expenses, not exceeding two dollars and fifty cents (\$2.50) per day, while absent from the capital of the province on official business. The allowance shall be made by the Provincial Board upon the certificate of the officer that the travel was necessary for the public business, and shall not be paid until the account, accompanied by the resolution of the Board approving the same, shall be forwarded to the Insular Treasurer and by him approved.

SEC. 3. The bond of the Provincial Treasurer shall be fourteen thousand dollars (\$14,000), until the first day of March, 1902, when, in view of the collection of the land tax, the Commission may require a new bond or an additional bond to cover the probable increase of the funds of which the Provincial Treasurer shall have custody at any one time. The bond to be given shall be conditioned to secure on the part of the Provincial Treasurer that he shall account for the internal revenue collections coming into his hands as Internal Revenue Collector; the taxes collected by him for each municipality; for the province; and for the Central Government. The form of the bond shall be prescribed by the Insular Treasurer. If, upon the request of the Commission, the Military Governor shall detail any military officer to fill a provincial office, no bond shall be required of him and no salary shall be paid him until after July 1, 1901.

SEC. 4. The presidentes or alcaldes of the municipalities of the province shall meet on the third Mondays in April and October to consider improvements needed in the province and for the provincial government, and to make recommendations to the Provincial Board. The convention shall be called together by the Provincial Secretary and shall elect a chairman for each quarter's session. The Provincial Secretary shall act as secretary of the convention, and shall certify its recommendations to the Provincial Board.

SEC. 5. The capital of the province shall be, as formerly, at the town of Cagayan.

SEC. 6. The oaths of office may be administered to provincial officers by a member of the Commission, by the Governor of the Province, by any judicial officer having jurisdiction therein, and by any United States Army officer stationed in the province.

SEC. 7. The jurisdiction conferred by this act and the General Provincial Act upon the provincial officers, hereunder to be appointed, over the territory herein described as the Province of Misamis shall not extend to the government of members of non-Christian tribes living therein, who shall, notwithstanding this act, be subject to the jurisdiction of the Departmental Government of the island of Mindanao hereafter to be established. The police powers of the provincial government and of the municipalities established in the province under the Municipal Code as to non-Christian tribes shall be exercised only to prevent or prosecute breaches of the peace, or crimes by members of non-Christian tribes against Filipinos, citizens of the United States or foreigners, but shall not be exercised to maintain the peace or prevent crime between members of the non-Christian tribes.

SEC. 8. This act shall take effect on its passage.

Enacted, May 15, 1901.

[No. 129.]

AN ACT providing for the appointment of a Disbursing Agent of the military government, and the succeeding civil government, to be resident in Washington, and appropriating fifty thousand dollars (\$50,000) for payment of the bills for transportation of school teachers and other employees of the Philippine government, and miscellaneous expenses.

By authority of the President of the United States, and with the consent of the Secretary of War first had, be it enacted by the United States Philippine Commission, that:

SECTION 1. There shall be a Disbursing Agent of the military government and of the succeeding civil government of the Philippine Islands, resident in Washington, to be appointed by the Secretary of War.

SEC. 2. Said Disbursing Agent to be appointed under section 1 shall give a bond in an amount to be fixed by the Secretary of War, conditioned faithfully to discharge all the duties of his office and to account for all moneys coming into his hands as such Disbursing Agent.

SEC. 3. The Disbursing Agent shall receive a salary of one thousand dollars (\$1,000) per annum.

SEC. 4. It shall be the duty of the Disbursing Agent to pay all the bills of the military government of the Philippines, or the succeeding civil government, which may be, or may have been, approved by the Secretary of War, or ordered paid by the Philippine Commission.

SEC. 5. There is hereby appropriated, out of any funds in the Insular Treasury not otherwise appropriated, the sum of fifty thousand dollars (\$50,000), in money of the United States, to be paid to the Disbursing Agent appointed under section 1, after he has given bond and otherwise qualified.

SEC. 6. The Disbursing Agent appointed under section 1 shall file quarterly accounts with the Auditor of the Archipelago, accompanied by supporting vouchers, in accordance with Act No. 90 and such further regulations as the Auditor of the Archipelago shall prescribe. The Auditor of the Archipelago shall audit such accounts.

SEC. 7. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 8. This act shall take effect on its passage.

Enacted, May 16, 1901.

[No. 130.]

AN ACT appropriating nineteen thousand, one hundred and ninety dollars and forty-three cents (\$19,190.43), in money of the United States, for expenses incurred and salaries earned, not provided for in the general appropriation act for the second quarter of the year 1901.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The Chief Quartermaster of the Division of the Philippines is hereby authorized to expend from unexpended appropriations in his hands five hundred dollars (\$500) for the official telegraphing over commercial lines by the following officers:

The Civil Commissioners and the Secretary of the Commission; the

Auditor; the Treasurer; the General Superintendent of Public Instruction; the Collector of Internal Revenue for the Islands; the Chief Justice of the Supreme Court; the Director General of Posts; the Chief of the Forestry Bureau; the Chief of the Bureau of Mining; the Captain of the Port at Manila; the Collectors of Customs of the various ports; members of the Provincial Board of each province on provincial business.

SEC. 2. The following sums, in money of the United States, are hereby appropriated out of any money in the Insular Treasury not otherwise appropriated, to pay expenses incurred and salaries earned not provided for in the General Appropriation Act for the second quarter of the year 1901:

OFFICE OF THE PROVOST MARSHAL GENERAL AND DEPARTMENTS
REPORTING TO HIM.

Department of Receipts and Disbursements:

For the employment of an additional clerk Class 9, hereby authorized, from May 10 to June 30, 1901, one hundred and sixty-six dollars and sixty-seven cents (\$166.67).

Department of Prisons:

For the purchase of cloth for suits for criminals in Bilibid Prison and the Carcel Publica, two thousand, two hundred and fifty dollars (\$2,250).

Department of City Public Works:

For the construction of necessary booths and conveniences in the Herran Street Market, one thousand, seven hundred and ninety-eight dollars and sixteen cents (\$1,798.16).

Quartermaster of the Provost Guard:

For rent of civil police barracks, as follows: No. 144 Calle Barcelona, from January 1 to March 31; No. 20 Calle Isla del Romero, from December 19, 1900, to March 31, 1901; No. 19 Calle Herran, from January 6 to March 31, 1901; No. 437 Calle Santa Mesa, from December 16, 1900, to March 31, 1901; No. 180 Calle Nueva, from December 1, 1900, to March 31, 1901; No. 327 Calle Real, Malate, from January 1 to March 31, 1901; No. 318 Calle Real, Malate, from January 13 to March 31, 1901; nine hundred and fifty-one dollars and ninety-eight cents (\$951.98).

For rooms at Hotel Universal from January 16 to March 31, 1901, sixty dollars (\$60); for rooms at Hotel Oriente used as quarters for army officers detailed for police duty, from January 1 to February 5, 1901, forty-three dollars and seventy-five cents (\$43.75).

For converting Fort Santiago into a prison, eight hundred dollars (\$800); for one iron kettle for use in cooking for prisoners, one hundred and eight dollars (\$108); for constructing cement drains at Santa Mesa Military Police Station, six hundred and fifty dollars (\$650); for supplies for Native Police Department as follows: binding books, printing forms, one thousand dollars (\$1,000); eight hundred and fifty-six police badges, two hundred and fifty-six dollars and eighty cents (\$256.80); eight hundred and fifty-six police clubs, two hundred and fifty-six dollars and eighty cents (\$256.80); two thousand uniforms for native police, seven hundred and twenty caps and five hundred pairs of shoes, seven thousand, four hundred and fifty-six dollars and eighty cents (\$7,456.80).

For rent of school house, No. 525 Calle Lemeris, from January 1 to March 31, 1901, three hundred dollars (\$300); for increased rents in six school houses, from January 1 to March 31, 1901, one hundred and

fifty-seven dollars and fifty cents (\$157.50); for increased rent in five houses used as police stations from January 1 to March 31, 1901, one hundred and fifty-eight dollars (\$158); for increased rent of No. 210 Calle Marcelino, quarters of officers detailed for military police duty in Manila, for February and March, twenty dollars (\$20); for installation and maintenance of lights in the Administration Building, Exposition Grounds, twenty-nine dollars and thirty-one cents (\$29.31); repairs to the Cuartel de España, two hundred dollars (\$200); for awnings for the Provost Marshal General's office, seventy-five dollars (\$75); for forage and shoeing of native horses, two hundred and sixty-five dollars (\$265); in all, twelve thousand, seven hundred and eighty-eight dollars and ninety-four cents (\$12,788.94).

In all, for the office of the Provost Marshal General and departments reporting to him, seventeen thousand and three dollars and seventy-seven cents (\$17,003.77).

GENERAL SUPERINTENDENT OF PUBLIC INSTRUCTION.

For rent of three rooms at No. 340 Calle Palacio, from April 20 to June 30, 1901, three hundred and fifty dollars (\$350).

TREASURER OF THE PHILIPPINE ARCHIPELAGO.

For salary of the Treasurer of the Philippine Archipelago from April 16 to June 30, 1901, one thousand, two hundred and fifty dollars (\$1,250); for one driver for department conveyance for the second quarter of the year 1901, thirty dollars (\$30).

In all, for the Treasurer of the Philippine Archipelago, one thousand, two hundred and eighty dollars (\$1,280).

COLLECTOR OF INTERNAL REVENUE AT IMUS, CAVITE.

For reimbursement for rent for quarters for February and March, five dollars (\$5); for rent of building for office and quarters for the Internal Revenue Department at Imus, Cavite, for the months of May and June, 1901, thirty-five dollars (\$35).

In all, for the Collector of Internal Revenue at Imus, Cavite, forty dollars (\$40).

DISBURSING OFFICER OF THE UNITED STATES PHILIPPINE COMMISSION.

For reimbursement for sums advanced to Richard W. Young, President of the Criminal Branch of the Supreme Court of Justice of the Philippine Islands, resigned and returning to his home, by direction of the Commission, as follows: one hundred dollars (\$100) for traveling expenses, and four hundred and sixteen dollars and sixty-six cents (\$416.66) in lieu of month's salary; in all, five hundred and sixteen dollars and sixty-six cents (\$516.66).

Total of all appropriations, in money of the United States, nineteen thousand, one hundred and ninety dollars and forty-three cents (\$19,190.43).

SEC. 3. The public good requiring the speedy enactment of this appropriation bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 4. This act shall take effect on its passage.

Enacted, May 20, 1901.

[No. 131.]

AN ACT providing for the establishment of a weather bureau for the Philippine Islands and appropriating eight thousand and sixty-six dollars and fifty cents (\$8,066.50), in money of the United States, for the purchase of meteorological instruments and apparatus and the installation of the same.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. A weather bureau is hereby established for the Philippine Islands. It shall be known as the Philippine Weather Bureau.

SEC. 2. The officers of this bureau shall be: A Director, at an annual salary of two thousand, five hundred dollars (\$2,500); three Assistant Directors, at an annual salary of one thousand, eight hundred dollars (\$1,800) each; and one Corresponding Secretary and Librarian, at an annual salary of one thousand, four hundred dollars (\$1,400). They shall be appointed by the Commission.

SEC. 3. The employees of the Weather Bureau shall be:

(a) For the central station: three first-class observers, at an annual salary of nine hundred dollars (\$900) each; three calculators, at an annual salary of seven hundred and twenty dollars (\$720) each; two assistant observers and an assistant librarian, at an annual salary of six hundred dollars (\$600) each; two assistant calculators, at an annual salary of three hundred dollars (\$300) each; one first-class draughtsman, at an annual salary of seven hundred and twenty dollars (\$720); one second-class draughtsman, at an annual salary of six hundred dollars (\$600); one first-class mechanic, at an annual salary of seven hundred and twenty dollars (\$720); three assistant mechanics, at annual salaries of six hundred dollars (\$600), four hundred and twenty dollars (\$420) and three hundred dollars (\$300) respectively; two janitors, at an annual salary of one hundred and fifty dollars (\$150) each; and two messengers, at an annual salary of one hundred and fifty dollars (\$150) each.

(b) For the branch stations: nine (9) chief observers for first-class stations, at an annual salary of six hundred dollars (\$600) each; nine (9) assistant observers for first-class stations, at an annual salary of one hundred dollars (\$100) each; twenty-five (25) observers for second-class stations, at an annual salary of three hundred dollars (\$300) each; seventeen (17) observers for third-class stations, at an annual salary of one hundred and eighty dollars (\$180) each; twenty (20) observers for rain stations, at an annual salary of ninety dollars (\$90) each.

(c) All employees of the Weather Bureau shall be appointed by the Director, subject to the provisions of the Civil Service Act and of Act 25.

SEC. 4. The Director shall have general supervision and control over the work of the Bureau, and shall define the duties of the Assistant Directors, of the corresponding Secretary and Librarian and of all employees. He shall maintain an efficient system of weather forecasts and storm warnings, and shall each day forward forecasts and storm warnings, if any, to the captains of all ports in the Archipelago which are in telegraphic communication with the capital, to the chief executive of the Insular Government, to the Commission, to the heads of all civil departments and bureaus in Manila, to the commandant of the naval station at Cavite, and to the public press of Manila, Cebu and Iloilo. When dangerous storms threaten any portion of the Archipelago, he shall send telegraphic warnings to the threatened district, if practicable. Forecasts and storm warnings shall be sent

to all branch stations in telegraph communication with the central station, and there posted for the benefit of the public. Warnings of dangerous storms likely to strike the Asiatic coast, Formosa or Japan, shall, if practicable, be communicated by telegraph to the directors of meteorological observatories situated within the threatened areas, or to such persons as may be officially designated by other governments to receive them. The Director shall further cause to be prepared a monthly bulletin and a monthly report. The monthly bulletin shall contain a brief resumé of the chief meteorological phenomena of the preceding month, and a comparison between the phenomena observed and the normal conditions for the month in question, as well as a resumé of the crop reports received from the branch stations. Five hundred copies of this bulletin in English and five hundred in Spanish shall be published by the Director for free public distribution. The monthly report shall contain the observations made at the central station and the branch stations, together with such discussions of them as the director may deem profitable, also crop reports from the several stations. Five hundred copies shall be printed. It shall be published in the Spanish language until January 1, 1902, and thereafter in the English language. The bulletin and report shall be published by the Manila Observatory, but the Insular Government shall pay the actual cost of paper, typesetting, presswork and binding. The Director shall further cause such special reports and maps to be prepared from time to time as the Commission may authorize or direct. When it is deemed desirable to publish special reports or maps, the number of copies to be printed and the method of publication shall, in each case, be fixed by the Commission.

SEC. 5. The central station of the bureau shall be the Manila Observatory. A monthly expenditure of three hundred and seventy-five dollars (\$375), in money of the United States, is hereby authorized for the rental of the instruments, instrument rooms and towers, offices, library, printing room, lithographing room and printing press of the Manila Observatory, for the type necessary to print the monthly bulletins and reports which shall be furnished by the Director, and for the maintenance of instruments.

SEC. 6. There shall be, besides the central station, nine (9) first-class stations, twenty-five (25) second-class stations, seventeen (17) third-class stations and twenty (20) rain stations. First-class stations shall be established and maintained at: Zamboanga, Mindanao; Cebu, on the island of Cebu; Iloilo, Panay; Ormoc, Leyte; Daet, province of Ambos Camarines; Luzon; Albay or Legaspi, province of Albay, Luzon; Baguio, province of Benguet, Luzon; Dagupan, province of Pangasinan, Luzon; and Aparri, province of Cagayan, Luzon. Second-class stations shall be established and maintained at: Jolo, on the island of Jolo; Iligan, Mindanao; Dumaguete, Eastern Negros; Loon, Bohol; Maasin, Leyte; Calbayog, Samar; Concepcion, Panay; Taeloban, Leyte; Capiz, Panay; Sorsogon, province of Sorsogon, Luzon; Pasacao, province of Ambos Camarines, Luzon; Cabo Santiago, province of Batangas, Luzon; Atimonan, province of Tayabas, Luzon; Bacolod, in Western Negros; Mariveles or Corregidor, at the entrance to Manila Bay; Olongapo, province of Zambales, Luzon; San Isidro, province of Nueva Ecija, Luzon; Iba and Cape Bolinao, province of Zambales, Luzon; Baler, district of Principe, Luzon; Bayombong, province of Nueva Vizcaya, Luzon; Vigan, province of Ilocos Sur, Luzon; Tuguegarao, province of Cagayan, Luzon; Laoag, province of Ilocos Norte, Luzon; Cabo Bojeador, province of Ilocos Norte,

Luzon. Third-class stations shall be established and maintained at: Mati, Mindanao; Cottabato, Mindanao; Davao, Mindanao; Tandag, Mindanao; Butuan, Mindanao; Caraga, Mindanao; Tuburan, Cebu; Surigao, Mindanao; San José de Buenavista, Panay; Palanoc, Masbate; Romblon, on the island of Romblon; Batangas, province of Batangas, Luzon; Nueva Caceres, province of Ambos Camarines, Luzon; Calapan, Mindoro; Mamburao, Mindoro; Tarlac, province of Tarlac, Luzon; and Cabo Engaño, province of Cagayan, Luzon. Rain stations shall be established and maintained at: Isabela de Basilan, Basilan; Dinagat, on the island of Dinagat; Puerto Princesa, Palawan; Cuyo, on the island of Cuyo; Tagbilaran, province of Bohol; Borongan, province of Samar; San Pascual, island of Burias; Ragay, province of Ambos Camarines, Luzon; Santa Cruz, province of Laguna, Luzon; Cavite, province of Cavite, Luzon; Morong, province of Morong, Luzon; Balanga, province of Bataan, Luzon; Masinloc, province of Zambales, Luzon; Cabanatuan, province of Nueva Ecija, Luzon; Carranglan, province of Nueva Ecija, Luzon; San Fernando, province of Union, Luzon; Carig, province of Isabela, Luzon; Ilagan, province of Isabela, Luzon; Candon, province of Ilocos Sur, Luzon, and Alcalá, province of Cagayan, Luzon: *provided*, that if, as the work of establishing stations progresses, the Director shall find that in some instance, places other than those named in this section are better suited to the requirements of the weather service, he is authorized to change the location of second-class stations, third-class stations or rain stations, in his discretion.

SEC. 7. At the central station hourly meteorological observations shall be made, and a continuous record of meteorological phenomena shall be kept. Weather forecasts and storm warnings shall be prepared and sent out as hereinbefore prescribed, and all reports shall be prepared for publication. Such other meteorological work shall be performed as the Director may require.

SEC. 8. At all first-class stations, hourly meteorological records shall be kept and compiled, and they shall be forwarded to the central station by mail at regular intervals, to be prescribed by the Director, together with monthly reports as to the state of the crops in the vicinity. Such daily telegraphic reports of the state of the weather shall be forwarded to the central station as the Director may require.

SEC. 9. At all second-class stations six daily meteorological observations shall be made at times to be specified by the Director, and the results for each month shall be compiled and forwarded to the central station before the end of the next succeeding month. Such daily telegraphic reports of the state of the weather shall be forwarded to the central station as the Director may require. Monthly crop reports shall be forwarded to the central station by mail.

SEC. 10. At all third-class stations two daily meteorological observations shall be made, at hours to be fixed by the Director. They shall be forwarded to Manila by wire, if possible, otherwise by mail. Monthly crop reports shall be forwarded by mail.

SEC. 11. At all rain stations there shall be recorded the daily maximum and minimum temperature, barometric readings at 6 a. m. and 2 p. m., and daily rainfall. Reports from rain stations shall be forwarded by mail to the central station, together with monthly crop reports.

SEC. 12. Officers or employees of the Bureau employed in the establishment of stations shall be allowed their actual and necessary traveling expenses and the actual cost of transportation of instru-

ments, apparatus and shelters for the same. The nine first-class stations shall be established by the Director immediately, and the other stations authorized in Section 6 as soon as practicable. Employees for the several stations shall be appointed as they are established.

SEC. 13. The officers and employees of the weather bureau shall make such observations and reports on astronomical, magnetic and seismic phenomena as the Director may prescribe. The results of such observations may be included in the monthly reports when their publication is deemed desirable by the Director.

SEC. 14. The Director shall cause standard time to be furnished to the city of Manila, at noon daily, and to all branch stations in telegraphic communication with the central station, at 11 a. m., daily. He shall further provide for the free rating of all chronometers brought to the Manila Observatory for this purpose.

SEC. 15. The following sums in money of the United States are hereby appropriated for the purposes named:

(a) For the purchase of additional instruments and apparatus for the equipment of nine (9) first-class stations, and for suitable shelters for the same, one thousand, seven hundred and eight dollars and fifty cents (\$1,708.50).

(b) For the erection of shelters and the installation of instruments for nine (9) first-class stations, five hundred dollars (\$500).

(c) For the purchase of instruments and apparatus sufficient to equip twenty-five (25) second-class stations, for shelters for the same and for cost of installation, four thousand, two hundred and fifty dollars (\$4,250).

(d) For the purchase of instruments and apparatus sufficient to equip seventeen (17) third-class stations, and for the installation of the same, one thousand and eighty-eight dollars (\$1,088).

(e) For the purchase of instruments and apparatus sufficient to equip twenty (20) rain stations, five hundred and twenty dollars (\$520).

SEC. 16. This act shall take effect on its passage.

Enacted, May 22, 1901.

[No. 132.]

AN ACT to amend the municipal code, No. 82.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The Municipal Code is hereby amended as follows:

(a) Section 10 of the Municipal Code, providing that any votes cast for any member of the Board of Election Judges shall be void and of no effect, shall not be construed to apply to the first elections held under sections 93 and 95 of the same code, and elections heretofore held in accordance with the construction now put upon such sections are hereby declared to be valid and legal.

(b) The following words shall be added to section 12: "In case of a tie vote, the candidates who have received the same number of votes shall draw lots for the office in question. The lots shall be prepared by the Board of Election Judges, the drawing shall take place in their presence, and they shall certify to the fact of the drawing and to its result in the election returns."

(c) Section 14 (a) shall not be construed to disqualify from holding

office any person who has the qualifications of an elector but who fails to register before the election.

(d) After the word "employees" in the second line of section 39 (a) insert the words "except teachers in the public schools," so that the sentence shall read: "Establish and fix the salaries of municipal officers and employees, except teachers in the public schools, subject to the limitations expressed in section 22."

(e) Change section 39 (ff) to read: "Establish and maintain primary schools, subject to the approval and supervision of the Division Superintendent."

(f) Add to section 39 the following sub-section: "(kk) Elect one-half of the members, except the member *ex-officio*, of the school board, as provided in Act 74, section 10."

(g) In section 40 (a), after the word "officer" in the second line, insert the words "except a member of the local school board," so that the sentence shall read: "To order the suspension or removal at any time, for cause, of any non-elective officer, except a member of the local school board, provided that a two-thirds vote of all the members shall be required for such removal."

(h) In section 40 (f), after the word "provide" in the first line, insert the words "subject to the restrictions of section 16 of act No. 74," and after the word "schools" in the third line, insert the words "without intervention by the General Superintendent of Public Instruction or any Division Superintendent;" and after the word "fees" in the last line, insert the words "provided that such institutions of learning receive no aid from provincial or insular funds," so that the sub-section shall read: "To provide, subject to the restrictions of section 16 of Act No. 74, for the establishment and maintenance of special and professional institutions of learning, other than primary schools, without intervention by the General Superintendent of Public Instruction or any Division Superintendent, and to charge and collect matriculation fees, provided that such institutions of learning receive no aid from provincial or insular funds."

(i) In section 43 (g), insert the word "solely" before the word "by" in the second line, so that the sentence shall read: "Fees for tuition in institutions of instruction, other than primary schools, founded and maintained solely by the municipality; but nothing herein shall require the charging of such fees."

(j) Change the first sentence of section 52 to read: "On or after the first day of June, 1901, the Board of Assessors may meet, take the oath of office and organize and proceed to make a list of all taxable real estate in the municipality by barrios; and it shall do so not later than September 1, 1901."

(k) The restrictions of section 65 as to the time when licenses and privilege taxes shall be due shall not apply to industrial, urbana or stamp taxes, or to collections made under the Forestry Regulations, in accordance with section 18 of the Provincial Government Act as amended on the twenty-second day of May, 1901; but the penalties prescribed for the failure seasonably to pay the inland revenue taxes by the law now in force shall apply to such taxes when collected as provincial and municipal taxes by the Provincial Treasurer under said section 18.

(l) The requirement of section 74 of the Municipal Code that all taxes shall be payable within the three months ending May 31 of each year shall not apply to any taxes collected during and for the year 1901, either for the municipality or for the province. All provincial

and municipal taxes, except inland revenue taxes already provided for, shall be payable on or before a date within five months prior to the 1st of November, 1901, such date to be fixed by the Provincial Treasurer by proclamation posted at the main entrance of the municipal building and also at a public and conspicuous place in each barrio.

(m) Taxes assessed against land under the Municipal Code and General Provincial Act, and collectible within the three months ending on May 31 of each year, shall be held to be the taxes for that year, and the lien for the taxes and penalties assessed against land shall attach to the land from the 1st of January preceding the 31st of May upon which the taxes shall become delinquent.

(n) When taxes, the levying of which is not authorized in the Municipal Code, have been levied in a municipality organized under General Order No. 43, issued by the Military Governor, August 8, 1899, or General Order No. 40, issued by the Military Governor, March 29, 1900, in accordance with the provisions of such orders, and have been collected in part before organization under the Municipal Code, the uncollected portion of such taxes for the year 1901 shall be collected and paid into the municipal treasury by the Provincial Treasurer or his authorized deputies, anything in the Municipal Code to the contrary notwithstanding: *provided*, that nothing herein shall be construed to authorize the collection of a land tax prior to the time set in the Municipal Code, or the licensing of any opium joint or place for smoking opium or of the sale of opium for smoking. Should such taxes have been levied and in part collected in any municipality, the amount paid in by each taxpayer shall be refunded to him by the Municipal Treasurer, and no further collections shall be made.

(o) In section 96 (b), fifth line, change the words "January 1, 1903" to "January 1, 1902."

(p) Add a new section, as follows: "Nothing in this act shall be construed to change or nullify the power conferred by Act 74 on the General Superintendent of Public Instruction, on Division Superintendents and on local school boards with reference to the establishment, maintenance and control of public schools and the erection, inspection and control of public school buildings."

SEC. 2. This act shall take effect on its passage.

Enacted, May 22, 1901.

[No. 133.]

AN ACT to amend the Provincial Government act, No. 83.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The Provincial Government Act, No. 83, is hereby amended as follows:

1. By striking out, in the sentence describing the condition of the Provincial Treasurer's bond in section 5, the following words: "And, in case of his death or removal, until the statement of his accounts by the Insular Treasurer;" and by adding to the last sentence in the section the following clause: "Until the necessity for action upon the bond arises, when it shall be transmitted at once to the Auditor of the Archipelago."

2. By striking out of section 7 all that follows the words "provin-

cial jail" in the fourteenth line from the end of the section and inserting in lieu thereof the following: "The Provincial Board may, by resolution approved by the Insular Treasurer, authorize the Governor to appoint such assistants, clerks and other employees as the public interests require at salaries to be fixed in the resolution. After March 1, 1902, such appointments shall be made subject to the Civil Service Act."

3. By adding to section 8 the following: "The Provincial Board may, by resolution approved by the Insular Treasurer, authorize the Provincial Secretary in provinces where the public business requires it, to appoint a deputy or clerk at an annual salary to be fixed in the resolution. After March 1, 1902, such appointments shall be subject to the provisions of the Civil Service Act."

4. By striking out section 9 and substituting therefor the following: "SEC. 9. The Provincial Treasurer shall be the chief financial officer of the province, and his duties shall be as follows:

"(a) He shall, in person, or by his authorized deputy, supervise the appraisal and assessment of real property in all the municipalities of the province in the manner provided in the Municipal Code. It shall be his duty to procure a certified copy of the tax assessment list from each municipality in the province and file the same in his office, and to make an alphabetical index thereof, which list and alphabetical index shall be a public record. The Provincial Treasurer shall forward to the Insular Auditor a true copy of the tax lists of this province.

"(b) Except where otherwise specially provided, he shall, by himself or deputy, collect all taxes imposed upon property or persons in the province, either by the municipalities of the province or the provincial government.

"(c) He shall have power to appoint as many deputies or clerks in his office as he may deem necessary, after he has obtained the approval of the Provincial Board and the Insular Treasurer. Such deputies and clerks shall, after March 1, 1902, be selected under the provisions of the Civil Service Act. He shall have authority to require a bond from each of his deputies in a penal sum not less than the largest amount of public funds of every kind such deputy is likely to have in his custody at any one time.

"(d) Until July 1, 1901, he shall act as collector of Internal Revenue for the province, and, as such, shall report to the Collector of Internal Revenue for the Islands, and shall make such collections and deposits as are now required by law of Collectors of Internal Revenue.

"(e) He shall be the custodian of the funds of the province and shall pay no money out of the Provincial Treasury except upon warrants drawn in accordance with law, which, duly endorsed by the payee named therein, shall be his vouchers for their payment.

"(f) He shall render an account before the fifth of each month to the Provincial Board of the transactions of his office for the preceding month, and shall include, among other things, the amount of cash on hand at the beginning of the month, and the receipts during the month from every source, the payments during the month and on what accounts, and the balance of cash on hand at the close of the last day of the month. The Provincial Board shall examine such accounts, and, if it approves the same, shall so certify on the face of the accounts.

"(g) He shall forward a copy of his monthly accounts, so approved, to the Insular Treasurer and another to the Insular Auditor. The

reports or Accounts-Current submitted to the Auditor shall be accompanied by all of their supporting vouchers to enable the Auditor to settle and adjust the same and certify the balance thereon. Such Accounts-Current, vouchers and paid warrants shall be as prescribed by the rules prepared under section 16 of the Provincial Government Act, as hereinafter amended. The Provincial Treasurer shall retain a copy of his Accounts-Current and of their supporting vouchers."

"(h) He shall also perform the duties of registrar of property pending the appointment of such registrar for the province under a new system of land registration. It shall be his duty to take possession of all the books and papers relating to the office of registrar of property, and to make an orderly arrangement thereof, and to make diligent search for such books and papers belonging to the office as are not found therein.

All those portions of General Orders of the Military Governor, and of Acts enacted by the Commission, whereby the Attorney Generals of the provinces of Pangasinan, Iloilo, Pampanga, Bataan, Cebu and Bohol were authorized to perform the duties of registrars of property, pending the appointment of such registrars for said provinces, are hereby repealed. The same portions of Orders of the Military Governor whereby the Attorney Generals for the provinces of Cagayan, Isabela, Cavite, Nueva Ecija, Ilocos Norte and La Union were authorized to perform the duties of registrar of property, pending the appointment of registrars for such provinces, are likewise hereby repealed; but the repeal as to the last named provinces is not to take effect until civil governments shall have been organized in those provinces under the Provincial Government Act.

5. By striking out of section 10 the following sentence: "The supervisor shall have power, subject to the provisions of the Civil Service Act, to appoint such permanent assistants, clerks and employees in his office as may be approved by the Provincial Board" and inserting in lieu thereof the following: "The Provincial Board may authorize the Supervisor, by resolution duly approved by the Insular Treasurer, to appoint such permanent assistants, clerks and employees in his office as the public service requires. After March 1, 1902, such appointments shall be made subject to the provisions of the Civil Service Act;" and by adding to section 10 the following: "Copies of all contracts made by the Supervisor, with the approval of the Provincial Board, shall be forwarded by the Supervisor to the Insular Auditor."

6. By amending the last sentence in paragraph (g) of section 13 so that it shall read as follows: "Should the Provincial Treasurer deem any warrant drawn to be for an unlawful or unauthorized purpose, he may suspend payment of the same, and refer the question arising to the Insular Auditor, whose decision shall be mandatory upon him and conclusive upon the Provincial Board."

By striking out of section 13 paragraph (k) and inserting in lieu thereof the following. "(k) To adopt by resolution, regulations for the suppression of any agricultural pest like locusts or cattle disease, to post the same in five conspicuous places in each pueblo, to provide for enforcement of same by fixing penalty for their violation not exceeding \$100 fine or 30 days' imprisonment, to confer jurisdiction to try violators of such regulations upon justices of the peace of the province and to appropriate from the provincial treasury the necessary expenses in organizing the temporary force of employees needed to enforce regulations and in paying costs of prosecutions before justices of the peace."

7. By amending section 16 so that it shall read as follows:

“SEC. 16. The Insular Treasurer shall prescribe the method of keeping the ledgers and records of the Provincial Treasurers, and shall prepare such rules and regulations relative to the administration of affairs of their offices as may be necessary. The Insular Auditor shall prescribe the form and manner in which Provincial Treasurers shall render accounts submitted to him for settlement, as provided by rule 12 of Act 90, and issue instructions relative to the rendition of such accounts, as provided in rules 12 and 44 of said Act. The necessary books and forms shall be prepared under the direction of the Insular Treasurer, and shall be furnished by him to the Provincial Treasurers at cost. The books, accounts, papers and cash of Provincial Treasurers shall be at all times open to the inspection of the Insular Auditor or of the Insular Treasurer, or the duly authorized agent of either. The monthly Accounts-Current of each Provincial Treasurer shall be audited by the Insular Auditor. For assistance in such audit, the Insular Treasurer shall forward to the Insular Auditor copies of all resolutions of Provincial Boards approved by the Insular Treasurer authorizing the appointment of assistants, deputies and other employees, and fixing their salaries. At least once in every quarter, the office of each Provincial Treasurer shall be examined by a traveling examiner of the Insular Auditor. In case such an examination discloses a defalcation of the Provincial Treasurer, it shall be the duty of the examining officer to seize the office and its contents and notify the Insular Treasurer forthwith, who shall thereupon, by himself or deputy, at once take possession of the office, the books, papers, vouchers and cash of such Provincial Treasurer and temporarily continue such public business as is necessary until the amount due from the Provincial Treasurer shall be exactly determined by the Insular Auditor or his deputies, and a correct account stated, when, upon proper certificate from the Auditor, he shall transfer the office and its contents to the Provincial Treasurer lawfully entitled. The same procedure shall be pursued in the case of the death of the Provincial Treasurer. Upon the seizure, the sureties of the defaulting or deceased officer shall be at once notified thereof by the Insular Auditor. The Auditor shall forward to the proper Provincial Fiscal a statement of the account of the defaulting or deceased officer, and request suit to be brought for any balance which may be due upon the official bond of the defaulting or deceased officer, and in such suit the account stated by the Insular Auditor shall be *prima facie* evidence of the amount due on the bond. In case of a defaulting Provincial Treasurer criminal proceedings shall be instituted against the offender. In case of a deceased Provincial Treasurer, if no balance is shown to be due from him, the Auditor shall settle the account and furnish his legal representatives with a certified copy of the settlement.”

8. By striking out section 18, and substituting therefor the following:

“SEC. 18. In all provinces organized under this act, the urbana tax, the industrial tax, the stamp taxes and the sums collected under the regulations for the cutting of timber upon public lands, and all other taxes known as inland revenue taxes, shall cease to be levied and collected as revenue for the central government of the Archipelago from and after the 30th of June, 1901, and shall thereafter be collected as Provincial and Municipal taxes by the Provincial Treasurers. One half of the taxes so collected shall be paid into the Provincial Treasury and the other one-half shall be paid into the treasuries of the respective municipalities in which they shall be collected. Collections derived

from timber cut and forest products on government land under the Forestry Regulations shall be regarded for the purpose of this section as collected in the province where the timber is cut or the forest products obtained although actually collected at Manila or some other place. When the collections are thus made out of the province, they shall be deposited in the Insular Treasury, and it shall be the duty of the Chief of the Bureau of Forestry immediately to notify the Provincial Treasurer of the province where the timber was cut or forest products were obtained, in order to enable him, through the Military Governor, to apply to the Commission for an appropriation of the sum so collected and paid into the Insular Treasury. The stamps required by law for the collection of taxes shall be furnished to Provincial Treasurers by the Insular Treasurer, who shall obtain the same from the Collector of Internal Revenue for the Islands in sufficient quantities for the purposes of this section, giving a proper receipt therefor. The Provincial Treasurer receiving the stamps shall receipt for the same to the Insular Treasurer. The Insular Treasurer shall render a monthly Account-Current to the Insular Auditor of the stamps furnished by him to Provincial Treasurers, supporting the same by proper vouchers. Provisional Treasurers for each month shall render a report of stamps sold and stamps on hand to the Insular Treasurer and to the Insular Auditor."

9. By striking out section 21, all but the first two sentences, so that the section shall read as follows:

"SEC. 21. Vacancies in provincial offices created by removal, resignation or death shall be filled by appointment by the Commission within thirty days after the vacancy occurs. After the office of Provincial Governor shall become elective, such appointment to a vacancy in that office shall be only for the remainder of the term of the person whose death or removal causes the vacancy."

SEC. 2. The Provincial Government Act shall be supplemented by adding thereto the following numbered sections:

"SEC. 24. In case of a vacancy in the office of Provincial Supervisor, or when, for any reason, such officer cannot perform his duties, the Provincial Treasurer shall be vested with the power to purchase stationery and office supplies and in making such purchases and in delivering the same to the provincial officers; he shall keep a property account and take the receipts required of the Provincial Supervisor by section 10 of the Provincial Government Act."

"SEC. 25. The Provincial Building shall first be used for the purpose of affording sufficient office room to all the provincial officers. If, after supplying this necessary office room, the building affords sufficient accommodation for the residence of the Governor of the Province, he may occupy the building for this purpose. The assignment of rooms for offices and the residence of the Governor in the Provincial Building shall be made by the Provincial Board. The Provincial Governor shall be authorized to carry, as a badge of his office, a white walking-stick of white Indian cane, with gold head and gold cord.

"SEC. 26. There shall be collected in each province, by the Provincial Treasurer, an annual tax of one peso or one dollar, Mexican, to be called the Cedula or Registration Tax, from every male person of eighteen years of age and not more than fifty-five years of age residing in such province, whether a native of the Philippine Islands, a citizen of the United States, or a foreigner, except a soldier, sailor or officer of the United States Army or Navy, a member of a non-Christian tribe, or a foreign consular officer exempted by treaty or international law.

"SEC. 27. A cedula or certificate shall be issued to each person paying the tax, which shall contain an acknowledgment by the Provincial Treasurer of the receipt of the peso, the name of the person paying, his age, residence, place of nativity, his status, whether married or single, and his business or occupation. Upon the delivery to him of the cedula or certificate he shall sign the same with his usual signature in the presence of the collecting officer, who shall witness the signature. In case the tax-payer is unable to sign his name, then he shall identify himself by his usual mark similarly witnessed.

"SEC. 28. The cedula or certificate of registration herein provided for may be used for purposes of identification, admitted in evidence and must be presented by any one liable to pay such tax whenever (1) he appears in any court of the Archipelago, either as a suitor or as a witness in his own behalf in any civil proceeding, (2) he transacts any business with any public office or officer, (3) he pays any taxes or receives money from any public funds, (4) he acknowledges any document before a notary public, (5) he assumes any public office, whether by appointment or by election, and (6) he receives any license, certificate or permit from any public authority. No contract, deed or other document acknowledged before a notary public shall be valid or be recognized by any court unless the notary shall have certified thereon that the thereto parties have presented their certificates of registration, or are exempt from the tax, and shall have entered in such certification the number, place of issue and date of each certificate of registration. Provided, that in all cases when the notary public has not certified as above provided on any deed, contract or other document acknowledged before him, any party having an interest therein may at any time appear before the Treasurer of the proper province, who shall, upon the payment of one peso for a cedula tax and of a penalty of twenty pesos, certify on such deed, contract or other document that said tax and penalty have been paid, with the date of such payment, and the same shall thereupon be deemed to be valid to all intents and purposes and receivable in evidence. A person liable to pay the cedula tax who has not paid it shall not be allowed to register as an elector or voter.

"SEC. 29. The Provincial Treasurer shall keep, in his office, open to the inspection of any person, a register of all certificates of registration issued in his province.

"SEC. 30. Any person failing to pay the cedula tax at the time fixed by the Provincial Treasurer, in accordance with law, shall be liable to the payment of a penalty of one hundred per cent. in addition thereto. The Provincial Treasurer shall enforce the collection of the cedula tax and penalty, after the same shall remain delinquent for fifteen days, by a seizure of any personal property of the tax-payer and a sale of the same, in accordance with the provisions for the sale of personal property in the collection of taxes under the Municipal Code, and no exemptions shall be allowed in favor of a person liable to pay such tax.

"SEC. 31. By consent of the Municipal Council of the town where a person is resident, and the Provincial Treasurer or his deputy, a person otherwise liable to the payment of the cedula tax may be exempted on a proper showing that, through personal infirmity or otherwise, he is unable to earn a living, and is a pauper.

"SEC. 32. The cedula tax for the year 1901 shall be due and payable in each province on or before a date fixed by the Provincial Treasurer within five months prior to November 1, 1901, by notices posted

in four conspicuous places in each municipality of the province and at the door of the Provincial Building. In succeeding years, the cedula shall be due and payable as other taxes, within three months prior to May 31, as required by section 24 of the Municipal Code.

“SEC. 33. One-half of the cedula or registration tax and penalties collected shall be paid into the Provincial Treasury of the province where collected, and one-half of the amount of such tax collected in each town shall be paid into the Municipal Treasury of the town.

“SEC. 34. For the year 1902, and succeeding years, no person who shall pay to the province and municipality together, as taxes on real estate, or as an industrial tax, an amount in excess of one peso, shall be required to pay the cedula tax. The receipt given for the land tax or the industrial tax shall contain the particulars required above for the cedula or registration tax, and shall be used for the same purpose of identification and to avoid disqualification, to testify, to execute an instrument, to vote or to hold office.

“SEC. 35. The form of the cedula or certificate shall be prescribed by the Insular Treasurer, and blank books containing the same, with proper stubs or duplicate receipts, shall be purchased by Provincial Treasurers from the Insular Treasurer at cost.

“SEC. 36. Up to and including the thirtieth day of June, 1901, all internal revenue collections by the Provincial Treasurers as Collectors of Internal Revenue, under the General Provincial Act, shall be forwarded to the Insular Treasury, as required by Act No. 90. Thereafter such taxes cease to be a part of the revenue of the Central Government of the Islands and become provincial and municipal taxes, and Act No. 90 shall not apply thereto.

“SEC. 37. One-half of the internal revenue collections in any province organized under the General Provincial Act from January 1, 1901, until June 30, 1901, shall be due from the central government to the Treasury of the province where collected, and one-half of the internal collections in a municipality shall be due from the central government to the Treasury of the municipality where collected, and the Provincial Treasurer shall forward his estimate for the amounts due to the province and to the municipalities, through the Military Governor, to the Commission for proper appropriation. The collections under this section shall be held to include collections under the Forestry Regulations for timber cut and forest products obtained in the province and municipality, though the collections are made out of the province.

“SEC. 38. Hereafter no voucher or receipt covering a payment of money by any disbursing or other officer of the constituted government of the Philippine Archipelago, on account of an obligation of said government, shall be questioned or declared invalid by reason of the failure of the creditor to attach thereto the internal revenue stamp or stamps heretofore required by law; and hereafter no internal revenue stamp or stamps shall be required on any receipt or voucher covering the payment of money in discharge of an obligation of the government of the Philippine Archipelago.”

SEC. 3. This act shall take effect on its passage.

[No. 134.]

AN ACT providing for the loan of twenty-five hundred dollars (\$2,500) from the central treasury to the treasury of each province organized under the general provincial act, to be repaid on or before December 31, 1902.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. There is hereby appropriated, out of any funds in the Insular Treasury not otherwise appropriated, a sum sufficient to advance and pay twenty-five hundred dollars (\$2,500), in money of the United States, to the Treasury of each province now or hereafter organized under the General Provincial Act.

SEC. 2. The money appropriated in the first section shall be paid to the Provincial Treasurer of each province, upon the production by him to the Military Governor of a certified copy of a resolution of its Provincial Board requesting such loan, and agreeing to repay the the money without interest on or before December 31, 1902. The Provincial Board shall have authority to request and receive any amount less than twenty-five hundred dollars, which it shall in its resolution fix, and the remainder of the appropriation for the province shall, after the presentation of such a resolution to the Military Governor, become unappropriated funds. If the Provincial Board of any province shall fail to request such a loan or a part thereof before October first, 1901, the amount herein appropriated for such province shall become unappropriated funds.

SEC. 3. The money loaned under this act shall be expended by the Provincial Board in the manner provided by law for provincial purposes.

SEC. 4. This act shall take effect on its passage.

Enacted, May 22, 1901.

[No. 135.]

AN ACT authorizing the union of the towns of Tetuan and Zamboanga, Island of Mindanao.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The municipalities of Tetuan and Zamboanga, Island of Mindanao, shall be organized into one municipality under the name of Zamboanga.

SEC. 2. The organization of such municipality shall be effected in accordance with the rules and regulations applying to the organization of new municipalities not before organized, as provided in sections 91, 92 and 93 of the Municipal Code.

SEC. 3. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 4. This act shall take effect on its passage.

Enacted, May 29, 1901.

[No. 136.]

AN ACT providing for the organization of courts in the Philippine Islands.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

CHAPTER I.

GENERAL PROVISIONS.

SECTION 1. *Courts of Justice to be maintained in every province.*—Courts of justice shall be maintained in every province in the Philippine Islands in which civil government shall be established; which courts shall be open for the trial of all causes proper for their cognizance, and justice shall be therein impartially administered without corruption or unnecessary delay.

SEC. 2. *Constitution of judiciary.*—The judicial power of the Government of the Philippine Islands shall be vested in a Supreme Court, Courts of First Instance, and Courts of Justices of the Peace, together with such special jurisdictions of municipal courts, and other special tribunals as now are or hereafter may be authorized by law. The two courts first named shall be courts of record.

SEC. 3. *Qualifications of judges, etc.*—In order to be eligible to the Office of Chief Justice of the Supreme Court, or Judge of the Supreme Court, or Judge of a Court of First Instance, or Attorney General, a person must:

1. Be more than thirty years of age;
2. Be a citizen of the United States or a native of the Philippine Islands, or have acquired, by virtue of the Treaty of Paris, the political rights of a native of the Islands;
3. He must have practiced law, or have been a judge of a court of record, in the United States or the Philippine Islands, or in Spain or, previous to the date of the ratification of the Treaty of Paris, in any Spanish territory, for a period of five years, or must for a like period have filled any office which requires a legal degree as an indispensable qualification in the Philippine Islands or, previous to the date of the ratification of the Treaty of Paris, in any Spanish territory.

SEC. 4. *Hours of labor of court employes.*—The hours of labor of all court employes in and about the Supreme Court and the Courts of First Instance shall be regulated by section 1 of Act No. 80, entitled, "An Act Regulating the Hours of Labor, Leaves of Absence, and Transportation of Appointees under the Philippine Civil Service," enacted January 26, 1901.

SEC. 5. *Leaves of absence.*—All leaves of absence of the judges of the Supreme Court, the Attorney General, Solicitor General, and Assistant Attorney General, Clerk and other subordinates of the Supreme Court, and judges of Courts of First Instance, shall be granted by the Chief Justice.

Leaves of absence of clerks and other subordinates, officials or employes of Courts of First Instance shall be granted by the Judge of the Court of First Instance, for each province within his judicial district. The Chief Justice shall determine his own leave of absence, but his leave of absence and that of all the other officials and employes in this Act named shall be governed by sections 2 and 3 of Act No. 80, above referred to.

SEC. 6. *Transportation of judges, and salary while traveling.*—A person residing in the United States who is appointed Judge of the Supreme Court, or Judge of the Court of First Instance of the Philippine Islands, shall be paid the traveling expenses of himself and family from his place of residence to Manila, if he shall come by the steamer and route directed by the Chief Executive of the Islands. He shall be allowed one-half salary from the date of leaving home to come to Manila, and full salary from the date of his arrival in the Islands, provided that he proceeds directly to the Islands. Otherwise, he shall be allowed half salary for such time only as is ordinarily required to perform the journey from his place of residence to Manila. If he has been employed as judge in the Philippine Islands for three years or more he shall, if he so requests, upon his retirement from the service, be furnished with transportation for himself and family from Manila to his place of residence, and be allowed half salary for thirty days, in addition to full salary for the period for which he may be entitled as leave of absence, under the provisions of this Act, and of said Act No. 80.

SEC. 7. *Official oath of judicial officers.*—The judges and justices of the several courts shall, before they proceed to execute the duties of their respective offices, take and subscribe to the following oath or affirmation, to wit:

“I,, solemnly swear (or affirm) that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as, according to the best of my ability and understanding, agreeably to the laws of the Philippine Islands. And that I recognize and accept the supreme authority of the United States of America in these Islands, and will maintain true faith and allegiance thereto; that I impose upon myself this obligation voluntarily, without mental reservation or purpose of evasion; so help me God.” (The last four words to be stricken out in case of affirmation.)

(Signature)

“Subscribed and sworn to (or affirmed) before me this day of 19.”

The oath may be administered by any member of the Philippine Commission, or by any Judge or Justice of the Peace duly qualified to act, and shall be filed with the Clerk of the Court in which the official taking the oath presides, and be by him recorded in the records of the Court.

CHAPTER II.

SUPREME COURT.

SEC. 8. *Supreme Court.*—The Supreme Court shall consist of a Chief Justice and six Associate Judges, any five of whom when convened shall form a quorum, and may transact any of the business of the court; but in the absence of a quorum the member or members present may adjourn the court from time to time with the same effect as if all were present. The concurrence of at least four members of the court shall be necessary to pronounce a judgment. They shall be appointed by the Commission, and shall hold office during its pleasure. The word “Judges” or “Judges of the Supreme Court,” when used in this Act, shall include the Chief Justice.

SEC. 9. *Salaries of the Judges of the Supreme Court.*—The annual salary of the Chief Justice shall be seven thousand, five hundred dollars, and of the Associate Judges seven thousand dollars, all payable monthly.

SEC. 10. *The Supreme Court to sit in banc.*—The Supreme Court shall sit in banc as a body composed of all its members, and the Chief Justice shall be the presiding officer thereof. In case of his absence at a session of the court, the Judge present next in seniority to the Chief Justice shall preside. The seniority of the Associate Judges shall be determined by the dates of their respective commissions.

SEC. 11. *Sessions of the Supreme Court.*—The Supreme Court shall always be open for the transaction of business. It shall hold regular terms for the hearing of causes at Manila, commencing on the second Monday of January and July, and at Iloilo, commencing on the first Monday of November, and at Cebú on the first Monday of December of each year, and special sessions at either of the above named places at such other times as may be prescribed by the Judges thereof. The regular terms at Manila shall each continue for at least four successive months unless all the business of the sessions has been sooner completed. The rooms at other times occupied by the Courts of First Instance at Cebú and Iloilo shall be available for the use of the Supreme Court in its sessions at those cities. Sessions of the court for hearing causes shall be held on five days in each week, when there is business to be transacted, and the sessions shall continue not less than four hours on each day.

SEC. 12. *Allowance for traveling expenses.*—The Judges and officers of the Supreme Court, the Attorney General, the Solicitor General and Assistant Attorney General shall be allowed their actual expenses of travel and subsistence when absent from Manila on the business of the court, or to attend its sessions, upon the certificate of the Chief Justice and the approval of the Auditor.

SEC. 13. *Where actions shall be heard.*—All actions coming into the Supreme Court from Courts of First Instance situated in the islands of Luzon, Mindoro, Marinduque and Paragua, shall be heard at Manila. Those coming into the Supreme Court from Courts of First Instance situated in the islands of Romblon, Panay, Masbate and Negros, the Sulu Archipelago, and the south half of Mindanao, shall be heard at Iloilo. Those coming from the islands of Cebú, Bohol, Samar, Leyte, and the north half of Mindanao, shall be heard at Cebú. Original actions in the Supreme Court shall be filed in Manila, but may be heard at Iloilo or Cebú, if the Court shall so order.

SEC. 14. *Transferring of hearings.*—Whenever the public good, or the convenience of individuals, or the necessity for speedy hearing, requires that any action, or any number of actions, which would by the terms of this Act be properly triable at either one of said places, should be heard at another of them, the Supreme Court may order such action or actions to be heard at either Manila, Cebú or Iloilo, as it finds most expedient, and with the same effect as though such action or actions had been heard at the place provided in the preceding section.

SEC. 15. *Decisions to be in Writing.*—In the determination of causes, all decisions of the Supreme Court shall be given in writing, signed by the Judges concurring in the decision, and the grounds of the decision shall be stated as briefly as may be consistent with clearness.

SEC. 16. *Jurisdiction of the Supreme Court.*—The jurisdiction of the Supreme Court shall be of two kinds:

1. Original; and

2. Appellate.

SEC. 17. *Its original jurisdiction.*—The Supreme Court shall have original jurisdiction to issue writs of mandamus, certiorari, prohibition, habeas corpus, and quo warranto in the cases and in the manner prescribed in the Code of Civil Procedure, and to hear and determine the controversies thus brought before it, and in other cases provided by law.

SEC. 18. *Its appellate jurisdiction.*—The Supreme Court shall have appellate jurisdiction of all actions and special proceedings properly brought to it from Courts of First Instance, and from other tribunals from whose judgment the law shall specially provide an appeal to the Supreme Court.

SEC. 19. *Power to issue all necessary auxiliary writs.*—The Supreme Court shall have power to issue writs of certiorari and all other auxiliary writs and process necessary to the complete exercise of its original or appellate jurisdiction.

SEC. 20. *The Clerk and his Assistants.*—The Commission shall appoint a Clerk, who shall be the recording officer and interpreter and translator of the Court, and perform such duties as are prescribed in the Code of Civil Procedure. He shall receive a salary at the rate of three thousand dollars per year, and all fees charged by him for his own services or those of his assistants shall belong to the government. He may be at any time removed by the judges of the Supreme Court, and his successor may be appointed by them from a list of eligibles provided by the Civil Service Board under the rules of the Civil Service Act. He may employ such deputies and assistants as the majority of the judges of the Supreme Court may decide to be necessary, and at salaries to be by them fixed, all with the approval of the Chief Executive. The selection of such assistants shall be made in accordance with the provisions of the Civil Service Act.

SEC. 21. *Clerk's bond.*—Before entering upon the performance of his duties the Clerk of the Supreme Court shall execute a bond to the Government of the Philippine Islands in the penal sum of ten thousand dollars, with sufficient surety, to be approved by the Insular Treasurer, conditioned for the faithful performance of his duties and for the payment to those entitled thereto of all sums of money that shall come into his hands or into those of his deputies and assistants by virtue of his office. The bond shall be recorded in the books of the Insular Treasurer and be retained in his office, and shall be available for any party in interest. The clerk may require of his deputies and assistants a sufficient bond to indemnify him against the malfeasance or nonfeasance of such deputies or assistants.

SEC. 22. *Governor of province to be officer of court.*—The officer of the Supreme Court to serve its process and enforce good order in and about the court room shall be the Governor, or his deputy, of the province in which the court is held, when the court is in session at Cebú or Iloilo. At other times its officer shall be the Sheriff of the City of Manila, as hereinafter provided.

SEC. 23. *Governor to execute an official bond.*—The Governor of the province shall, before being qualified to perform the duties of officer of any court, execute a bond, with sufficient sureties to the Government of the Philippine Islands, in the penal sum of ten thousand dollars, to be approved by the Provincial Treasurer, conditioned for the faithful performance of the duties of himself and his deputies as officer of the Court, and the payment of all sums of money that shall come into his or their hands officially, to the persons entitled

thereto. The bond shall be recorded in the books of the Provincial Treasurer and kept on file in his office, and shall be available as security for the benefit of any person in interest. The Governor may require each deputy by him appointed to execute to him a sufficient indemnity for his protection against the malfeasance or nonfeasance of such deputy.

SEC. 24. *Provisions for officer when Governor fails to give bond.*—In case the Governor shall fail to give the bond provided in the preceding section within thirty days after his election, it shall be the duty of the judge of the Court of First Instance of the Province to appoint, in writing, a suitable person as the officer of the courts of the province, and the officer so appointed, upon executing the bond provided in the preceding section, shall be the officer of the courts of the province, with the same powers in the execution of process and appointment of deputies as the Governor would have had he given the bond required.

The person so appointed shall hold office until the expiration of the term of office of the Governor, and shall be called the Sheriff of the Province, and may require bonds of his deputies, as provided in the preceding section.

SEC. 25. *Officer of Courts in Manila.*—The officer of the Supreme Court to serve its process and enforce good order in and about the court room of the courts in session at Manila shall be the Sheriff of the City of Manila, to be appointed by the Commission, to hold office during its pleasure. The Sheriff of the City of Manila shall have power to appoint as many deputies as he deems expedient, and may, in person or by his deputies, serve any process, preliminary or final, issued from the Supreme Court, a Court of First Instance, or Court of Justice of the Peace in the city of Manila. Before entering upon the performance of his duties he shall execute a bond, with sufficient surety to the Government of the Philippine Islands, in the penal sum of twenty-five thousand dollars, to be approved by the Insular Treasurer, conditioned for the faithful performance of the duties of himself and deputies as officers of the Court, and the payment of all sums of money that shall come into his or their hands officially, to the persons entitled thereto. The bond shall be recorded in the books of the Insular Treasurer, and kept on file in his office, and shall be available as security for the benefit of any person in interest. The Sheriff may require each deputy by him appointed to execute to him a sufficient indemnity for his protection against the malfeasance or nonfeasance of such deputy.

SEC. 26. *Renewing bond of officer.*—At any time that it shall be made to appear to the Judge of the Court of First Instance in any province, or to the judges of the Supreme Court in the city of Manila, that the bond of the officer of the court, whether Governor or Sheriff, is insufficient, he or they may require a new and sufficient bond to be given within a period to be fixed in the order. If the new bond so required is not given within the period so fixed, a Sheriff shall be appointed, as provided in the preceding sections. The Sheriff so appointed shall have all the powers and duties of the regular officer of the Court.

SEC. 27. *Fees.*—The officer of the Court and his deputies shall be paid by fees only, and strictly in accordance with the fee bill provided in the Code of Civil Procedure.

SEC. 28. *Rules.*—The judges of the Supreme Court shall make all necessary rules for orderly procedure in the Supreme Court and

Courts of First Instance, and Courts of Justices of the Peace, and for the admission of lawyers to the practice of the law before such courts, in accordance with the provisions of the Code of Civil Procedure, which rules shall be uniform for all the courts of the same grade, and binding upon the several courts; but the Judges of the Supreme Court may at any time alter or amend such rules.

SEC. 29. *Assignment of Supreme Court Judges to sit in Courts of First Instance.*—The Supreme Court may, at any time, and for any reason satisfactory to its judges, assign any judge of that Court to hear any particular cause pending in any Court of First Instance, or to hold a term of the court in any Court of First Instance. The judge so assigned shall possess all the powers of the regular judge of a Court of First Instance in all actions heard by him under such assignment, but shall not sit in the Supreme Court in review of any decisions made by him in a Court of First Instance.

SEC. 30. *Reporter of Decisions.*—The judges of the Supreme Court shall appoint a Reporter of the Decisions of the Court, who shall hold office during their pleasure, and they may at any time remove him and appoint his successor. He shall receive a salary at the rate of one thousand dollars per year, payable quarterly, upon the certificate of a majority of the judges of the Court that he has performed the duties of the office for the preceding quarter, and is entitled to the compensation herein provided.

SEC. 31. *Reporter a ministerial officer.*—The Reporter shall be a ministerial officer, subject to the orders of the Supreme Court.

SEC. 32. *What cases reported, and how reported.*—The judges shall prepare and furnish to the reporter reports of the opinions by them severally given, embracing such decisions of the Court as may be deemed by the Court of sufficient importance to be printed and published, as rapidly as such decisions are promulgated. Dissenting opinions may be published with the majority opinions, if the dissenting judge or judges so direct.

The Reporter shall prepare and publish with each case a concise and correct synopsis of the facts necessary to a clear understanding of the decision, and shall state the names of counsel, and concisely the material and controverted points made and the authority therein cited by them and shall prefix to each case a syllabus, which shall be confined, as near as may be, to points of law decided by the Court on the facts of the case, without a recital therein of the facts.

SEC. 33. *In what language cases reported.*—Until the first day of January, 1906, each case shall be reported in both the English and Spanish languages, and the decisions in both languages shall be bound together in the same volume. After the first day of January, 1906, the decisions shall be published only in the English language.

SEC. 34. *Volumes, how indexed, bound, etc.*—Each volume shall contain a table of the cases reported and of the cases cited in the opinions and a full and alphabetical index of the subject matters of the volume prepared by the Reporter, shall contain not less than seven hundred and fifty pages of printed matter, shall be well printed, upon good paper, and well bound in the best law sheep, substantially in the manner of the reports of the decisions of the Supreme Court of the United States, and shall be styled, "Philippine Reports," and numbered consecutively, in the order of the volumes published.

SEC. 35. *Contract for printing reports.*—When the Reporter of Decisions of the Supreme Court has prepared a volume of the Philippine Reports for publication, he shall contract for printing and binding two

thousand copies thereof, but such contract shall not be valid until approved by a majority of the judges of the Supreme Court.

SEC. 36. *Disposition of reports.*—The volumes, when printed, shall be delivered to the librarian of the Philippine Commission, who shall deliver one copy to the Chief Executive of the archipelago, to each judge of the Supreme Court, and to each judge of a Court of First Instance, to each Justice of the Peace, to each Provincial Secretary, to the Clerk of the Supreme Court and to each clerk of a Court of First Instance in the Philippine Islands, to the Treasurer and Auditor of the archipelago, which volumes shall not be sold or disposed of by the officials to whom they are delivered, but shall be public property appertaining to the several offices named, and remain as a part of the public documents thereof for the use of the successors of the officials named, and of the public. At least ten copies shall be retained at all times in the library of the Philippine Commission and ten copies shall be sent to the Library of Congress at Washington. Volumes above the number provided by law for the Philippine Commission, and for distribution as above provided, shall be kept for exchange and for sale by the librarian, for the benefit of the library of the Commission. The price of the volumes shall be fixed by the Reporter, the Treasurer and the Auditor of the archipelago.

SEC. 37. *Custody of original opinions.*—Immediately upon promulgation thereof, the opinions of the Supreme Court shall be regularly recorded by the Clerk, in an "Opinion Book," and, when recorded, the original shall be delivered by the Clerk to the Reporter for the purpose of preparing the publications herein required, and shall be by him retained as a part of the files of the Reporter's office.

SEC. 38. *Disposition of causes, actions, proceedings, appeals, records, papers, etc., pending in the existing Supreme Court and in the "Contentioso Administrativo."*—All records, books, papers, causes, actions, proceedings and appeals lodged, deposited or pending in the existing Audiencia or Supreme Court, or pending by appeal before the Spanish-tribunal called "Contentioso Administrativo," are transferred to the Supreme Court above provided for, which has the same power and jurisdiction over them as if they had been in the first instance lodged, filed or pending therein, or, in case of appeal, appealed thereto.

SEC. 39. *Abolition of existing Supreme Court.*—The existing Audiencia or Supreme Court is hereby abolished, and the Supreme Court provided by this Act is substituted in place thereof.

CHAPTER III.

THE ATTORNEY GENERAL.

SEC. 40. *Attorney General.*—There shall be an Attorney General for the Philippine Islands, to be appointed by the Philippine Commission, to serve during its pleasure, with a salary at the rate of five thousand, five hundred dollars per annum, payable monthly.

SEC. 41. *Solicitor General.*—There shall be an officer learned in the law to assist the Attorney General in the performance of all his duties, called the Solicitor General, who shall be appointed by the Commission and shall be entitled to a salary of four thousand, five hundred dollars a year, payable monthly. In case of a vacancy in the office of Attorney General, or of his absence or disability, the Solicitor General shall have power to exercise the duties of that office. Under the supervision of the Attorney General, it shall be the especial duty of

the Solicitor General to conduct and argue suits and appeals in the Supreme Court, in which the Philippine Government is interested, and the Attorney General may, whenever he deems it for the interest of the Philippine Government, either in person conduct and argue any case in any court of the Philippine Islands in which the Philippine Government is interested or may direct the Solicitor General to do so.

SEC. 42. *Assistant Attorney General.*—There shall be an Assistant Attorney General, to be appointed by the Commission, to serve during its pleasure, with a salary at the rate of three thousand dollars per annum, payable monthly, who shall perform the duties of the Attorney General, in his absence, and the absence of the Solicitor General, and shall render such other services in the performance of the duties of the Attorney General as may be assigned to him.

SEC. 43. *Oath of Attorney General, Solicitor General, and Assistant Attorney General.*—Before entering upon the performance of their duties, the Attorney General, Solicitor General, and Assistant Attorney General shall take and subscribe to the following oath or affirmation, to wit:

“I, ——, solemnly swear (or affirm) that I will faithfully and impartially discharge and perform all the duties incumbent upon me as Attorney General (or Solicitor General or Assistant Attorney General), according to the best of my ability and understanding, agreeably to the laws of the Philippine Islands; that I will prosecute no man for envy, hatred or malice, neither will I leave unprosecuted for love, fear, favor, affection or hope of reward; and that I recognize and accept the supreme authority of the United States of America in these Islands, and will maintain true faith and allegiance thereto; that I impose upon myself this obligation voluntarily, without mental reservation or purpose of evasion; so help me God.” (The last four words to be stricken out in case of affirmation.)

(Signature)

“Subscribed and sworn to (or affirmed) before me this..... day of.....19..”

The oath may be administered by any judge of the Supreme Court and shall be filed with the Clerk of that Court.

SEC. 44. *Bond of Attorney General.*—Before entering upon the performance of the duties of his office, the Attorney General shall execute a bond to the Insular Government, in the penal sum of five thousand dollars, with sufficient surety or sureties, to be approved by the Insular Treasurer, conditioned for the faithful performance of the official duties of himself and his assistants and the payment of all sums of money that shall come into his or their hands officially, to the person entitled thereto. The bond shall be recorded in the books of the Insular Treasurer and kept on file in his office, and shall be available as security for the benefit of any person, corporation or municipality in interest. In case the Attorney General fails to give the bond herein prescribed, within thirty days after his appointment, the office shall be vacant, and another person shall be appointed in his stead as Attorney General. The Attorney General may require of the Solicitor General and Assistant Attorney General, each, a bond to him in the penal sum of five thousand dollars, with sufficient surety or sureties, to be by him approved, conditioned for the faithful performance of their official duties, respectively, and the payment of all sums of money that shall come into their or either of their hands officially, to the person lawfully entitled thereto. In case either the Solicitor

General or the Assistant Attorney General fails to give the bond here prescribed, within thirty days after his appointment, his office shall be vacant, and another person shall be appointed in his stead.

SEC. 45. *Duties of the Attorney General.*—The Attorney General shall perform the following duties:

(a) He shall attend the Supreme Court and prosecute or defend therein all causes, civil and criminal, to which the United States, or any officer thereof, in his official capacity, is a party;

(b) He shall prosecute or defend therein all causes, civil and criminal, to which the Government of the Philippine Islands, or any officer thereof, in his official capacity, is a party; and all causes to which any province may be a party, unless the interest of the province be adverse to that of the Government of the Islands, or that of the United States, or some officer thereof acting in his official capacity, or of some other province;

(c) After judgment in favor of the interest represented by him, in any of the cases mentioned in the last section, he shall direct the issuing of such process as may be necessary to carry the same into execution, and shall account for and pay over to the proper officer all money that may come into his possession belonging to the United States Government, the Government of the Philippine Islands, or any province;

(d) When it may be necessary or proper for the enforcement or collection of any judgment or debt in favor of the Insular Government or any officer thereof in his official capacity, or of any province, the Attorney General shall institute and prosecute in behalf of the creditor an action or actions to set aside any conveyance or other devise fraudulently made by the debtor, or any one for him, to hinder or delay or defraud the creditor;

(e) He shall, when required by the public service, or when directed by the Chief Executive, repair to any province in the Islands and assist the Provincial Fiscal there in the discharge of his duties, and shall assist the Provincial Fiscal in any prosecution against an officer of the Government;

(f) He shall, at the request of the Chief Executive, or other proper officer of the Insular Government, institute and prosecute a suit on any official bond or any contract, in which the Government of the Islands is interested, upon a breach thereof, and prosecute or defend for the Insular Government all actions, civil or criminal, relating to any matter connected with either of the offices of the Insular Government; and he may require the service or assistance of any Provincial Fiscal in and about such matters or suits;

(g) Whenever requested by the Chief Executive, or other officer of the Insular Government, he shall prepare proper drafts for contracts, forms, or other writings which may be wanted for the use of the Government;

(h) He shall pursue the collection of any claim or judgment in favor of the Insular Government, outside of the Islands, or may, with the consent of the Chief Executive, employ counsel to assist in the collection thereof;

(i) He shall give his opinion in writing to the legislative body of the Islands, the Chief Executive, the Auditor of public accounts, the Insular Treasurer, the General Superintendent of Public Instruction, the trustee of any government institution, and any Provincial Fiscal, when requested in writing, upon any question of law relating to their respective offices;

(j) He shall keep a docket of all causes in which he is required to

appear, which shall show the province and court in which the causes have been instituted and tried, and whether they be civil or criminal; if civil, the nature of the demand, stage of the proceedings, and, when prosecuted to a judgment, a memorandum of the judgment; of any process issued thereon, whether satisfied or not; if not satisfied, the return of the officer; and if criminal, the nature of the crime, the mode of prosecution and the stage of the proceedings; and, when prosecuted to a sentence, a memorandum of the sentence, and of the execution thereof, if executed, and, if not executed, of the reasons for delay or prevention;

(k) He shall make reports to the Philippine Commission through the Military Governor, on the first day January and the first day July of each year, of the condition of the public service as administered in his office and under his supervision; and he shall, as a part of his report, make any recommendation which he may deem proper for the improvement of the service.

SEC. 46. *Office Hours.*—The Attorney General shall keep an office at Manila, and shall, except when absent on public business, or by consent of the Chief Executive, keep the same open on each business day from nine until twelve o'clock in the forenoon, and from three until five o'clock in the afternoon, and be there for business.

SEC. 47. *Assistants to the Attorney General.*—The Attorney General shall be allowed only such clerical assistants as may be absolutely necessary for the due performance of the duties of his office, upon the certificate of the majority of the Judges of the Supreme Court that such assistants are necessary. The compensation of such assistants shall be fixed by the Judges of the Supreme Court, with the approval of the Chief Executive.

CHAPTER IV.

COURTS OF FIRST INSTANCE.

SEC. 48. *One Court of First Instance for each province.*—There shall be in each province in which civil government has been or shall be organized under the sovereignty of the United States, a Court of First Instance, in each of which a judge shall preside, to be appointed by the Philippine Commission, to hold office during its pleasure. Each judge so appointed shall preside in all Courts of First Instance in his judicial district, which shall consist of such provinces as shall be hereafter by law designated to constitute such judicial district. But this section shall not apply to the province of Benguet, nor to other provinces in which a special civil government shall be organized for largely uncivilized people, nor to the city of Manila.

SEC. 49. *In Manila.*—There shall be one Court of First Instance for the city of Manila, and two judges shall be appointed by the Commission, to serve during its pleasure, to preside in such Court in separate court rooms.

Actions brought in the Court of First Instance for the city of Manila shall be equally apportioned for trial between the two judges, in accordance with a rule to be made by the judges of the Supreme Court. Any action apportioned to one judge may be tried by the other judge, when more convenient to the judges.

SEC. 50. *Salaries of Judges of Courts of First Instance.*—Judges of the Courts of First Instance for the city of Manila shall receive a salary at the rate of five thousand, five hundred dollars per year.

The salaries of other Judges of Courts of First Instance shall be specially prescribed by law, according to the importance and responsibility of the duties to be performed.

SEC. 51. *Transferring of Judges for special reasons.*—Any Judge of a Court of First Instance may be ordered by the Supreme Court to hold a term or part of a term of any Court of First Instance, although not in the district which properly appertains to his jurisdiction, whenever in the opinion of the Judges of the Supreme Court such assignment is necessary, by reason of absence, illness or disqualification of the Judge who would properly preside in such Court, or whenever, by reason of an unusual amount of business, the services of an additional Judge may be needed in any district or province.

The judgments, orders and proceedings of the Judge so assigned to another province or judicial district shall be equally effective as if the regular Judge of the province in which the Court is held had presided.

SEC. 52. *Judge may preside in another province at request of Judge of that province.*—A Judge of any Court of First Instance may hold the Court of First Instance in any province, at the request of the Judge thereof; and upon the request of the Chief Executive it shall be his duty to do so; and in either case, the Judge holding the court shall have the same power as the proper Judge thereof.

SEC. 53. *When such Courts are open.*—Courts of First Instance shall be always open (legal holidays and non-judicial days excepted), and they shall hold their sessions at the capitals of the several provinces respectively unless otherwise specially provided by law. The dates upon which sessions shall be held in the several provinces shall be fixed by law hereafter.

SEC. 54. *Hours of sessions.*—During terms of Court, the hours for the sessions thereof shall be from nine o'clock to twelve in the forenoon, and from three until five in the afternoon, except Saturdays, when a forenoon session, only, shall be required; but the Judge may extend the hours of sessions whenever in his judgment it is proper to do so. All officers and employés of the Court shall be in attendance during the hours of sessions.

SEC. 55. *Jurisdiction of Courts of First Instance.*—The jurisdiction of Courts of First Instance shall be of two kinds:

1. Original; and
2. Appellate.

SEC. 56. *Its original jurisdiction.*—Courts of First Instance shall have original jurisdiction:

1. In all civil actions in which the subject of litigation is not capable of pecuniary estimation;
2. In all civil actions which involve the title to or possession of real property, or any interest therein, or the legality of any tax, impost or assessment, except actions of forcible entry into, and detainer of lands or buildings, original jurisdiction of which is by this Act conferred upon Courts of Justices of the Peace;
3. In all cases in which the demand, exclusive of interest, or the value of the property in controversy, amounts to one hundred dollars or more;
4. In all actions in admiralty and maritime jurisdiction, irrespective of the value of the property in controversy or the amount of the demand;
5. In all matters of probate, both of testate and intestate estates, appointment of guardians, trustees, and receivers, and in all actions for annulment of marriage, and in all such special cases and proceedings as are not otherwise provided for;

6. In all criminal cases in which a penalty of more than six months' imprisonment or a fine exceeding one hundred dollars may be imposed;

7. Said Courts and their judges, or any of them, shall have power to issue writs of injunction, mandamus, certiorari, prohibition, quo warranto and habeas corpus in their respective provinces and districts, in the manner provided in the Code of Civil Procedure.

SEC. 57. *Its appellate jurisdiction.*—Courts of First Instance shall have appellate jurisdiction over all causes arising in Justice's and other inferior Courts in their respective provinces.

SEC. 58. *The Clerk.*—The Commission shall appoint a clerk for the Court of each province. He shall hold office during the pleasure of the judge, and he may be removed and his successor be appointed by the judge from a list of eligibles provided by the Civil Service Board under the rules of the Civil Service Act. The clerk shall receive a salary at the rate of twelve hundred dollars per year, except in cases where a greater or less salary is specially prescribed by law, and all fees charged by him shall belong to the government. He may employ such assistants as a majority of the Judges of the Supreme Court may decide to be necessary, and at salaries to be by them fixed, after approval thereof by the Chief Executive. Each Clerk of the Court may appoint and remove his own deputy, whose services shall be paid for by the clerk out of his salary unless he be an assistant duly authorized, as in this section provided.

SEC. 59. *The Clerk's Bond.*—Before entering upon the performance of his duties, the Clerk of a Court of First Instance shall execute a bond to the Government of the Philippine Islands, in the penal sum of four thousand dollars, with sufficient surety, to be approved by the judge, conditioned for the faithful performance of his duties, and for the payment to those entitled thereto of all sums of money that shall come into his hands or into those of his deputies, by virtue of his office. The judge shall forward the bond to the Insular Treasurer and it shall be recorded in his books and kept on file in his office, and shall be available for any party in interest.

SEC. 60. *The Clerk in Manila.*—The Commission shall appoint a clerk and an assistant clerk in the city of Manila. The Clerk and Assistant Clerk shall hold office during the pleasure of the judges and may be removed and their successors appointed by the judges in accordance with the provisions of the Civil Service Law. The Clerk shall receive a salary at the rate of two thousand dollars a year, the Assistant Clerk at the rate of one thousand, six hundred dollars per year, and all fees charged by them shall belong to the Government. The Clerk may appoint and remove one or more deputies, whose services shall be paid for out of his salary, unless the deputy be an assistant duly authorized, as in this section provided. The Clerk may employ such assistants, to be selected under the provisions of the Civil Service Law, as a majority of the Judges of the Supreme Court may decide to be necessary, and at salaries to be by them fixed, after approval thereof by the Chief Executive. The bond of the Clerk shall be for six thousand dollars, and he may require a bond of indemnity from the Assistant Clerk, which shall be approved, filed, and recorded as provided in the last preceding section. The Clerk shall be answerable on his bond for defaults of his deputy and assistants.

SEC. 61. *Officer of the Court of First Instance.*—The officer of the Court of First Instance to serve its process and enforce good order in and about the court room shall be the Governor, or his deputy, of the province in which the Court is held; but in the City of Manila the officer of the Court of First Instance shall be the sheriff or his deputy.

SEC. 62. *The Fiscal.*—The Provincial Fiscal, chosen in accordance with the “Provincial Government Act,” shall represent the Provincial and Insular Governments in his province in all actions or prosecutions in a Court of First Instance in the manner provided in the “Provincial Government Act.” He shall be an officer of the Court and subject to its directions in relation to official matters pending in the Court of First Instance.

SEC. 63. *Allowance for traveling expenses.*—The Judges of the Court of First Instance shall be allowed their actual traveling expenses in going to and from their respective places of residence to other provinces upon the business of the court, or to attend its sessions, but not including any allowance for subsistence.

SEC. 64. *Disposition of records, papers, causes and appeals, now pending in the existing Courts of First Instance.*—All records, books, papers, actions, proceedings and appeals lodged, deposited or pending in the Court of First Instance as now constituted of or in any province, are transferred to the Court of First Instance of such province hereby established, which shall have the same power and jurisdiction over them as if they had been primarily lodged, deposited, filed or commenced therein, or in cases of appeal, appealed thereto.

SEC. 65. *Abolition of existing Courts of First Instance.*—The existing Courts of First Instance are hereby abolished, and the Courts of First Instance provided by this Act are substituted in place thereof.

CHAPTER V.

COURTS OF JUSTICES OF THE PEACE.

SEC. 66. *Justice Courts for each municipality.*—There shall be courts of Justice of the Peace as in this section provided:

1. The existing Courts of Justices of the Peace, established by military orders since the 13th day of August, 1898, are hereby recognized and continued and the Justices of such courts shall continue to hold office during the pleasure of the Commission.

2. In every province in which there now is, or shall hereafter be established, a Court of First Instance, Courts of Justices of the Peace shall be established in every municipality thereof which shall be organized under “The Municipal Code,” or which has been organized and is being conducted as a municipality when this Act shall take effect, under and by virtue of “The Municipal Code.”

SEC. 67. *Appointment and term of office of Justices of the Peace.*—Justices of the Peace shall be appointed by the Philippine Commission, and shall hold office during the pleasure of the Commission. They shall be appointed from lists of suitable persons, nominated for such appointments by the Provincial Board for each province, for the several municipalities within the province.

SEC. 68. *Jurisdiction.*—A Justice of the Peace shall have original jurisdiction for the trial of all misdemeanors and offenses arising within the municipality of which he is a Justice, in all cases where the sentence might not by law exceed six months’ imprisonment or a fine of one hundred dollars; and for the trial of all civil actions properly triable within his municipality and over which jurisdiction has not herein been given to the Court of First Instance, in all cases in which the demand, exclusive of interest, or the value of the property in controversy, amounts to less than three hundred dollars. A Justice of the Peace shall also have jurisdiction over actions for forcible

entry into, and detainer of real estate, irrespective of the amount in controversy.

The jurisdiction of a Justice of the Peace in civil actions triable within his municipality, in cases in which the demand, exclusive of interest, or the value of the property in controversy, amounts to one hundred dollars or more, but to less than three hundred dollars, shall be concurrent with that of the Court of First Instance, provided: That 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, or to those which involve the title to or possession of real estate or an interest therein, or the legality of any tax, impost or assessment, or to actions in admiralty, or maritime jurisdiction, or to matters of probate, the appointment of guardians, trustees and receivers, or actions for the annulment of marriage; but this proviso shall not apply to actions of forcible entry into and detainer of lands or buildings, original jurisdiction of which is hereby conferred upon Courts of Justices of the Peace.

SEC. 69. *Courts of Justices of the Peace in Manila.*—The existing Courts of Justices of the Peace in the city of Manila shall be continued as now organized, and with the same jurisdiction as is now by law conferred upon them, and shall so continue until special provisions shall be made by law for the organization of inferior civil and criminal tribunals for the City of Manila.

SEC. 70. *Clerks and amanuenses, etc., for Justice Courts.*—Each Justice of the Peace may act as his own clerk or he may appoint a clerk, and, if necessary, other clerical assistants and bailiffs, all at his own expense.

SEC. 71. *Fees, Fines and Costs.*—Justices of the Peace shall receive no salaries or allowances. A Justice shall be entitled to a fee of three pesos for each action, civil or criminal, tried by him. But in cases of nonsuit or default the Justice shall be entitled to but one-half of the fee herein provided. In civil actions, the fee shall be paid by the successful party, and taxed as a part of the cost against the defeated party. In criminal actions the fee shall be paid by the municipality, but shall be taxed as a part of the costs to be paid against the defendant if he be convicted and sentenced to pay the costs. All fines and costs imposed by a Justice of the Peace in criminal prosecutions and collected during any month shall be paid into the municipal treasury on the first day of the succeeding month. On that day, the Justice shall present to the Municipal Treasurer a detailed statement of the fines and costs collected by him since the last previous report, and of the fees accruing to him from the municipal treasury during the same period by virtue of this section. His account shall be forthwith audited by the Municipal Presidente and Treasurer, and he shall thereupon receive from the treasury the amount of his fees as allowed by these auditors. For the purpose of the auditing herein provided, the auditors shall examine the records of the Justice and any other papers or persons deemed necessary. The Justice shall in all cases execute a receipt in duplicate for all money paid to him for fees, fines or costs, one copy of which he shall retain and the other shall be delivered to the person making the payment. The copies retained by him shall be produced before the auditors. If the auditors are of the opinion that needless prosecutions have been instituted for the purpose of enhancing fees, they shall report the facts to the Commission and request the removal of the Justice so offending.

SEC. 72. *Fees, costs and fines in the Justice Courts in Manila.*—Until

a municipal government is established in the City of Manila, all fees, costs and fines collected by Justices of the Peace in criminal actions in the city shall be paid into the Insular Treasury and the auditing of their statements, as provided in the preceding section, shall be by the Insular Treasurer, whose duties in this respect shall be the same as those of the auditing board provided in the preceding section; and the Justice fees in criminal prosecutions shall be paid from the Insular Treasury. After the organization of a municipal government in the city of Manila, all the provisions of the preceding section shall be applicable to it, as to other municipalities.

SEC. 73. *Fees to be only those prescribed by law.*—No Justice of the Peace, clerk, or amanuensis thereof shall collect or receive any fee, except such as are prescribed in the fee bill embraced in the Code of Civil Procedure.

SEC. 74. *Bonds of justices.*—Each Justice of the Peace, before entering upon the performance of his duties, shall execute a bond to the Insular Government, with sufficient surety, to be approved by the Provincial Treasurer, in the penal sum of one thousand dollars, conditioned for the faithful discharge of the duties of his office, and the payment of all sums of money that shall come into his hands by virtue of his office. The bond shall be filed with the Provincial Treasurer and remain in his custody, and a breach of it may be prosecuted in the name of the Insular Government for the benefit of any party in interest.

SEC. 75. *Officers of Justice Court.*—Any deputy of the Governor or Sheriff of the Province is authorized to act as an officer of a Justice Court in the province, and to serve any process issuing from such Court. Process of such Court other than executions may also be served by any bailiff appointed by the Justice for that purpose, or by any policeman of the municipality.

SEC. 76. *Auxiliary justices.*—There shall be appointed by the Philippine Commission, to hold office during the pleasure of the Commission, one auxiliary Justice of the Peace, for each municipality which has a Court of a Justice of the Peace, who shall preside in the Justice Court in the municipality in case of the absence, disqualification or disability of the Justice, and in case of the death of the Justice, until the successor to the deceased Justice shall have been appointed and qualified. The auxiliary Justice shall receive the fees that would have appertained to the office of the Justice during such time as he shall perform the duties of the Justice as herein provided, but shall receive no other compensation.

SEC. 77. *Clerks and justices to make annual reports.*—The Clerk of the Supreme Court, and of every Court of First Instance, and every Justice of the Peace of the Islands shall, on or before February first of each year, make a full report concerning the business done in his Court for the year previous, to the Attorney General, upon forms to be prescribed by him. Such reports shall show the suits brought in each Court respectively, the suits dismissed by the plaintiff, and the suits decided during the previous calendar year, together with the suits pending at the close of the year, and the nature of the suits as to being civil or criminal. Each Clerk and Justice shall state the amount of costs received by him during the year. The Attorney General shall compile and analyze the reports thus made, and himself make a report to the Military Governor, to be transmitted to the Commission.

SEC. 78. *Jurisdiction of Provost Courts over civil actions repealed,*

and actions pending therein to be transferred.—All military orders, and all acts conferring upon Provost Courts in the Philippine Islands jurisdiction over civil actions, are hereby repealed. All civil actions now pending in the provost courts are hereby transferred to the proper tribunal in which they would have been brought under the provisions of this Act had this Act been in force at the time such actions were commenced, and the Supreme Court, Courts of the First Instance and Courts of the Justices of the Peace established by this act are authorized to try and determine the actions so transferred to them respectively from the Provost Courts, in the same manner and with the same legal effect as though such actions had originally been commenced in the Courts created by virtue of this Act. The criminal jurisdiction of Provost Courts shall not be affected by this Act.

CHAPTER VI.

NOTARIES PUBLIC.

SEC. 79. *Temporary provisions as to notaries public.*—Until the enactment of a new system of registration of land titles, whereby Notaries Public shall no longer be the legal depositories of original instruments affecting titles to land, the notarial law of the Philippine Islands of February 5, 1889, its Regulations of April 11, 1890, and the general instructions for drafting instruments subject to record in the Philippines, of October 3, 1889, as recognized under the proclamation issued by the Major General commanding the United States Army in the Philippines, dated August 14, 1898, and as modified by General Order No. 40, issued from the office of the United States Military Governor, on September 23, 1899, and by General Order No. 20, issued from the office of the United States Military Governor on February 3, 1900, are continued in force, and persons authorized under said military orders and by appointments heretofore made by the Military Governor or the Commission to perform the duties of Notaries Public, will continue in the due performance thereof, in accordance with the laws, regulations, instructions, orders and modifications above set forth, unless such official shall be removed by the Commission.

SEC. 80. *Ultimate deposit of all original notarial documents.*—Whenever a law shall have been duly enacted and become operative, establishing a new system of registration of land titles, as provided in the preceding section, it shall be the duty of every Notary Public within the Islands forthwith to deposit in the office of the keeper of the general archives of the Islands at Manila, whatever the final official title of that officer may be, all registers, files, original documents, protocols, and notarial instruments of every kind which are in his possession and custody, and it shall be the duty of such custodian of the general archives carefully to preserve all such registers, files, original documents protocols and notarial instruments of every kind, and when requested to do so by the persons interested, to issue a copy of any document so lodged with him, attesting the same under his official title, and with his seal of office.

SEC. 81. *Repeal of present notarial law.*—After the enactment of a new system of registration of land titles, the notarial law of the Philippine Islands on February 5, 1889, its regulations of April 11, 1890, and the general instructions for drafting instruments subject to record in the Philippine Islands, of October 3, 1889, and the modifications thereof, by General Order No. 40, issued from the office of the United

States Military Governor, on September 23, 1899, and by General Order No. 20, issued from the office of the Military Governor on February 3, 1900, shall be repealed and shall be of no effect after the date of such enactment, and thereafter appointments of Notaries Public and the performance of official duties by them shall be regulated by the subsequent provisions of this Act.

SEC. 82. *Appointment and removal of notaries public.*—Judges of the Courts of First Instance may appoint, in their respective provinces, as many Notaries Public as the public good requires, and shall appoint at least one Notary Public for every organized municipality within the province, to hold their offices for two years from the first day of January of the year in which they are appointed, whose jurisdiction shall extend throughout the province, but not elsewhere. Clerks of Courts of First Instance shall be, by virtue of their office, Notaries Public.

Notaries Public may be removed from office for good cause, by the judge or judges of the province or his successor in office. In the city of Manila, the Judges of the Supreme Court may appoint as many Notaries Public as the public good requires, and may remove them from office for good cause. Notaries so appointed shall hold their office for two years from the first day of January of the year in which they are appointed, and their jurisdiction shall extend throughout the city of Manila, but not elsewhere.

SEC. 83. *Commission.*—The appointment of a Notary Public shall be in writing, signed by the Judge, and shall be substantially in the following form:

“United States of America, Philippine Islands, }
 Province of }
 “This is to certify that....., of the
 municipality of in said province, was,
 on the.....day of..... A. D., 19.....,
 appointed by me a Notary Public, within and for said province, for
 the term ending on the first day of January, A. D., 19.....

 Judge of the Court of
 First Instance for said Province.”

SEC. 84. *Oath.*—Every Notary Public, before entering upon his duties, shall take and subscribe the following oath or affirmation:

“I,, solemnly swear (or affirm) that I will faithfully and impartially discharge and perform all the duties of the office of Notary Public within and for the province of according to the best of my ability and understanding, agreeably to the laws of the Philippine Islands; and that I recognize and accept the supreme authority of the United States in these Islands, and will maintain true faith and allegiance thereto; and that I impose upon myself this obligation voluntarily, without mental reservation or purpose of evasion; so help me God.” (The last four words to be stricken out in case of affirmation.)

(Signature)

“Subscribed and sworn to (or affirmed) before me, this day of 19...”

The oath may be administered by the Judge, or any Justice of the Peace, and shall, together with the commission, be recorded in the

office of the Clerk of the Court of the province in which the Notary is appointed.

SEC. 85. *Certificate of appointment to be forwarded to the Secretary of the Chief Executive.*—Clerks of Courts of First Instance shall make and forward to the Secretary of the Chief Executive of the Islands, a certificate of the appointment of Notaries Public made in their respective provinces, and with the terms of office, immediately after the commission and oath of office are recorded in said clerk's office, which certificate shall be recorded in the office of the Secretary of the Chief Executive.

SEC. 86. *Seal.*—Each Notary Public shall have a seal of office, which shall be affixed to papers officially signed by him. The seal shall be procured by the Notary at his own expense, and shall have the name of the province and the words "Philippine Islands," and his own name, on the margin thereof, and the words "Notary Public" across the center.

SEC. 87. *Register of official acts.*—Every Notary Public shall keep a register of all his official acts, and shall give a certified copy of his record, or any part thereof, to any person applying for it, and paying the legal fees therefor.

SEC. 88. *Powers of notary public.*—Every Notary Public shall have power, within his province, to administer all oaths and affirmations provided for by law, in all matters incident to his notarial office, and in the execution of affidavits, depositions, and other documents requiring an oath, and to receive the proof or acknowledgment of all writings relating to commerce or navigation, such as bills of sale, bottomries, mortgages, and hypothecations of ships, vessels or boats, charter parties of affreightments, letters of attorney, deeds, mortgages, transfers and assignments of land or buildings, or an interest therein, and such other writings as are commonly proved or acknowledged before Notaries; to act as Magistrates, in writing of affidavits or depositions, and to make declarations and testify the truth thereof, under his seal of office, concerning all matters done by him by virtue of his office.

SEC. 89. *Record of protest of bills or notes.*—When a Notary Public shall protest any draft, bill of exchange, or promissory note, he shall make a full and true record in his register or book kept for that purpose, of all his proceedings in relation thereto, and shall note therein whether the demand for the sum of money therein mentioned was made, of whom, when, and where; whether he presented such draft, bill or note; whether notices were given, to whom, and in what manner; where the same was made, and when, and to whom, and where directed; and of every other fact touching the same.

SEC. 90. *To affix date of expiration of commission.*—Notaries Public shall affix to all acknowledgments taken and certified by them, according to law, the date on which their commissions expire.

SEC. 91. *Unlawful certification.*—Any Notary Public who shall wilfully affix his signature and seal as Notary Public to an instrument after the expiration of his commission, shall be guilty of a misdemeanor, and punished by fine not exceeding five hundred dollars or imprisonment for a period not exceeding one year, or both, in the discretion of the court.

SEC. 92. *When to take effect.*—This Act shall take effect on June 16, 1901.

Enacted, June 11, 1901.

[No. 137.]

AN ACT extending the provisions of "the Provincial Government act" to the Province of Rizal.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All the provisions of an act entitled "A General Act for the Organization of Provincial Governments in the Philippine Islands," enacted February 6, 1901, and its amendments shall apply to and govern the establishment of a provincial government in all that territory in the Island of Luzon, excepting the city of Manila, known as the Province of Manila, and the politico-military district of Morong, with such exceptions, modifications and supplementary provisions as are hereinafter contained.

SEC. 2. The province hereby organized shall be known as the Province of Rizal.

SEC. 3. The compensation to be paid provincial officers of the Province of Rizal shall be at the following rate per year, money of the United States:

For the Provincial Governor, eighteen hundred dollars (\$1,800);

For the Provincial Secretary, twelve hundred dollars (\$1,200);

For the Provincial Treasurer, twenty-two hundred dollars (\$2,200);

For the Provincial Supervisor, eighteen hundred dollars (\$1,800);

For the Provincial Fiscal, twelve hundred dollars (\$1,200).

The salary of provincial officers shall be payable monthly so that one-twelfth ($\frac{1}{12}$) of the annual salary shall be paid on the last day of each calendar month.

Each provincial officer shall be allowed his necessary and actual traveling expenses, not exceeding two and one-half dollars (\$2.50) per day, while absent from the capital of the province on official business. The allowance shall be made by the Provincial Board upon the certificate of the officer that the travel was necessary for the public business, and shall not be paid until the account, accompanied by the resolution of the board approving the same, shall be forwarded to the Insular Treasurer and by him approved.

SEC. 4. The bond of the Provincial Treasurer shall be ten thousand dollars (\$10,000) until the first day of March, 1902, when, in view of the collection of the land tax, the Commission may require a new bond or an additional bond to cover the probable increase of the funds of which the Provincial Treasurer shall have custody at any one time. The bond to be given shall be conditioned to secure on the part of the Provincial Treasurer that he shall account for the internal revenue collections coming into his hands as Internal Revenue Collector; the taxes collected by him for each municipality; for the province; and for the Central Government. The form of the bond shall be prescribed by the Insular Treasurer. If, upon the request of the Commission, the Military Governor shall detail any military officer to fill a provincial office, no bond shall be required of him and no salary shall be paid him until after July 1, 1901.

SEC. 5. The presidentes or alcaldes of the municipalities of the province shall meet on the third Monday in January, April, July and October to consider improvements needed in the province and for the provincial governments, and to make recommendations to the Provincial Board. The convention shall be called together by the Provincial Secretary, and shall elect a chairman for each quarter's

session. The Provincial Secretary shall act as secretary of the convention, and shall certify its recommendations to the Provincial Board.

SEC. 6. The capital of the province shall be at the town of Pasig.

SEC. 7. It shall be the duty of the Provincial Board to see to it that as nearly as possible the amounts spent for improvements from provincial funds in that part of the province which was the District of Morong shall bear the same proportion to the amount spent in the whole province for improvements as the taxes collected from Morong shall bear to the taxes collected in the whole province.

SEC. 8. It shall be the duty of the Provincial Supervisor to make an examination of the causes for the flooding of the towns of the province situate on the Laguna de Bay and the rivers flowing into the same, for the purpose of determining a method of preventing a recurrence of the flooding and the consequent injuries therefrom. The Provincial Supervisor shall submit his report upon this subject, and his recommendations, to the Provincial Board, who shall transmit the same, with such comment as it deems proper, through the Chief Executive, to the Commission, for enabling legislation, if necessary.

SEC. 9. This act shall take effect on its passage.

Enacted, June 11, 1901.

[No. 138.]

AN ACT extending the provisions of "the Provincial Government act" to the Province of Cavite.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All the provisions of an act entitled "A General Act for the Organization of Provincial Governments in the Philippine Islands," enacted February 6, 1901, and its amendments, shall apply to and govern the establishment of a provincial government in that territory in the Island of Luzon known as the Province of Cavite, together with the Island of Lubang and with the smaller islands immediately adjacent to the Island of Lubang, all to be known as the Province of Cavite, with such exceptions, modifications and supplementary provisions as are hereinafter contained.

SEC. 2. The compensation to be paid provincial officers of the Province of Cavite shall be at the following rate per year, money of the United States:

- For the Provincial Governor, eighteen hundred dollars (\$1,800);
- For the Provincial Secretary, twelve hundred dollars (\$1,200);
- For the Provincial Treasurer, twenty-two hundred dollars (\$2,200);
- For the Provincial Supervisor, eighteen hundred dollars (\$1,800);
- For the Provincial Fiscal, fifteen hundred dollars (\$1,500).

The salary of provincial officers shall be payable monthly so that one-twelfth ($\frac{1}{12}$) of the annual salary shall be paid on the last day of each calendar month.

Each provincial officer shall be allowed his necessary and actual traveling expenses, not exceeding two and one-half dollars (\$2.50) per day, while absent from the capital of the province on official business. The allowance shall be made by the Provincial Board upon the certificate of the officer that the travel was necessary for the public business, and shall not be paid until the account, accompanied by the resolution of the board approving the same, shall be forwarded to the Insular Treasurer and by him approved.

SEC. 3. The bond of the Treasurer shall be ten thousand dollars (\$10,000), until the first day of March, 1902, when, in view of the collection of the land tax, the Commission may require a new bond or an additional bond to cover the probable increase of the funds of which the Provincial Treasurer shall have custody at any one time. The bond to be given shall be conditioned to secure on the part of the Provincial Treasurer that he shall account for the Internal Revenue collections coming into his hands as Internal Revenue Collector; the taxes collected by him for each municipality; for the province; and for the Central Government. The form of the bond shall be prescribed by the Provincial Treasurer. If, upon the request of the Commission, the Military Governor shall detail any military officer to fill a provincial office, no bond shall be required of him and no salary shall be paid him until after July 1, 1901.

SEC. 4. The presidentes or alcaldes of the municipalities of the province shall meet on the third Monday in January, April, July, and October to consider improvements needed in the province and for the provincial government, and to make recommendations to the Provincial Board. The convention shall be called together by the Provincial Secretary and shall elect a chairman for each quarter's session. The Provincial Secretary shall act as secretary of the convention, and shall certify its recommendations to the Provincial Board.

SEC. 5. The capital of the province shall be, as formerly, at the town of Cavite, provided, however, that at the quarterly meeting of the presidentes, held on the third Monday in October, 1902, if a majority of the presidentes of the province shall vote in favor of changing the capital from the town of Cavite to some other town in the province, such other town shall become the capital. The Provincial Secretary shall certify the record of such action to the Provincial Board, to the Chief Executive of the islands and to the presidente of each town of the province, who shall post the same in five conspicuous places in his town.

SEC. 6. This act shall take effect on its passage.

Enacted, June 11, 1901.

[No. 139.]

AN ACT extending the provisions of "the Provincial Government act" to the Province of Nueva Ecija.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All the provisions of an act entitled "A General Act for the Organization of Provincial Governments in the Philippine Islands," enacted February 6, 1901, and its amendments, shall apply to and govern the establishment of a provincial government in that territory in the Island of Luzon heretofore known as the Province of Nueva Ecija, except the four towns of Umingan, Rosales, San Quintín and Balungao, heretofore incorporated in the Province of Pangasinan by Act No. 86, passed February 16, 1901, with such exceptions, modifications and supplementary provisions as are hereinafter contained.

SEC. 2. The compensation to be paid provincial officers of the Province of Nueva Ecija, shall be at the following rate per year, money of the United States:

For the Provincial Governor, sixteen hundred dollars (\$1,600);

For the Provincial Secretary, eleven hundred dollars (\$1,100);
For Provincial Treasurer, two thousand dollars (\$2,000);
For the Provincial Supervisor, sixteen hundred dollars (\$1,600);
For the Provincial Fiscal, fifteen hundred dollars (\$1,500).

The salary of provincial officers shall be payable monthly so that one-twelfth ($\frac{1}{12}$) of the annual salary shall be paid on the last day of each calendar month.

Each provincial officer shall be allowed his necessary and actual traveling expenses, not exceeding three dollars (\$3) per day, while absent from the capital of the province on official business. The allowance shall be made by the Provincial Board upon the certificate of the officer that the travel was necessary for the public business, and shall not be paid until the account, accompanied by the resolution of the Board approving the same, shall be forwarded to the Insular Treasurer and by him approved.

SEC. 3. The bond of the Provincial Treasurer shall be nine thousand dollars (\$9,000), until the first day of March, 1902, when, in view of the collection of the land tax, the Commission may require a new bond or an additional bond to cover the probable increase of the funds of which the Provincial Treasurer shall have custody at any one time. The bond to be given shall be conditioned to secure on the part of the Provincial Treasurer that he shall account for the internal revenue collections coming into his hands as Internal Revenue Collector; the taxes collected by him for each municipality; for the province; and for the Central Government. The form of the bond shall be prescribed by the Insular Treasurer. If, upon the request of the Commission, the Military Governor shall detail any military officer to fill a provincial office, no bond shall be required of him and no salary shall be paid him until after July 1, 1901.

SEC. 4. The presidentes or alcaldes of the municipalities of the province shall meet on the third Monday in May and November to consider improvements needed in the province and for the provincial government, and to make recommendations to the Provincial Board. The convention shall be called together by the Provincial Secretary, and shall elect a chairman for each semi-annual session. The Provincial Secretary shall act as secretary of the convention, and shall certify its recommendations to the Provincial Board.

SEC. 5. The capital of the province shall be, as formerly, at the town of San Isidro, provided, however, that if at the semi-annual meeting of presidentes to be held on the third Monday of November, 1902, under the preceding section, a majority of all the presidentes of the province shall vote to change the capital from San Isidro to some other town in the province, such town, after the first of January, 1903, shall then become the capital.

SEC. 6. At the general election to be held in December, 1901, there shall be submitted to the qualified voters of each of the towns of Umingan, Rosales, San Quintín and Balungao the question whether it shall be restored to the Province of Nueva Ecija or not. Ballots shall be furnished to the voter, bearing the legend "*For restoration to Nueva Ecija—Yes; For restoration to Nueva Ecija—No.*" If a majority of the qualified voters of any of the four named towns voting at the election shall vote in favor of its restoration to Nueva Ecija, then the Board of Elections of such town shall certify this fact to the Provincial Governor of Pangasinan, to the Provincial Governor of Nueva Ecija and to the Chief Executive of the Islands, and the Governor of Nueva Ecija shall cause to be posted at the door of the

Municipal Building and in each barrio a statement of the vote and a declaration that the town was thereby incorporated in Nueva Ecija, and thereafter the town shall be treated as a part of the Province of Nueva Ecija. If the result of the election is that the affirmative vote in favor of the restoration of the towns to Nueva Ecija is not a majority of the votes cast, then the result shall be certified by the Board of Election to the Governor of Pangasinan, to the Governor of Nueva Ecija and to the Chief Executive of the Islands, and no further action be taken.

SEC. 7. The Provincial Board of Nueva Ecija shall have authority to unite with the Provincial Boards of Tarlac, Pampanga and Bulacan and with the manager of the Manila and Dagupan Railroad Company in the employment of a competent engineer or engineers to devise as economic a plan as possible for protecting the roads and agricultural lands and towns of the four provinces and the roads and bridges of the Manila and Dagupan Railroad from the destructive effect of floods in the Tarlac, the Bamban and the Rio Grande de Pampanga Rivers by levees or other recognized means of protection against such floods, but the expenditure by the Provincial Board of Nueva Ecija in such joint arrangement shall be limited to five hundred dollars (\$500). The engineer or engineers selected shall consult with the provincial supervisors of the four provinces and shall make a report to the Provincial Board of each province, which shall transmit the same, with its recommendations, to the Chief Executive of the Islands for further enabling legislation.

SEC. 8. This act shall take effect on its passage.

Enacted, June 11, 1900.

[No. 140.]

AN ACT defining the judicial districts of the Philippine Islands, prescribing the salaries of the judges thereof, and the times when and the places where terms of Courts of the First Instance shall be held in the several districts.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The following judicial districts for Courts of First Instance in the Philippine Islands are hereby established:

The city of Manila shall constitute one judicial district, to be known as the Judicial District of Manila, and the other judicial districts shall severally consist of the provinces and islands as hereinafter stated.

The First Judicial District shall consist of the Provinces of Ilocos Norte, Cagayan, Isabela and Nueva Viscaya.

The Second Judicial District shall consist of the Provinces of Ilocos Sur, Abra, Bontoc and Lepanto.

The Third Judicial District shall consist of the Provinces of Union, Benguet, Pangasinan and Zambales.

The Fourth Judicial District shall consist of the Provinces of Tarlac, Pampanga and Nueva Ecija.

The Fifth Judicial District shall consist of the Provinces of Bulacan, Bataan and Rizal.

The Sixth Judicial District shall consist of the Provinces of Laguna, Cavite, Principe, Tayabas, Infanta and the Island of Polillo.

The Seventh Judicial District shall consist of the Provinces of Batangas, Marinduque and Mindoro.

The Eighth Judicial District shall consist of the Provinces of Sorsogon, Albay, Ambos Camarines, Masbate, and shall include also the Island of Catanduanes.

The Ninth Judicial District shall consist of the Provinces of Romblon, Capiz and Iloilo.

The Tenth Judicial District shall consist of the Provinces of Antique, Occidental Negros and Oriental Negros.

The Eleventh Judicial District shall consist of the Provinces of Cebu and Bohol.

The Twelfth Judicial District shall consist of the Provinces of Samar, Leyte and Surigao.

The Thirteenth Judicial District shall consist of the Provinces of Misamis, the Island of Basilan, and the districts of the Island of Mindanao known as Zamboanga, Cottabato and Davao, and the Comandancia of Dapitan.

The Fourteenth Judicial District shall consist of the Island of Paragua, with its contiguous small islands, the Tawi-Tawi Group, the Jolo Group, the Calamianes Group, and the Cuyos Group.

SEC. 2. The annual salaries of the Judges of the Courts of First Instance for the several districts shall be as follows, payable monthly:

For the Second, Thirteenth and Fourteenth Districts, three thousand dollars.

For the First District, three thousand, five hundred dollars.

For the Fifth, Sixth, Seventh and Eighth Districts, four thousand dollars.

For the Third, Fourth, Tenth and Twelfth Districts, four thousand, five hundred dollars.

For the Ninth and Eleventh Districts, five thousand dollars.

For the District of Manila, five thousand, five hundred dollars.

SEC. 3. The several Judges of Judicial Districts shall hold regular terms of a Court of First Instance within their districts, at the times and places hereinafter prescribed:

MANILA.

In and for the city of Manila, commencing on the first Mondays of January, April, July and October.

FIRST DISTRICT.

At Laoag, in and for the Province of Ilocos Norte, commencing on the first Tuesdays of January and July of each year.

At Tuguegarao, in and for the Province of Cagayan, commencing on the third Tuesdays of February and August of each year.

At Iligan, in and for the Province of Isabela, commencing on the first Tuesdays of April and October of each year.

At Bayombong, in and for the Province of Nueva Vizcaya, commencing on the first Tuesdays of May and November of each year.

SECOND DISTRICT.

At Vigan, in and for the Province of Ilocos Sur, commencing on the first Tuesdays of January, May, July and November of each year.

At Bangued, in and for the Province of Abra, commencing on the third Tuesdays of February and August of each year.

At Cayan, in the Province of Lepanto, for the Provinces of Bontoc and Lepanto, on the first Tuesdays of April and October each year.

THIRD DISTRICT.

At Lingayen, in and for the Province of Pangasinan, commencing on the first Tuesdays of January, May, July and November of each year.

At San Fernando, in the Province of Union, for the Provinces of Union and Benguet, commencing on the third Tuesdays of February and August of each year. But the Judge may, at any time not inconsistent with the other dates hereby fixed for sessions of court within his district, hold a special session of the court at Baguio in and for the Province of Benguet.

At Iba, in and for the Province of Zambales, commencing on the first Tuesdays of April and October of each year.

FOURTH DISTRICT.

At Bacolor, in and for the Province of Pampanga, commencing on the first Tuesdays of January, May, July and November of each year.

At Tarlac, in and for the Province of Tarlac, commencing on the third Tuesdays of February and August of each year.

At San Isidro, in and for the Province of Nueva Ecija, commencing on the first Tuesdays of April and October of each year.

FIFTH DISTRICT.

At Pasig, in and for the Province of Rizal, commencing on the first Tuesdays of January, May, July and November of each year.

At Malolos, in and for the Province of Bulacan, commencing on the third Tuesdays of February and August of each year.

At Balanga, in and for the Province of Bataan, commencing on the first Tuesdays of April and October of each year.

SIXTH DISTRICT.

At Santa Cruz, in and for the Province of Laguna, commencing on the first Tuesdays of January and July of each year.

At Cavite, in and for the Province of Cavite, commencing on the third Tuesdays of February and August of each year.

At Lucena, in the Province of Tayabas, for all that part of the Province of Tayabas lying on the southern side of the mountain range, including the municipalities of Quilbay, Guinayangan and San Narciso, commencing on the first Tuesdays of April and October of each year.

At Mauban, in the Province of Tayabas, for all that part of the Province of Tayabas lying on the northern or Pacific side of the mountain range, and for the Provinces of Infanta and Principe and the Island of Polillo, commencing on the first Tuesdays of May and November of each year.

All actions which by the law of venue prescribed in the Code of Civil Procedure would be triable in the southern half of the Province of Tayabas, shall be triable at Lucena, and all those which by the same law would be triable in the northern or Pacific half of that province shall be triable at Mauban.

SEVENTH DISTRICT.

At Batangas, in and for the Province of Batangas, commencing on the first Tuesdays of January, May, July and November of each year.

At Boac, in and for the Province of Marinduque, commencing on the third Tuesdays of February and August of each year.

At Calapan, in and for the Province of Mindoro, commencing on the first Tuesdays of April and October of each year.

EIGHTH DISTRICT.

At Nueva Caceres, in the Province of Ambos Camarines, for the territory known as Camarines Sur, commencing on the first Tuesdays of January and July of each year.

At Daet, in the Province of Ambos Camarines, for the territory known as Camarines Norte, commencing on the first Tuesdays of June and December of each year.

At Albay, in and for the Province of Albay, and for the island of Catanduanes, commencing on the third Tuesdays of February and August of each year.

At Sorsogon, in and for the Province of Sorsogon, commencing on the first Tuesdays of April and October of each year.

NINTH DISTRICT.

At Iloilo, in and for the Province of Iloilo, commencing on the first Tuesdays of January, May, July and November of each year.

At Capiz, in and for the Province of Capiz, commencing on the third Tuesdays of February and August of each year.

At Romblon, in and for the Province of Romblon, commencing on the first Tuesdays of April and October of each year.

TENTH DISTRICT.

At Bacolod, in and for the Province of Occidental Negros, commencing on the first Tuesdays of January, May, July and November of each year.

At Dumaguete, in and for the Province of Oriental Negros, commencing on the third Tuesdays of February and August of each year.

At San Jose, in and for the Province of Antique, commencing on the first Tuesdays of April and October of each year.

ELEVENTH DISTRICT.

At Cebu, in and for the northern half of the Island of Cebu, commencing on the first Tuesdays of January, May, July and November of each year.

At Barili, in and for the southern half of the Island of Cebu, commencing on the third Tuesdays of February and August of each year.

For the purposes of this act, the southern half of the Island of Cebu shall consist of the pueblos of Barili, Daan-Bantayan, San Remigio, Medellin, Bantayan, Santa Fe, Tuburan, Asturias, Balamban, Toledo, Pinamungajan, Aloguinsan, Dumanjug, Ronda, Moalboal, Alcantara, Badian, Alegria, Malaboyoc, Ginatilan, Sambuan, San Sebastian.

And the northern half shall consist of the remaining pueblos of the Province of Cebu.

All actions which by the law of venue prescribed in the Code of Civil Procedure would be triable in the northern half of Cebu, shall be triable at Cebu; and all those which by the same law would be triable in the southern half of Cebu, shall be triable at Barili.

At Tagbilaran, in and for the Province of Bohol, commencing on the first Tuesdays of April and October of each year.

TWELFTH DISTRICT.

At Tacloban, in and for the northern half of the Province of Leyte, commencing on the first Tuesdays of January and July of each year; and

At Maasin, in and for the southern half of the Province of Leyte, commencing on the third Tuesdays of February and August of each year.

For the purposes of this act, the northern half of Leyte shall include the following municipalities: Abuyoc, Alangalang, Almeria, Barugo, Babatugon, Burauen, Biliran, Carigara, Capoccan, Caibiran, Dagami, Dulag, Jaro, Leyte, Naval, Pastrana, Palo, San Isidro, San Miguel, Tolosa, Tanauan, Tacloban, Tabon-Tabon, Villaba, Cajagnaan, Maripipi, Malibago;

And the southern half shall consist of the remaining municipalities of the Province of Leyte.

All actions which by the law of venue prescribed in the Code of Civil Procedure would be triable in the northern half of the Province of Leyte shall be triable at Tacloban, and all those which by the same law would be triable in the southern half of the Province of Leyte shall be triable at Maasin.

At Surigao, in and for the Province of Surigao, commencing on the first Tuesdays of April and October of each year.

At Catbalogan, in and for the Province of Samar, commencing on the first Tuesdays of May and November of each year.

THIRTEENTH DISTRICT.

At Cagayan, in and for the Province of Misamis, commencing on the first Tuesdays of January and July of each year.

At Dapitan, in and for the Comandancia of Dapitan, commencing on the third Tuesdays of February and August of each year.

At Zamboanga, in and for the district known as Zamboanga, commencing on the second Tuesdays of March and September of each year.

At Cottabato, in and for the district known as Cottabato, commencing on the second Tuesdays of April and October of each year.

At Davao, in and for the district known as Davao, commencing on the fourth Tuesdays of April and October of each year.

At Basilan, in and for the Island of Basilan, commencing on the second Tuesdays of May and November of each year.

FOURTEENTH DISTRICT.

At Jolo, in and for the Jolo Group, commencing on the first Tuesdays of January and July of each year.

At Bongao, in and for the Tawi-Tawi Group, commencing on the third Tuesdays of February and August of each year.

At Puerto Princesa, in the Island of Paragua, for the Island of Paragua and its adjacent islands, commencing on the first Tuesdays of April and October of each year.

At Cuyo, in the Cuyo Islands, for the Calamianes Islands and the Cuyo Islands, commencing on the first Tuesdays of May and November of each year.

SEC. 4. Actions triable in Courts of First Instance and arising in any island not included within any province, and not in this act specifically mentioned, shall be triable in the Court of First Instance held in that island or province nearest to the island in which the cause of action shall arise.

SEC. 5. A Judge of the Court of First Instance may hold a special term of court at any time, when in his opinion the public good so requires, at a place provided by this act for holding regular terms of court in his district. The proceedings of the court at such special term shall be in all respects as valid and effective as though had at the regular term.

SEC. 6. A Judge of First Instance shall have power to issue writs of injunction and to make orders appointing receivers in causes pending in a Court of First Instance within his district and all other preliminary and interlocutory orders, when he is within the district but without the province; and to hear and determine, when within the district but without the province, any interlocutory motion or issue after due and reasonable notice to the parties; but all final hearings shall be had within the province unless the parties by their counsel consent to a hearing at a place not within the province, provided, however, that after the final hearing is had, the final order or judgment may be entered by the Clerk of the Court at any time thereafter upon the written direction of the Judge if signed by him at any place within his district.

On the filing of a petition for the writ of habeas corpus or for release upon bail or reduction of bail in any Court of First Instance, the hearing may be had at any place in the district which the Judge shall deem convenient. All criminal trials must be tried at the place designated in the law as the place at which the court having jurisdiction thereof shall be held.

SEC. 7. This act shall take effect on its passage.

Enacted, June 12, 1901.

[No. 141.]

AN ACT to amend the Provincial Government act, No. 83, and the act amendatory thereof, No. 133.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The Provincial Government Act, No. 83, and the act amendatory thereof, No. 133, are hereby amended and supplemented by adding thereto the following numbered section:

“SEC. 39. The oaths of office may be administered to provincial officers by a member of the Commission, the Secretary to the same, the Governor of the province, or any United States army officer stationed in the province wherein the provincial officer is to perform his duties, by the Judge of First Instance within whose judicial district the said province lies, or by any other judicial officer having jurisdiction therein.”

SEC. 2. The public good requiring the speedy enactment of this act, the passage of the same is hereby expedited in accordance with Sec-

tion 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, June 18, 1901.

[No. 142.]

AN ACT to amend Act No. 104, entitled "An Act Extending the Provisions of the Provincial Government act to the Province of Romblon as therein defined."

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Section 4 of Act No. 104, entitled "An Act Extending the Provisions of the Provincial Government Act to the Province of Romblon as therein defined," is hereby amended by striking out the words "January" at the end of the second line thereof, "July" in the third line, "quarter's" in the seventh line, and substituting for the latter the word "semi-annual," so that the section shall read:

"SEC. 4. The presidentes or alcaldes of the municipalities of the province shall meet on the third Monday in April and October to consider improvements needed in the province and for the provincial government, and to make recommendations to the Provincial Board. The convention shall be called together by the Provincial Secretary and shall elect a chairman for each semi-annual session. The Provincial Secretary shall act as secretary of the convention, and shall certify its recommendations to the Provincial Board."

SEC. 2. The public good requiring the speedy enactment of this act, the passage of the same is hereby expedited in accordance with Section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, June 18, 1901.

[No. 143.]

AN ACT appropriating one hundred and forty-three thousand, seven hundred and forty-one dollars and thirty-two cents (\$143,741.32), or so much thereof as may be necessary, in money of the United States, for the expenses of the Insular Government not provided for in the general appropriation act for the second quarter of the year 1901.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The Chief Quartermaster, Division of the Philippines, is hereby authorized to expend from unexpended appropriations in his hands, eleven thousand, five hundred dollars (\$11,500), or so much thereof as may be necessary, for the salaries of clerks for the second quarter of the year 1901, in the offices of the Adjutant General of the headquarters of the departments of Northern Luzon, Southern Luzon, Visayas, and Mindanao and Jolo.

The Chief Quartermaster, Department of the Visayas, is hereby authorized to expend from funds in his hands appropriated under the the head of Miscellaneous Expenses, for the quarter ending March

31, 1901, one thousand, five hundred and seventy-five dollars (\$1,575), or so much thereof as may be necessary, for the following purposes: Witness fees, seven hundred and fifty dollars (\$750); printing for civil bureaus, two hundred and fifty dollars (\$250); transportation, five hundred and seventy-five dollars (\$575).

The Collector of Customs of the Islands and of the Chief Port is hereby authorized to pay the salaries of the following employés for the second quarter of the year 1901, appropriations for the same having been already made: One clerk, Class 3; one inspector, Class 8; three clerks, Class 9; four clerks, Class 10; seven clerks, Class A; two clerks, Class F; four clerks, Class I; twenty-six employés at an annual compensation of one hundred and eighty dollars (\$180) each; one employé at an annual compensation of one hundred and fifty dollars (\$150); fifteen employés at an annual compensation of one hundred and twenty dollars (\$120); and three employés at an annual compensation of ninety dollars (\$90) each.

SEC. 2. The following sums, or so much thereof as may be necessary, in money of the United States, are hereby appropriated out of any money in the Insular Treasury not otherwise appropriated to pay the expenses of the Insular Government not provided for in the General Appropriation Act for the second quarter of the year 1901:

CHIEF QUARTERMASTER, DIVISION OF THE PHILIPPINES.

For the payment of native scouts in the Department of Mindanao and Jolo for the months of May and June, eight thousand, five hundred and fifteen dollars (\$8,515); for repairs to officers' quarters at the Exposition grounds for the use of school teachers, seventeen hundred and fifty dollars (\$1,750); for repairs upon and equipment of the leper hospital at Palestina, Ambos Camarines, two thousand, four hundred and ninety-three dollars and thirty-four cents (\$2,493.34).

In all, twelve thousand, seven hundred and fifty-eight dollars and thirty-four cents (\$12,758.34), or so much thereof as may be necessary.

DISBURSING QUARTERMASTER OF CIVIL BUREAUS.

For the salary of one "escribiente" of the Court of First Instance at Balanga, for the second quarter of the year 1901, eighteen dollars (\$18); for increase in the salary of the head janitor of the Intendencia Building to twelve dollars and fifty cents per month and of three assistants to ten dollars (\$10) per month each, hereby authorized, for the month of June, eight dollars and seventy-five cents (\$8.75); for painting and overhauling the building occupied by the Captain of the Port, twelve hundred and fifty dollars (\$1,250).

In all, for the Disbursing Quartermaster of Civil Bureaus, one thousand, two hundred and seventy-six dollars and seventy-five cents (\$1,276.75), or so much thereof as may be necessary.

OFFICE OF THE PROVOST MARSHAL GENERAL AND DEPARTMENTS REPORTING TO HIM.

Department of Prisons:

For the salary of one clerk, Class 9, in Presidio de Manila for the second quarter of the year 1901, three hundred dollars (\$300); one clerk, Class 9, and for an increase of two dollars and fifty cents (\$2.50) a month in the salaries of three hospital stewards and one teamster,

authorized by Act No. 102, in Bilibid Prison, for the second quarter of the year 1901, three hundred and thirty dollars (\$330); for increase in the salaries in the Cárcel Pública, authorized by Act No. 102, one hundred and eighty-seven dollars and fifty cents (\$187.50); for the construction of a wire fence around the government property outside the walls of Bilibid Prison, eight hundred and twenty-five dollars (\$825); for improvements and repairs at Bilibid Prison, for the construction of a new pavilion and the completion of the gate house, sixteen thousand, one hundred and eighty-two dollars and sixty-nine cents (\$16,182.69).

In all, for the Department of Prisons, seventeen thousand, eight hundred and twenty-five dollars and nineteen cents (\$17,825.19), or so much thereof as may be necessary.

Department of the Adjutant General's Office:

For the services of a stenographic reporter for a military commission convened by the Provost Marshal General, five hundred dollars (\$500); for salary of one interpreter and translator at two hundred dollars (\$200) per month, for the second quarter of the year 1901, six hundred dollars (\$600); for two stenographers, Class 9, for May and June, 1901, for the Board on Preparation of Municipal Ordinances, four hundred dollars (\$400).

In all, for the Department of the Adjutant General's Office, one thousand, five hundred dollars (\$1,500), or so much thereof as may be necessary.

Department of Police:

For salaries for the second quarter of the year 1901, authorized by Act No. 102, one clerk and six Secret Service employes, Class 9; two Secret Service employes, Class A; three clerks and one Secret Service employe, Class D; one clerk and one Secret Service employe, Class F; eight clerks, Class G; two Secret Service employes, Class I; four Secret Service employes, Class J; two clerks and three Secret Service employes at a compensation at the rate of one hundred and eighty dollars (\$180) per annum each, and for an increase in salary of other employes authorized by Act No. 102, five thousand, two hundred and seventy-five dollars (\$5,275); for printing and stationery, five hundred and ninety-seven dollars and twenty-three cents (\$597.23); for reimbursement to Metropolitan messes for cooking for prisoners detained at stations prior to April 10th, two hundred and sixty-eight dollars and sixty-seven cents (\$268.67).

In all, for the Department of Police, six thousand, one hundred and forty dollars and ninety cents (\$6,140.90), or so much thereof as may be necessary.

Department of the Board or Health:

For two additional disinfecting carts and for transportation of officers acting as medical inspectors for May and June, 1901, five hundred and forty-nine dollars (\$549), or so much thereof as may be necessary.

Office of the City Engineer:

For the construction of a canal from an open estero in San Sebastian to the Estero de Tanduay, thirteen thousand and ninety-five dollars (\$13,095), or so much thereof as may be necessary.

Department of Water Supply:

For the repairs of the walls and roof of the deposito, and for the repairs of the pipe line and water conduit from the pumping station to the deposito, twenty-three hundred dollars (\$2,300), or so much thereof as may be necessary.

Department of City Schools:

For fitting up the municipal school for the temporary accommoda-

tion of teachers, seven hundred and fifty dollars (\$750), or so much thereof as may be necessary.

Department of Municipal Records:

For the salary of an interpreter and translator, Class 9, hereby authorized, for the Superior Provost Court, from February 24 to June 30, 1901, four hundred and fourteen dollars and twenty-nine cents (\$414.29), or so much thereof as may be necessary.

Department of Streets, Parks, Fire and Sanitation:

For an increase in salaries authorized by Act No. 102, over amount appropriated, three thousand, three hundred and twenty-two dollars and fifty cents (\$3,322.50); for the purchase of three fire engines, for hose wagons, two hook and ladder trucks, two coal carts, twenty-five American horses, eleven sets of double harness, three sets of single harness, one buggy, four thousand, five hundred (4,500) feet of hose, three chemical engines, and for repairs and alteration of fire stations, forty-three thousand, six hundred dollars (\$43,600).

In all, forty-six thousand, nine hundred and twenty-two dollars and fifty cents (\$46,922.50), or so much thereof as may be necessary.

Department of Licenses and Municipal Revenue:

For an increase in salaries authorized by Act No. 102, over amount appropriated, eleven hundred and sixty-four dollars (\$1,164); for matadero fuel, two hundred dollars (\$200).

In all, thirteen hundred and sixty-four dollars (\$1,364), or so much thereof as may be necessary.

Department of Inspection:

For subsistence and treatment of indigent natives and Spaniards at San Juan de Dios Hospital, four thousand, five hundred dollars (\$4,500), or so much thereof as may be necessary.

In all, for the Office of Provost Marshal General and departments reporting to him, ninety-five thousand, three hundred and sixty dollars and eighty-eight cents (\$95,360.88), or so much thereof as may be necessary.

TREASURER OF THE PHILIPPINE ARCHIPELAGO.

For the salaries of the following clerks for May and June, hereby authorized, one clerk, Class 7; one clerk, Class 8; and three clerks, Class 9, one thousand, one hundred dollars (\$1,100); for traveling expenses for the examination of banks and the offices of provincial treasurers, two hundred dollars (\$200).

In all, for the Treasurer of the Philippine Archipelago, one thousand, three hundred dollars (\$1,300), or so much thereof as may be necessary.

GENERAL SUPERINTENDENT OF PUBLIC INSTRUCTION.

For increase in the salary of one interpreter from nine hundred dollars (\$900) a year to one thousand dollars (\$1,000) a year, hereby authorized, for the month of June, eight dollars and thirty-three cents (\$8.33); for salaries of the following employés, hereby authorized, one clerk, Class 9, and three clerks, Class 10, for the month of June, and one packer at an annual salary of ninety dollars (\$90), for the months of May and June, three hundred and sixty-five dollars (\$365); for carrying on the experimental work at the experimental farm at Granja, Negros, with a view of incorporating the farm with the agricultural school to be established in Negros, under Act No. 74, one thousand dollars (\$1,000).

In all, one thousand, three hundred and seventy-three dollars and thirty-three cents (\$1,373.33), or so much thereof as may be necessary.

COLLECTOR OF INTERNAL REVENUE OF THE PHILIPPINE ISLANDS.

For tax refunds, one hundred and fifty-three dollars and four cents (\$153.04); rents and repairs to buildings at Tibmanan and Calbayog, sixty-four dollars and seventeen cents (\$64.17); for transportation for the internal revenue officers in Manila, and in the third district of Northern Luzon, fifty-eight dollars and thirty-five cents (\$58.35); for miscellaneous expenses for the office at Manila, twenty dollars and seventy-five cents (\$20.75); for salaries and wages at Iba, Bacoor, Tibmanan, Romblon, Palanoc, Tacloban, and Cebu, four hundred and twenty-six dollars and ninety-one cents (\$426.91).

In all, for the Collector of Internal Revenue of the Philippine Islands, seven hundred and twenty-three dollars and twenty-two cents (\$723.22), or so much thereof as may be necessary.

DIRECTOR GENERAL OF POSTS.

For rent of post-office buildings, twenty-four hundred dollars (\$2,400); sea transportation of foreign mails, three hundred dollars (\$300); miscellaneous expenses, twenty-five hundred dollars (\$2,500).

In all, for the Director General of Posts, five thousand, two hundred dollars (\$5,200), or so much thereof as may be necessary.

CAPTAIN OF THE PORT AT MANILA.

For advertising announcements for examinations for masters, mates, etc., fourteen dollars and fifty-five cents (\$14.55); forage, thirty dollars (\$30); ice and lights, forty dollars (\$40); salary of one laborer, Class J, for the month of June, twenty dollars (\$20); for office supplies, one hundred dollars (\$100); for printing, one hundred dollars (\$100); for salaries of members of Board of Examiners, forty dollars (\$40); for salaries and wages in lighthouses and signal stations, one hundred and eight dollars (\$108); for supplies for lighthouses and signal stations, twenty-seven dollars and eighty-eight cents (\$27.88); for the salary of L. A. Barreto, formerly employed in the Office of the Captain of the Port, from April 1 to May 15, one hundred and fifty dollars (\$150).

In all, for the Captain of the Port at Manila, six hundred and thirty dollars and forty-three cents (\$630.43), or so much thereof as may be necessary.

PHILIPPINE CIVIL SERVICE BOARD.

For salaries for second quarter of the year 1901: Two members of the board at three thousand, five hundred dollars (\$3,500) per annum each; one examiner, Class 4; one examiner, Class 5; three examiners, Class 8; one examiner, Class 9; one clerk, Class D; two messengers at a compensation at the rate of one hundred and fifty dollars (\$150) per annum each, four thousand, three hundred and eighty-seven dollars and fifty cents (\$4,387.50); for traveling expenses, three hundred and eighty-two dollars and thirteen cents (\$382.13); for the payment of a driver of an official carromata from January 15 to June 30, 1901, at the rate

of ten dollars (\$10) per month, fifty-five dollars (\$55); allowance for expenses of the Chief Examiner from Manila to Washington, one hundred and fifty dollars (\$150).

In all, for the Philippine Civil Service Board, four thousand, nine hundred and seventy-four dollars and sixty-three cents (\$4,974.63), or so much thereof as may be necessary.

MINING BUREAU.

For engineering supplies, one hundred and seventeen dollars and sixty cents (\$117.60); for the temporary employment of a native draughtsman at fifty cents per day, hereby authorized, from June 10th to June 30th, ten dollars (\$10).

In all, one hundred and twenty-seven dollars and sixty cents (\$127.60), or so much thereof as may be necessary.

FORESTRY BUREAU.

For authorized expenses for the months of May and June, six thousand, four hundred and seven dollars (\$6,407), or so much thereof as may be necessary.

CHIEF COMMISSARY, DIVISION OF THE PHILIPPINES.

For reimbursement for subsistence for native convicts in the following provinces: Camarines, Ilocos Norte and Sur, Union, Sorsogon, Tarlac, Cavite and Pangasinan, and in the islands of Mindanao, Panay, Samar and Jolo, two thousand, nine hundred and eleven dollars and twenty-two cents (\$2,911.22), or so much thereof as may be necessary.

COLLECTOR OF CUSTOMS OF THE ISLANDS AND OF THE CHIEF PORT.

For salaries of two clerks, Class A, hereby authorized, for the months of May and June, 1901, three hundred dollars (\$300); for the salary of one fourth-class inspector in the office of the Collector of the Port of Zamboanga, hereby authorized, for the months of May and June, one hundred and fifty dollars (\$150).

In all, for the Collector of Customs of the Islands and of the Chief Port, four hundred and fifty dollars (\$450), or so much thereof as may be necessary.

OFFICE OF THE CHIEF STATISTICIAN.

For salary of the Chief Statistician for the month of July, two hundred and ninety-one dollars and sixty-seven cents (\$291.67); for traveling expenses of the Chief Statistician to San Francisco, thirty dollars (\$30).

In all, three hundred and twenty-one dollars and sixty-seven cents (\$321.67).

UNITED STATES COAST AND GEODETIC SURVEY.

For completing the repairing and fitting of the steamer *Research*, five thousand dollars (\$5,000), or so much thereof as may be necessary.

GOVERNOR OF BENGUET.

For the construction of a jail in the Province of Benguet, under the supervision of the Governor, one thousand, two hundred dollars, (\$1,200); for expenses in an expedition against the Busols, seventy-one dollars and seventy-five cents (\$71.75).

In all, one thousand, two hundred and seventy-one dollars and seventy-five cents (\$1,271.75), or so much thereof as may be necessary.

PROVINCIAL GOVERNMENT OF LEYTE.

For the completion of the government pier at Tacloban, one hundred and twenty-five dollars (\$125), or so much thereof as may be necessary.

COMMANDING OFFICER, DEPARTMENT OF MINDANAO AND JOLO.

For the purpose of settling certain claims arising between certain dattos in the Cottabato region and Filipinos, growing out of disturbances and looting which occurred before the arrival of American troops, such appropriation not conceding the liability of the United States or making a precedent in other cases, twenty-four hundred dollars (\$2,400), or so much thereof as may be necessary.

MISCELLANEOUS.

For W. W. Plumb, Deputy Collector of Customs at Jolo, for reimbursement for money paid out to A. G. Keck and J. H. Stanfield, 23d Infantry, U. S. A., for actual services rendered, and in ignorance of the provisions of the United States statute making the receipt of such compensation by soldiers unlawful, three hundred and fifty dollars (\$350).

For F. W. Vaille, former Director General of Posts, for allowance for expenses from Manila to Washington, one hundred and thirty-nine dollars and fifty cents (\$139.50).

For Lim Ponzon, attorney in fact for Lim Laosiat, for refund of money seized in October, 1899, but not condemned by any tribunal, six hundred and forty dollars (\$640).

Total appropriations for all purposes, in money of the United States, one hundred and forty-three thousand, seven hundred and forty-one dollars and thirty-two cents (\$143,741.32).

SEC. 3. The public good requiring the speedy enactment of this appropriation bill, the passage of the same is hereby expedited in accordance with Section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 4. This act shall take effect on its passage.

Enacted, June 21, 1901.

[No. 144.]

AN ACT amending "An act for the reorganization of the Forestry Bureau of the Philippine Islands."

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The following additional employés are hereby authorized for the Forestry Bureau:

- (a) Four foresters, at two hundred dollars (\$200.00) per month each;
 - (b) Three inspectors, at one hundred and fifty dollars (\$150.00) per month each;
 - (c) One collector, at one hundred and twenty-five dollars (\$125.00) per month;
 - (d) Four assistant inspectors, at one hundred dollars (\$100.00) per month each;
 - (e) Two clerks, at fifty dollars (\$50.00) per month each;
 - (f) Twenty rangers, at thirty-five dollars (\$35.00) per month each;
- all in money of the United States.

SEC. 2. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with Section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, June 21, 1901.

[No. 145.]

AN ACT authorizing the appointment of disbursing clerks in the various civil departments, bureaus and offices, prescribing the duties of disbursing clerks, and fixing their compensation as such.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Each head of a civil department, bureau or office is hereby authorized to appoint, in accordance with law, a disbursing clerk, whose duties shall be to disburse, in accordance with law and upon approval of the head of the department, bureau or office to which his duties relate, all moneys appropriated for said department, bureau or office. Said disbursing clerks shall be appointed from among the clerks in their respective departments, bureaus or offices not below the grade of Class 7, and shall each give a bond to the Government of the Philippine Archipelago, in such amount as shall be directed by the United States Philippine Commission, for the faithful discharge of the duties of his office according to law. Each disbursing clerk shall receive, in compensation for his services in disbursing, the sum of two hundred dollars (\$200) per annum in addition to his salary as a clerk of the grade held by him; provided, however, that upon the joint recommendation of the Auditor and Treasurer for the Archipelago, the Chief Executive of the Insular Government may direct that the smaller departments or bureaus may be combined for the purposes of disbursement, and one disbursing officer charged with the duty of disbursing for all departments or bureaus thus combined be appointed by the Chief Executive from one of the clerks in such departments or bureaus as heretofore provided. A disbursing officer or the head of any department, bureau or office may apply for, and the Auditor shall render, his decision upon any question involving a payment to be made by them or under them, which decision, when rendered, shall govern the Auditor in passing upon the account containing the said disbursement.

SEC. 2. It shall be the duty of every disbursing officer, including the Insular Purchasing Agent, having any public moneys intrusted to him for disbursement, to deposit the same with the Treasurer of the Islands or a designated depository, and to draw for the same as may

be required for payments to be made by him in pursuance of law, and draw for the same only in favor of the persons to whom payment is made; and all original transfers from the treasury to a disbursing officer shall be by warrant on the treasury, as provided by Act No. 90.

SEC. 3. Whenever any person accountable for public money neglects or refuses to pay into the treasury, when required to do so, the sum or balance certified to be due upon the adjustment of his account, the Auditor shall, as provided in Rule 30, of Act No. 90, institute suit for the recovery of the same, with interest at six per cent. per annum from the time of receiving the money until it shall be repaid into the treasury.

SEC. 4. All officers, agents or other persons receiving public moneys shall render distinct accounts to the Insular Auditor of the application thereof, according to the appropriations under which the same may have been advanced to them.

SEC. 5. Whenever any original check is lost, stolen, or destroyed, disbursing officers and agents of the Government of the Philippine Archipelago are authorized, after the expiration of three months, and within one year from the date of such check, to issue a duplicate check, and the Treasurer, or designated depositories of the government, are directed to pay such duplicate checks, upon notice and proof of the loss of the original checks, under such regulations in regard to their issue and payment, and upon the execution of such bonds, with sureties, to indemnify the Government of the Philippine Archipelago as the Auditor and Treasurer shall jointly prescribe.

SEC. 6. In case the disbursing officer or agent by whom such lost, destroyed, or stolen original check was issued, is dead, or no longer in the service of the Government of the Philippine Archipelago, it shall be the duty of the Auditor to state an account in favor of the owner of the original check for the amount thereof, and to charge such amount to the account of such officer or agent, or to the account of "outstanding liabilities," if the amount has been deposited to said account, as provided in Rule 31 of Act No. 90.

SEC. 7. The amounts of the accounts of every kind of disbursing officer, which shall have remained unchanged, or which shall not have been increased by any new deposit thereto, nor decreased by drafts or checks drawn thereon, for the space of one year, shall be covered into the treasury, as provided in Rule 31 of Act No. 90, and the amounts thereof shall, on the certificate of the Treasurer that such amount has been deposited in the treasury, be credited by the Auditor to the officer in whose name it had stood on the books of the depository, if it appears that he is entitled to such credit.

SEC. 8. The Treasurer and designated depositories shall, at the close of business on every thirtieth day of June, report to the Auditor the condition of every account standing, as in the preceding sections specified, on their books, stating the name of each depositor, with his official designation, the total amount remaining on deposit to his credit, and the dates, respectively, of the last credit, and the last debit made to each account. And each disbursing officer shall make a like return of all checks issued by him, and which may then have been outstanding and unpaid for one year and more, stating fully in such report the name of the payee, for what purpose each check was given, the depository on which drawn, the number of the voucher received therefor, the date, number and amount for which it was drawn, and, when known, the residence of the payee.

SEC. 9. The provisions of this act shall, in every case, be construed in harmony with the provisions of Act No. 90.

SEC. 10. The public good requiring the speedy enactment of this act, its passage is hereby expedited in accordance with Section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 11. This act shall take effect on its passage.

Enacted, June 21, 1901.

[No. 146.]

AN ACT creating the office of Insular Purchasing Agent for the Government of the Philippine Archipelago, defining the duties of such officer, and making an appropriation of one hundred thousand dollars (\$100,000) for the purpose of carrying said act into effect.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. In order to secure in the most economical and expeditious manner supplies for the various civil departments and offices, and to enable an accurate account of the expenditures in behalf of each department or office to be kept, there is hereby created and shall be maintained in the Government of the Philippine Archipelago the office of Insular Purchasing Agent. The duties of such officer shall be to buy such furniture, stationery and supplies of every kind and description as may be required by the various departments and offices of the Insular Government, by the provincial governments and by the government of the city of Manila in the transaction of official business, and for the purchase of which appropriations may be made by the Commission or Provincial Boards as the case may be.

SEC. 2. The said Purchasing Agent shall be appointed by the Philippine Commission, and shall give a bond to the satisfaction of the Chief Executive of the Islands in the sum of twenty-five thousand dollars (\$25,000) for the faithful discharge of his duties and the proper accounting for all moneys and property which may come into his hands.

SEC. 3. The sum of one hundred thousand dollars (\$100,000) is hereby appropriated out of any money in the Treasury not otherwise appropriated, to be available on the first day of July, 1901, for the purchase of articles and supplies hereunder.

SEC. 4. The sum hereby appropriated shall not be chargeable with any of the expense connected with the administration of the office of the Purchasing Agent, such expense to be provided for by separate appropriation, but the necessary cost of freight and cartage and similar charges, including insurance, shall be a proper charge against this appropriation and included in the cost of such articles and supplies. All articles purchased under this act and imported shall be admitted free of duty.

SEC. 5. Each head of a civil department, bureau or office shall submit semi-annually, at the beginning and middle of each fiscal year, to the said purchasing agent, an estimate of articles or supplies which will probably be required for the transaction of its official business for the ensuing six months, such estimates to be used as a basis upon which the Purchasing Agent may make necessary purchases. Whenever practicable such purchases amounting to one thousand dollars (\$1,000) or more shall be made under contract after advertisement, but in all cases wherein an emergency exists requiring immediate

delivery, purchase may be made without such contract and advertisement, on the approval of the Chief Executive.

SEC. 6. Each head of a department or bureau of the insular government or the city of Manila and each provincial supervisor shall make written requisition from time to time upon the Purchasing Agent for all articles he may require, and for the payment of which he has an appropriation available. Payment for all articles and supplies so furnished shall be made to the Purchasing Agent, at the actual cost thereof, including freight and other proper charges, by the department, bureau or office or provincial or city government receiving the same, from its available appropriations.

SEC. 7. No articles shall be purchased or sold under the provisions of this Act for other than official purposes, and the purchaser or vendor knowingly violating this provision shall be guilty of a misdemeanor and punishable accordingly.

SEC. 8. The Purchasing Agent shall render to the Auditor cash and property accounts-current, covering all of his transactions, in such form as the Auditor shall prescribe. The books, records and property in the hands of the Purchasing Agent shall at all times be subject to inspection by the Auditor or his authorized agents.

SEC. 9. All moneys derived from the sale of articles and supplies to the departments, bureaus and offices, to provincial governments and the city government of Manila, as herein provided, shall revert to the appropriation made by this Act, and all deposits in the Treasury by the Purchasing Agent, on this account, shall be as repayments to said appropriation and so credited on the books of the Auditor.

SEC. 10. The public good requiring the speedy enactment of this Act, its passage is hereby expedited in accordance with Section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 11. This act shall take effect on its passage.

Enacted, June 21, 1901.

[No. 147.]

AN ACT authorizing the Collector of Customs to substitute for two clerks of Class A, three clerks of Class I.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The Collector of Customs and of the Chief Port be, and he hereby is, given authority, whenever vacancies occur in positions held by clerks of Class A, to change the number of clerks in his office by substituting for two clerks of Class A, three clerks of Class I, and to fill the three clerkships in Class I by appointment, as provided by the Civil Service Law.

SEC. 2. Whenever the Collector of Customs shall exercise the authority to make the change provided in the foregoing section, he shall certify the fact to the Military Governor, to the Philippine Commission, and to the Civil Service Board.

SEC. 3. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with Section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 4. This act shall take effect on its passage.

Enacted, June 21, 1901.

[No. 148.]

AN ACT regulating expenditure of money under appropriations, forbidding the allowances to officers or clerks for extra compensation, except in case of clerks or employes acting as night teachers in the public schools, and regulating the payment of traveling expenses.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All sums appropriated for the various branches of expenditure in the public service shall be applied solely to the objects for which they are respectively made, and for no others, and no moneys appropriated for contingent, incidental or miscellaneous purposes shall be expended or paid for official or clerical compensation.

SEC. 2. No allowance or compensation shall be made to any officer or clerk by reason of the discharge of duties which belong to any other officer or clerk in the same, or any other, department, and no allowance or compensation shall be made for any extra service, whatever, which any officer or clerk may be required to perform unless expressly authorized by law.

SEC. 3. No officer in any branch of the public service, or any other person, whose salary, pay or emoluments are fixed by law or regulations, shall receive any additional pay, extra allowance or compensation in any form whatever for the disbursement of public money, or for any other service or duty whatever, unless the same is authorized by law, and the appropriation therefor explicitly states that it is for such additional pay, extra allowance or compensation.

Provided, however, that the employment of clerks and employes in the various civil departments as evening or night teachers in the public schools is hereby authorized, such salaries being hereby made a proper charge against the appropriations available for the payment of salaries of teachers.

SEC. 4. Hereafter actual and necessary traveling expenses only shall be allowed to any person holding employment or appointment under the Government of the Philippine Archipelago, and all allowances in excess of the amount actually paid, except as herein provided, are declared illegal, and no credit shall be allowed to any of the disbursing officers of the Government of the Philippine Archipelago for payments or allowances in violation of this provision. Provided, that nothing herein contained shall be construed to prohibit the payment of a per diem in lieu of actual expenses.

SEC. 5. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with Section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 7. This act shall take effect on its passage.

Enacted, June 21, 1901.

[No. 149.]

AN ACT providing for the withdrawal from circulation, by the Treasurer, of worn-out or mutilated circulating notes issued by the United States, or any banking association therein.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Whenever any worn-out or mutilated circulating notes issued by the Treasurer of the United States, or by any banking asso-

ciation in the United States organized under the "National Bank Act" of the United States, shall come into the treasury of the Philippine Islands, it shall be the duty of the Insular Treasurer to withhold such notes from deposit in banks or further circulation in the Philippine Islands, and to cause them to be transmitted in convenient sums to the disbursing agent of the government of the Philippine Islands resident in Washington, appointed by virtue of Act No. 129, with directions to such agent to cause the redemption of such circulating notes by the United States Treasury, and to obtain in place thereof notes fit for use in accordance with law, and to pass the sums so remitted to the credit of the Insular Government in addition to the sum in his hands by virtue of said Act No. 129, or by virtue of any further appropriations that may be made for the purposes specified in Act No. 129. Upon the transmission of any sum to the disbursing agent at Washington, in compliance with the provisions of this Act, it shall be the duty of the Treasurer forthwith to notify the Commission of the sum transmitted, and the date thereof, to enable the Commission to pass the proper appropriation bill appropriating the money so transmitted for the use of the disbursing agent at Washington.

SEC. 2. Upon the receipt by the disbursing agent at Washington of any worn-out or mutilated notes transmitted to him by the Treasurer of the Philippine Islands, in pursuance of the provisions of this Act, it shall be the duty of such agent forthwith to cause the notes so transmitted to be redeemed by the Treasurer of the United States in new notes fit for use, and to credit the Insular Government with the sum so received, and the sum so received shall be disbursed by him in the manner provided in the said Act No. 129.

SEC. 3. The Insular Treasurer shall receive, at their face value, from all officials who by law are required to make payments to him, all worn-out or mutilated notes of the character described in Section 1, which are tendered to him in pursuance of law, whenever such notes are in such condition that they will be received by the Treasurer of the United States and redeemed by notes fit for use. The Insular Treasurer shall also receive and redeem at their face value, in notes fit for use, all worn-out or mutilated notes of the character described in Section 1, which may be tendered to him by any member of the public. All worn-out or mutilated notes received by virtue of this section shall be disposed of as provided in Sections 1 and 2.

SEC. 4. This act shall take effect on its passage.

Enacted, June 22, 1901.

[No. 150.]

AN ACT appropriating three thousand, six hundred and eighty-two dollars and fifty cents (\$3,682.50), in money of the United States, to be paid to the Quartermaster of the United States Military Prison at Bacolor, and amending Act No. 143.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The sum of three thousand, six hundred and eighty-two dollars and fifty cents (\$3,682.50), in money of the United States, or so much thereof as may be necessary, is hereby appropriated out of any funds in the Insular Treasury not otherwise appropriated, to be paid to the Quartermaster of the United States Military Prison at

Bacolor for the following purposes: For the payment of ration supplies for the native convicts at the United States Military Prison at Bacolor for the months of April, May and June, 1901, three thousand, four hundred and twelve dollars and fifty cents (\$3,412.50), and for salaries as follows: One clerk, Class A, and one capataz at twenty-five dollars (\$25) per month, for the months of May and June, two hundred dollars (\$200); one scout interpreter for the month of June, 1901, thirty-seven dollars and fifty cents (\$37.50); for additional amount required to pay the police at Guagua and Bacolor for the second quarter of the year 1901, thirty-two dollars and fifty cents (\$32.50).

SEC. 2. Act No. 143, enacted June 21, 1901, is hereby amended by striking out the appropriation for the office of the Chief Statistician and inserting in lieu thereof the following words "Office of the Chief Statistician.

"For allowance in lieu of salary for the Chief Statistician for earned leave of absence and in lieu of traveling expenses for the Chief Statistician to San Francisco, three hundred and twenty-one dollars and fifty-seven cents (\$321.57)."

SEC. 3. The public good requiring the speedy enactment of this Appropriation Bill, the passage of the same is hereby expedited in accordance with Section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 4. This act shall take effect on its passage.

Enacted, June 26, 1901.

[No. 151.]

AN ACT fixing the compensation of the Clerk of the Court of First Instance for each province.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Clerks of Courts of First Instance appointed by virtue of Section 58 of Act No. 136, providing for the organization of courts, shall receive salaries at the rates hereinafter specified, payable monthly.

For the Provinces of Iloilo and Cebu, twelve hundred dollars each.

For the Provinces of Pangasinan, Batangas and Occidental Negros, eleven hundred dollars each.

For the Provinces of Pampanga, Bulacan, Bohol and Leyte, one thousand dollars each.

For the Provinces of Ilocos Norte, Ilocos Sur, Union (including Benguet), Tarlac, Nueva Ecija, Rizal, Laguna, Cavite, Tayabas (including Infanta, Principe and Polillo), Albay (including Catanduanes), Ambos Camarines, Capiz, Antique, Samar and Misamis, nine hundred dollars each.

For the Provinces of Cagayan, Zambales, Bataan, Mindoro, Sorsogon, Oriental Negros and Surigao, eight hundred dollars each.

For the Provinces of Isabela, Abra and Marinduque, seven hundred dollars each.

For the Provinces of Lepanto (including Bontoc), Romblon, and the Island of Paragua, five hundred dollars each.

For the Provinces of Nueva Viscaya and Masbate, four hundred dollars each.

For the Sulu Group, Tawi-Tawi Group, and Calamianes Group, three hundred dollars each.

For the Comandancia of Dapitan and the districts of Zamboanga, Cottabato, Davao and Basilan, one clerk, at a salary of seven hundred dollars, who shall appoint one deputy clerk for each of said districts and Comandancia at a salary of two hundred dollars each.

SEC. 2. The public good requiring the speedy enactment of this act, the passage of the same is hereby expedited in accordance with Section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, June 26, 1901.

[No. 152.]

AN ACT providing for the lawful custody of court-houses and the public property therein, and for the appointment of stenographers, typewriters, interpreters and translators when necessary.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The governor of each province, or, in case the governor has failed to qualify as officer of the court by giving a bond, and a sheriff of the province has been appointed, in accordance with Section 24 of Act No. 136, providing for the organization of courts, then the sheriff of the province, shall be the legal custodian of the court-house and the public property therein, except the books, records and papers appertaining to the offices of the clerk, in his province.

In the city of Manila the sheriff of the city shall be the legal custodian of the buildings occupied by the Supreme Court, Court of First Instance, Municipal Courts, and Court of Justices of the Peace, and the public property therein, except the books, records and papers appertaining to the offices of the clerks of the courts, and shall be responsible for the preservation and care of such buildings and property. All expenses incident to the repair, alteration and custody of court buildings in the provinces, and to the purchase of equipment and supplies, including necessary books and stationery, shall be borne by the several provincial treasuries. All expenses of the character last mentioned incurred in the city of Manila shall be paid for from the city treasury; but no expenses for either purpose shall be incurred without the prior authority of the provincial board in the province, or of the municipal board in the city of Manila, as the case may be. The necessary estimates for repairs, furniture and equipment of the court-houses in the provinces shall be made by the governors or sheriffs, as the case may be; and for the city of Manila, by the sheriff thereof.

The estimates for the purchase of necessary stationery and books for the use of the courts and clerks shall be made by the clerks of the several courts, respectively.

SEC. 2. Such stenographers, typewriters, interpreters and translators as are needed for the proper transaction of the business of the Supreme Court and Courts of First Instance shall be appointed. The judges of the Supreme Court shall determine the number of such employés that may be necessary for the Supreme Court and for the several Courts of First Instance in the different provinces and for the

city of Manila, and the salaries to be paid to such employes, all upon approval thereof by the Chief Executive. The employes named in this section required by either of the courts aforesaid, for the purposes named in this section, shall be appointed by the Attorney General, and may be removed by him for cause, and their successors may be appointed by him; but the successors shall all be appointed from a list of eligibles provided by the Civil Service Board, under the Civil Service Act.

SEC. 3. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with Section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 4. This act shall take effect on its passage.

Enacted, June 27, 1901.

[No. 153.]

AN ACT correcting an error in act No. 143 for deficiency appropriations.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Act No. 143 shall be amended so that instead of an appropriation of forty dollars (\$40) for salaries for members of the Board of Examiners and one hundred dollars (\$100) for printing, in the appropriations for the Captain of the Port, the items be reversed to read as follows: One hundred dollars (\$100) for salaries for members of the Board of Examiners; forty dollars (\$40) for printing.

SEC. 2. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with Section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, June 28, 1901.

[No. 154.]

AN ACT appropriating seventy-eight thousand, seven hundred and forty-five dollars and twenty cents (\$78,745.20), or so much thereof as may be necessary, in money of the United States, to be paid to the Chief Quartermaster, Division of the Philippines.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The sum of seventy-eight thousand, seven hundred and forty-five dollars and twenty cents (\$78,745.20), or so much thereof as may be necessary, in money of the United States, is hereby appropriated out of any money in the Insular Treasury, not otherwise appropriated, to be paid to the Chief Quartermaster, Division of the Philippines, for the following purposes for the second quarter of the year 1901: Witnesses before military commissions, three thousand dollars (\$3,000); pay of scouts, seventy-two thousand, eight hundred and three dollars and ninety-nine cents (\$72,803.99); pay of scout interpreters, two thousand, nine hundred and forty-one dollars and twenty-one cents (\$2,941.21).

SEC. 2. The public good requiring the speedy enactment of this Appropriation Bill, the passage of the same is hereby expedited in accordance with Section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, June 29, 1901.

[No. 155.]

AN ACT amending "An act providing for the establishment of local civil governments in the townships of the province of Benguet," No. 48.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Act No. 48 is hereby amended by inserting at the close of Section 39 the words: "In 1901 the popular representative may be elected on the fourth day of July."

SEC. 2. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with Section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, June 29, 1901.

[No. 156.]

AN ACT providing for the establishment of Government laboratories for the Philippine Islands.

By the authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. A biological laboratory, a chemical laboratory and laboratories for the production of vaccine virus and of serums and prophylactics shall be established and maintained by the Government of the Philippine Islands.

SEC. 2. The biological laboratory shall be situated at Manila, and shall afford adequate facilities for investigation into, and scientific report upon, the causes, pathology and methods of diagnosing and combating the diseases of man and of domesticated animals, and of animals utilized for food, and of plants useful to man, as well as for such other biological work as may be deemed necessary by the Board of Health for the Philippine Islands, the Forestry Bureau, the Bureau of Agriculture or any other department or bureau of the government.

SEC. 3. The chemical laboratory shall be situated at Manila, and shall afford adequate facilities for investigation and report as to the purity of foods and drinks; as to the composition and properties of gums, resins, drugs, herbs or other plant products of known or supposed commercial value; as to soils or fertilizers; as to the minerals and minero-medicinal waters of the Philippine Islands; and for such other chemical investigation as may be deemed necessary by the Board of Health for the Philippine Islands, the Department of Public Instruction, the Forestry Bureau, the Mining Bureau, the Bureau of

Agriculture, the Customs Service, or any other department or bureau of the government.

SEC. 4. Laboratories for the production of vaccine virus and of serums and prophylactics shall be established and maintained at Manila and at such other points in the Archipelago as the Board of Health for the Philippine Islands may advise and the central legislative body of the Islands may determine upon.

SEC. 5. There shall be a Superintendent of Government Laboratories, at a salary of four thousand dollars (\$4,000) per year. He shall have charge of the construction and equipment of all government laboratories for the Philippine Islands, and of the purchase of all apparatus, supplies and books which may be authorized for use in connection with such laboratories. He shall cause to be prepared and shall recommend to the central legislative body of the Islands as a basis for appropriation:

(a) Plans for a suitable building for the installation of the biological laboratory, the chemical laboratory and a reference library;

(b) Plans for such laboratories for the manufacture of vaccine virus, serums and prophylactics as may hereafter be authorized;

(c) Detailed estimates of the cost of constructing such laboratory buildings;

(d) Detailed estimates of the cost of properly equipping the several laboratories and of procuring an adequate reference library, which shall be housed in the same building with the biological and chemical laboratories.

SEC. 6. The Superintendent of Government Laboratories shall make a written report to the chief executive of the Insular Government on or before the 30th of June of each year, covering his work for the twelve months preceding that date, and shall include therein a statement of all moneys received and disbursements made during that period.

SEC. 7. (a) The Superintendent of Government Laboratories shall be the director of either the biological or the chemical laboratory, as the Commission shall determine, and the other laboratory shall be under the supervision of a Director, who shall receive an annual salary of three thousand, five hundred dollars (\$3,500). The two Directors shall be experts in their respective lines of work, and shall personally carry on original investigations.

(b) They shall appoint all employees of their respective laboratories, subject to the provisions of the Civil Service Act, and of Act 25, shall prescribe their duties and shall assign to all persons carrying on investigations in their respective laboratories the necessary laboratory space, apparatus, appliances and reagents.

SEC. 8. All biological and chemical laboratory work of the several departments and bureaus of the Government at Manila shall be carried on in the biological and chemical laboratories by their Directors and employees, or by employees of said departments and bureaus. Upon the request of the head of any department or bureau of the government, the Director of the biological or chemical laboratory shall make adequate provision for the carrying out of any special investigation desired and duly authorized, either himself undertaking to have it made by the laboratory staff or allowing properly qualified employees of the department or bureau making the request to carry it out under his general supervision, as the head of such department or bureau may prefer.

SEC. 9. The Superintendent of Government Laboratories and the

additional Director provided for in Section 6 shall be appointed by the Commission. The officers and employees of the laboratories for the manufacture of vaccine virus, serums and prophylactics shall be appointed by the Commissioner of Public Health, subject to the provisions of the Civil Service Act and of Act 25.

SEC. 10. The officers or employees in immediate charge of the laboratories for the manufacture of vaccine virus, serums and prophylactics shall furnish the Superintendent of Government Laboratories from time to time with detailed lists of the apparatus and supplies which are necessary for the adequate equipment and maintenance of their respective laboratories.

SEC. 11. This act shall take effect on its passage.

Enacted, July 1, 1901.

[No. 157.]

AN ACT providing for the establishment of a Board of Health for the Philippine Islands.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. A board of health is hereby created for the Philippine Islands, to be known as the Board of Health for the Philippine Islands.

SEC. 2. The Commission shall appoint:

(a) A Commissioner of Public Health, at a salary of six thousand dollars (\$6,000) per year, who shall be a duly qualified physician who has taken a doctor's or licentiate's degree in medicine from a reputable medical school;

(b) A Sanitary Engineer, at a salary of three thousand, five hundred dollars (\$3,500) per year, who shall be the city engineer of Manila;

(c) A Chief Health Inspector, at a salary of three thousand, five hundred dollars (\$3,500) per year, who shall be a duly qualified physician who has taken a doctor's or licentiate's degree in medicine from a reputable medical school;

(d) A Secretary of the Board of Health, at a salary of two thousand, five hundred dollars (\$2,500) per year, who shall be a duly qualified physician who has taken a doctor's or licentiate's degree in medicine from a reputable medical school.

SEC. 3. The Board of Health hereby established shall consist of the Commissioner of Public Health, the Chief Health Inspector, the Sanitary Engineer, the Superintendent of Government Laboratories *ex-officio*, and the Secretary of the Board. The Commissioner of Public Health shall be chairman of the Board. The Chief Surgeon of the United States Army in the Philippine Islands, the chief officer of the Marine Hospital Service in the Philippine Islands and the President and Vice-President of the Association of Physicians and Pharmacists of the Philippine Islands shall be honorary members of the Board, but shall not be entitled to vote. Seasonable notice of all meetings of the Board shall be given to each member.

SEC. 4. (a) The Insular Board of Health shall have general supervision over all the interests of the public health in the Philippine Islands, and shall especially study their vital statistics.

(b) It shall make inquiry and investigation into the causes, pathology and means of preventing diseases, especially epidemic diseases, includ-

ing those of domestic animals, together with the sources of mortality and the effects of localities, employments conditions, habits, foods, beverages and medicines on the health of the people, and into the chemical composition and medicinal properties of the minero-medicinal waters of the archipelago.

(c) It shall disseminate useful information upon these and other kindred subjects among the people.

(d) It shall draft and recommend to the central legislative body of the Islands suitable sanitary laws, including laws governing the admittance of persons to the practice of medicine and surgery, pharmacy, dentistry, midwifery, embalming and undertaking; laws to control offensive and dangerous industries or occupations; and laws for the extension of the service of the Insular Board of Health into the several departments, provinces and municipalities of the Philippines.

(e) It shall cause to be prosecuted all violations of sanitary laws.

(f) It shall have authority to require all health boards and their officers to forward to the Insular Board of Health copies of all their reports and publications, and such other information in regard to sanitary matters as it may request.

(g) It shall have power to require reports and information concerning any matters with respect to which it may need information for the proper discharge of its duties from all public dispensaries, asylums, hospitals, infirmaries, prisons, penitentiaries, schools, and from the managers, principals or officers thereof, and from all other public institutions, their officers or managers, and from the proprietors, managers, lessees and occupants of all places of public resort throughout the Islands, or from common carriers. Refusal to give such information when called for by the Board shall be a misdemeanor punishable by a fine not exceeding one hundred dollars (\$100) or imprisonment not exceeding three months, or both, in the discretion of the court.

(h) It shall have power and authority to make and enforce regulations for preventing and suppressing contagious or epidemic diseases of man or animals; to abate nuisances endangering the public health; to remove the cause of any special disease or mortality; and to make and enforce such interior quarantine regulations as it shall deem necessary in the city of Manila and all other cities, municipalities, provinces, departments or places where there are no local boards of health or health officers, and in places where boards of health or health officers exist, but where the sanitary laws or the regulations of the Board are not being carried into effect; and the power conferred upon Municipal Councils by Section 39, sub-sections *l*, *m*, *n*, *o*, *p*, *q*, *r* and *s* of the Municipal Code shall be exercised, subject to the supervision and control of the Insular Board of Health whenever in its opinion the exigency so requires.

(i) It shall have power to engage suitable persons to render any special sanitary service or to make or supervise investigations and examinations requiring expert skill, and to prepare plans or reports relating thereto.

(j) It shall make no contracts and incur no liabilities in excess of the amounts duly appropriated for its use by the central legislative body of the Islands.

(k) It shall decide upon suitable locations for the necessary laboratories for the production of vaccine virus, serums and prophylactics, and shall recommend the construction of such laboratories to the central legislative body of the Islands. The virus, serums or prophy-

lactics produced at these laboratories shall be distributed and used under the direction of the Commissioner of Public Health.

(*b*) It shall serve as the local board of health for the city of Manila.

SEC. 5. (*a*) The Commissioner of Public Health shall be the chief executive officer of the Board, and shall exercise general supervision and control over the various branches of its work.

(*b*) He shall, from time to time, furnish the central legislative body of the Islands lists of the employés necessary properly to carry on the work of the Board, and shall appoint all duly authorized employés, subject to the provisions of the Civil Service Act and of Act 25.

(*c*) He shall prepare quarterly estimates showing the probable expense of properly conducting the work of the Board for the coming three months, and shall submit such estimates to the central legislative body of the Islands as a basis for appropriations.

(*d*) He shall be empowered to require of the officers of the Board annual reports of their work, and such special reports as he may desire.

(*e*) Subject to the sanitary laws of the Islands and the regulations of the Board, he shall have direct supervision and control over all hospitals for contagious or infectious diseases. He shall provide for the detection of persons suffering from such diseases and for their isolation until danger of their spreading disease is past. He shall provide for general and systematic vaccination of the inhabitants of the Philippine Islands and for their inoculation with serums or prophylactics, should such a course at any time become necessary, and shall have immediate direction of the work of suppressing epidemic diseases of man and domestic animals.

(*f*) He shall make a written report to the chief executive of the Insular Government on or before June 30th of each year. This report shall cover the general sanitary condition of the Philippine Islands and the work of the Board and of its officers and agents during the preceding twelve months. It shall also include a statement of all moneys received and of all disbursements made during the same period.

(*g*) He shall submit to the chief executive of the Insular Government such special reports as occasion may demand, or as the chief executive may require.

SEC. 6. Subject to the sanitary laws of the Islands and the regulations of the Insular Board of Health, the Chief Health Inspector shall make, or cause to be made, regular inspection of the work of all municipal boards of health; of the work of all employés of the Insular Board of Health; of the cleaning of sewers, streets, walks, alleys, public squares and parks; of the collection and disposition of garbage, dead animals, night soil and contents of cesspools; and of the sanitation of houses, factories, mills, schools, prisons, dairies, markets, meat-shops, bakeries, public water supplies, public bath houses, wells, cisterns, cemeteries, undertaking establishments, asylums, jails, barracks, barrooms, theaters, and all public institutions and places of public resort. For this purpose, he may enter any of the above mentioned buildings, institutions or places of public resort.

SEC. 7. (*a*) The Sanitary Engineer shall prepare the plans and specifications for all water-works, drainage or sewer systems and crematories for the city of Manila, and for disinfecting apparatus or mechanical sanitary apparatus of whatsoever kind for public institutions in the city of Manila, and for alterations in such public works or apparatus. He shall construct or install, or shall supervise the

construction or installation of, all such public works or apparatus as may be provided for by law, and they shall not be accepted until he shall certify that the plans adopted by the municipal government have been faithfully carried out.

(b) Upon request of the Municipal Council of any municipality, he shall consider and report to them upon any plans and specifications for municipal water-works, drainage or sewer systems, crematories, disinfecting apparatus or mechanical sanitary apparatus of any kind which the Council may submit to him.

SEC. 8. The Secretary of the Insular Board of Health shall keep its records, shall compile its statistics and shall discharge the other usual duties of secretaries.

SEC. 9. The biological and chemical work of the Insular Board of Health shall be carried on in the government biological and chemical laboratories, either by the regular staffs of those laboratories or by the employes of the Board, as the Commissioner of Public Health may determine.

SEC. 10. This act shall take effect on its passage.

Enacted, July 1, 1901.

[No. 158.]

AN ACT in amendment of act No. 151, fixing the compensation of clerks of Courts of First Instance in the several provinces.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The last two paragraphs of Section 1 of Act No. 151, entitled "An Act Fixing the Compensation of the Clerk of the Court of First Instance for each Province," are hereby amended so as to read as follows:

"For the Fourteenth Judicial District, one clerk, who shall also perform the duties of interpreter and translator, at a salary of nine hundred dollars (\$900), who shall appoint one deputy clerk for the Sulu Group, one for the Tawi-Tawi Group, one for the Calamianes Group, and one for the Island of Paragua, at a salary of two hundred dollars (\$200) each.

"For the Comandancia of Dapitan and the districts of Zamboanga, Cottabato, Davao and Basilan, one clerk, who shall perform the duties of interpreter and translator, at a salary of twelve hundred dollars (\$1,200) and who shall appoint one deputy clerk for each of said districts and Comandancia at a salary of two hundred dollars (\$200) each."

SEC. 2. The public good requiring the speedy enactment of this act, the passage of the same is hereby expedited in accordance with Section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, July 6, 1901.

[No. 159.]

AN ACT providing for the appointment of temporary officers of courts and clerks of courts in provinces not organized under the Provincial Government Act and in those where the governor has failed to qualify.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. In each province not organized under the Provincial Government Act the Judge of the Court of First Instance of the Province is hereby authorized to make a temporary appointment of a sheriff of the province, to serve until a permanent officer of the court of the province shall have been duly appointed in accordance with law. A temporary sheriff so appointed shall have all the powers of a permanent sheriff within his province, including the right to appoint deputies. Such temporary sheriff shall be paid three dollars (\$3.00) per day for attendance upon the Court of First Instance while it is in session, and shall receive for the service of process reasonable fees, to be allowed by the judge in each case. Such fees shall be paid by the party requiring the services in civil actions, and by the Insular Government in criminal prosecutions. The per diem allowance for attendance at court shall also be paid by the Insular Government.

SEC. 2. In any province organized under the Provincial Government Act, where the governor of the province has failed to qualify by giving bond as an officer of the court, in accordance with law, and a sheriff has not been appointed, the judge of the Court of First Instance of the province is hereby authorized to appoint a temporary sheriff, with the same powers as are given to temporary sheriffs by Section 1. The compensation of such temporary sheriff shall be the same, and paid as provided in Section 1.

SEC. 3. The powers of a temporary sheriff appointed under this act shall cease whenever a permanent officer of the court for the province shall have been duly appointed and has qualified by giving the bond required by law.

SEC. 4. In each province not organized under the Provincial Government Act, the judge of the Court of First Instance of the province is hereby authorized to make a temporary appointment of a clerk of court to serve until the permanent clerk of the court for the province shall have been appointed in accordance with law. The temporary clerk so appointed shall have all the powers of a permanent clerk within his province, including the right to appoint deputies. Such temporary clerk shall be paid a reasonable compensation for his services, to be fixed by the judge, to be paid out of the Insular Treasury, and his powers to act as clerk shall cease when a permanent clerk shall have been duly appointed in accordance with law.

SEC. 5. Temporary sheriffs and clerks appointed under the provisions of this act shall not be required to give bonds.

SEC. 6. The public good requiring the speedy enactment of this act, the passage of the same is hereby expedited in accordance with Section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 7. This act shall take effect on its passage.

Enacted, July 6, 1901.

[No. 160.]

AN ACT making temporary provision for the appointment of fiscals in the provinces and islands not yet organized under the Provincial Government Act.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The several persons who, by virtue of military orders or appointments by the Commission, were performing the duties of Promotor Fiscal on the sixteenth day of June, 1901, when Act No. 136, providing for the organization of courts, went into effect, in provinces not yet organized under the Provincial Government Act, but in which Courts of First Instance had been established before the sixteenth day of June, 1901, are hereby continued in office as Fiscals for their respective provinces, to perform the duties imposed upon Provincial Fiscals by the Provincial Government Act, and to receive the same salaries which they were respectively receiving on and before the sixteenth day of June, 1901, and they shall hold office until their respective provinces are organized and Provincial Fiscals shall have been appointed under the Provincial Government Act, or until removed by the Civil Governor with the consent of the Commission.

SEC. 2. The Judge of the Court of First Instance of any province not yet organized under the Provincial Government Act and in which no Court of First Instance had been established prior to the sixteenth day of June, 1901, is hereby authorized to make a temporary appointment of a Fiscal for the province, as it was known under the Spanish regime, to perform the duties imposed upon the Provincial Fiscals by the Provincial Government Act and to receive a reasonable compensation, to be fixed by the Judge making the appointment, which compensation shall not in any case exceed one hundred and twenty-five dollars (\$125) per month. Such compensation shall date from the day on which the Fiscal is appointed, and the Fiscal so appointed shall hold office until the province for which he is appointed shall have been organized and a Provincial Fiscal shall have been appointed under the Provincial Government Act, or until removed by the Civil Governor with the consent of the Commission.

SEC. 3. The Judge of the Court of First Instance of the Fourteenth Judicial District is hereby authorized to appoint a Fiscal for said district, unless the Civil Governor, with the consent of the Commission, shall, before such appointment by the Judge, have appointed a Fiscal for said district. The Fiscal so appointed, either by the Civil Governor or by the Judge, shall perform the duties imposed upon Provincial Fiscals by the Provincial Government Act and shall receive compensation at the rate of one hundred dollars (\$100) per month. Such compensation shall date from the day of appointment, and the Fiscal so appointed shall hold office until removed by the Civil Governor with the consent of the Commission.

SEC. 4. The Judge of the Court of First Instance whose duty it is by law to preside in that court in the Comandancia of Dapitan, Island of Basilan, and the Districts of Zamboanga, Cottabato and Davao, is hereby authorized to appoint a Fiscal for said Comandancia, Island and Districts, unless the Civil Governor, with the consent of the Commission, shall, before such appointment by the Judge, have appointed a Fiscal for said Comandancia, Island and Districts. The Fiscal so appointed, either by the Civil Governor or by the Judge, shall perform the duties imposed upon Provincial Fiscals by the Provincial Government Act, and shall receive compensation at the rate of one

hundred dollars (\$100) per month. Such compensation shall date from the day of appointment, and the Fiscal so appointed shall hold office until removed by the Civil Governor, with the consent of the Commission.

SEC. 5. The salaries herein provided shall be paid in money of the United States and from the Insular Treasury.

SEC. 6. The public good requiring the speedy enactment of this act, the passage of the same is hereby expedited in accordance with Section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 7. This act shall take effect on its passage.

Enacted, July 9, 1901.

[No. 161.]

AN ACT so amending act No. 140 as to define the time and place of holding the court of first instance in and for the province of Masbate.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Act No. 140, entitled "An Act Defining the Judicial Districts of the Philippine Islands, Prescribing the Salaries of the Judges Thereof, and the Times When and the Places Where Terms of Courts of the First Instance shall be Held in the Several Districts," is hereby amended by adding to that portion of Section 3 of said act, which provides for the times and places of holding regular terms of court in the Eighth Judicial District, the following words: "At Masbate, in and for the Province of Masbate, commencing on the first Tuesday of May and November of each year."

SEC. 2. The public good requiring the speedy enactment of this act, the passage of the same is hereby expedited in accordance with Section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, July 9, 1901.

[No. 162.]

AN ACT providing that the clerk of the supreme court and all clerks of courts of first instance shall be *ex-officio* notaries public.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The Clerk of the Supreme Court and the Clerk and Assistant Clerk of the Court of First Instance in the city of Manila are hereby made *ex-officio* Notaries Public and are authorized to perform within the city of Manila all the duties appertaining to the office of Notary Public.

SEC. 2. Each clerk of a Court of First Instance organized under Act No. 136, outside the city of Manila, is hereby made *ex-officio* a notary public and is authorized to perform the duties of a notary public within the province or territory in which the court of which he is Clerk is held.

SEC. 3. The official seal of the Clerk of the Court shall be affixed by him to papers officially signed by him as Notary Public, and such seal shall be sufficient without a special seal as Notary Public.

SEC. 4. The public good requiring the speedy enactment of this act, the passage of the same is hereby expedited in accordance with Section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 5. This act shall take effect on its passage.

Enacted, July 9, 1901.

[No. 163.]

AN ACT appropriating one million, two hundred and twenty-two thousand, seven hundred and thirty-two dollars and eighty-three cents (\$1,222,732.83), or so much thereof as may be necessary, in money of the United States, to pay the expenses of the Insular Government for the third quarter of the year 1901, and other designated periods.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The following sums, or so much thereof as may be necessary, in money of the United States, are hereby appropriated out of any funds in the Insular Treasury not otherwise appropriated, for the expenses of the Insular Government for the third quarter of the year 1901, and other designated periods.

CHIEF QUARTERMASTER, DIVISION OF THE PHILIPPINES.

For expenses of the Department of Southern Luzon, as follows: Pay of scouts, twenty-five thousand, two hundred and two dollars and seventy cents (\$25,202.70); pay of scout interpreters employed exclusively in scout organizations paid from public civil funds, five thousand dollars (\$5,000.00); witnesses before Military Commissions, three thousand dollars (\$3,000.00).

For expenses of the Department of the Visayas, as follows: Civilian employees, military commissions, rents and repairs to buildings, salaries of native scouts and witnesses before military commissions, and transportation, fifty-nine thousand, seven hundred and fifty dollars (\$59,750.00); scout interpreters employed exclusively in scout organizations paid from public civil funds, four thousand dollars (\$4,000.00).

For expenses of the Department of Mindanao and Jolo, as follows: Salary of United States representative at Cagayan de Jolo, clerks, scouts, and scout interpreters employed exclusively in scout organizations paid from public civil funds, subsidies authorized by the Bates Treaty, and deficiency pay for vaccinators and scouts, thirty-two thousand and twenty-nine dollars and fifty cents (\$32,029.50).

For expenses in the office of the Chief Quartermaster of the Division, as follows: Payment of telegrams, telephones, repairs to Exposition Building, sewage, and cleaning of cess-pools, four thousand, eight hundred and fifty dollars (\$4,850.00).

For expenses for the Department of Northern Luzon, as follows: Scouts, one hundred and four thousand, one hundred and twenty-four dollars and sixty cents (\$104,124.60); scout interpreters employed exclusively in scout organizations paid from public civil funds, nine thousand dollars (\$9,000.00); clerks in Adjutant General's office, one

thousand, five hundred and forty-nine dollars and ninety-two cents (\$1,549.92); salary of clerk, one capataz, and one jailer, Bacolor Military Prison, and one jailer at Lingayen Military Prison, three hundred and ninety dollars (\$390.00); one physician and one practicante, one hundred and sixty-five dollars (\$165.00); repairs to Bacolor Prison, construction of mess-hall, Lingayen Prison, and deficiency pay for jailers at Lingayen Prison, civilian clerks at Bacolor Prison, and capataces, one thousand, five hundred and fifteen dollars and seventy-six cents (\$1,515.76).

In all, for the Chief Quartermaster, Division of the Philippines, two hundred and fifty thousand, five hundred seventy-seven dollars and forty-eight cents (\$250,577.48), or so much thereof as may be necessary.

COLLECTOR OF CUSTOMS OF THE ISLANDS AND OF THE CHIEF PORT.

Regular supplies, nine thousand dollars (\$9,000.00); refunds, three thousand dollars (\$3,000.00); incidental expenses, rents and repairs to buildings and transportation, two thousand five hundred and thirty-five dollars (\$2,535.00); salaries and wages as follows: One collector at six thousand dollars (\$6,000.00) per annum; one deputy collector at four thousand dollars (\$4,000.00) per annum; one cashier at three thousand dollars (\$3,000.00) per annum; one clerk, class 3; seven chiefs of divisions, class 5; two clerks, class 6; eighteen inspectors, class 8; twelve inspectors, class 9; twenty-five inspectors, class 10; seventy-one inspectors, class A; one employee, class D; seventeen employees, class F; three employees, class H; thirteen employees, class I; one hundred and twenty-eight employees, class J; twenty-six employees at the rate of one hundred and eighty dollars (\$180.00) per annum; four employees at the rate of one hundred and fifty dollars (\$150.00) per annum; fifty-nine employees at the rate of one hundred and twenty dollars (\$120.00) per annum; ten employees at the rate of ninety dollars (\$90.00) per annum; in all, for salaries, fifty-four thousand, eight hundred and thirty dollars (\$54,830.00); salaries and expenses of Secret Service employees, fifteen hundred dollars (\$1,500.00); miscellaneous expenses, six hundred and forty-two dollars and twelve cents (\$642.12).

For expenses at the port of Iloilo, as follows: Incidental expenses, two hundred and ten dollars (\$210.00); rents and repairs to buildings, two thousand, one hundred and thirty-four dollars and sixty-five cents (\$2,134.65); transportation, six hundred and fifty dollars (\$650.00); repairs to steam launch *Nesan*, three hundred and forty-two dollars (\$342.00); salaries and wages authorized by Acts 102, 110 and 118, and wages of temporary employees, eleven thousand, two hundred and forty-four dollars and thirty-seven cents (\$11,244.37); miscellaneous expenses, as follows: Rationing, equipping and repairing lighthouses; ten Remington shotguns and cartridges; refund to municipalities of fish-coral taxes; repairs and extension of quay wall; repairs to buoys, etc., four thousand, four hundred and sixty-four dollars and seventy-eight cents (\$4,464.78).

For expenses at the Port of Cebu, as follows: Incidental expenses and rents and repairs to buildings, one hundred and sixty-one dollars and sixty-two cents (\$161.62); transportation, nine hundred and nine dollars (\$909.00); salaries and wages as follows: One collector at three thousand, five hundred dollars (\$3,500.00) per annum; one deputy collector at two thousand dollars (\$2,000.00) per annum; two inspect-

ors, class 8; three inspectors, class A; one employee, class D; one employee, class F; three employees, class II; eleven employees, class J; four employees at the rate of one hundred and fifty dollars (\$150.00) per annum; one employee at the rate of ninety dollars (\$90.00) per annum; in all, for salaries, four thousand, one hundred and twenty-two dollars and fifty cents (\$4,122.50); for salaries of temporary employees, three hundred dollars (\$300.00); lighting of lighthouses, fifty-two dollars and fifty cents (\$52.50).

For expenses at the Port of Jolo, as follows: Incidental expenses and rents and repairs to buildings, one hundred and thirty-nine dollars and fifty cents (\$139.50); salaries and wages, as follows: One collector at twenty-five hundred dollars (\$2,500.00) per annum; two inspectors, class 8, one being an additional inspector hereby authorized; two inspectors, class 9; one additional inspector, class 10, hereby authorized; one employee, class I; five employees, class J; one employee at the rate of one hundred and twenty dollars (\$120.00) per annum; one employee at the rate of ninety dollars (\$90.00) per annum; two thousand, six hundred and twenty-five dollars (\$2,625.00).

For expenses at the Port of Zamboanga, as follows: Rents and repairs to buildings, and incidental expenses, one hundred and ninety-four dollars and fifty cents (\$194.50); salaries and wages, as follows: One collector at two thousand dollars (\$2,000.00) per annum; two inspectors, class A; three employees, class J; two employees at the rate of ninety dollars (\$90.00) per annum; four employees at the rate of seventy-two dollars (\$72.00) per annum; in all, for salaries, one thousand, one hundred and eighty-seven dollars (\$1,187.00); one inspector, class A, for May and June, one hundred and fifty dollars (\$150.00); miscellaneous expenses, sixty dollars (\$60.00).

For expenses at the Port of Siassi, as follows: Rents and repairs to buildings, and incidental expenses, fifty-seven dollars and fifty cents (\$57.50); salaries and wages, as follows: One deputy collector at eighteen hundred dollars (\$1,800.00) per annum; one inspector, class 9; one employee, class II; one employee at the rate of seventy-two dollars (\$72.00) per annum; five employees at the rate of thirty-six dollars (\$36.00) per annum; nine hundred and three dollars (\$903.00).

In all, for the Collector of Customs of the Islands and of the Chief Port, one hundred and one thousand, four hundred and fifteen dollars and four cents (\$101,415.04), or so much thereof as may be necessary.

FORESTRY BUREAU.

For salaries, as follows: Four foresters, at the rate of twenty-four hundred dollars (\$2,400.00) per annum; one inspector, class 6; three employees, class 9; two clerks, class A; ten assistant foresters, class D; thirty rangers, class I; one employee at the rate of ninety dollars (\$90.00) per annum; one wood-worker at the rate of seventy-five cents (\$0.75) per day; in all, for salaries, eight thousand and thirty-four dollars (\$8,034.00); incidental expenses, six hundred and seventy-five dollars (\$675.00); traveling expenses, nine hundred dollars (\$900.00); office rent, three hundred and thirty-seven dollars and fifty cents (\$337.50); carriage hire, two hundred and thirty dollars (\$230.00); reimbursements to Holliday, Wise & Company, seventy-six dollars and forty-seven cents (\$76.47); printing five hundred copies of the List of Tree Species, twenty-five dollars (\$25.00); amount due Chofré & Company for printing Forestry Book, one hundred and twenty-five dollars (\$125.00); expenses of special agent, Dr. P. L. Sherman, for

July, 1901, including purchase of specimens, three hundred dollars (\$300.00).

In all, for the Forestry Bureau, ten thousand, seven hundred and two dollars and ninety-seven cents (\$10,702.97), or so much thereof as may be necessary.

CHIEF QUARANTINE OFFICER.

For office expenses, one thousand, four hundred and eighteen dollars and fifty cents (\$1,418.50); expenses of Disinfecting Corps, three hundred dollars (\$300.00); launch supplies and miscellaneous repairs for launches, two thousand and thirty dollars (\$2,030.00); salaries and wages, eight thousand and fifty-five dollars (\$8,055.00); commutation of quarters for five officers, one thousand, two hundred and thirty dollars (\$1,230.00); equipment for Mariveles Quarantine Station, twelve thousand, five hundred dollars (\$12,500.00); supplies for station at Mariveles, two thousand, one hundred and twenty dollars (\$2,120.00); converting, equipping and completing disinfecting barges for Iloilo and Cebu, forty thousand dollars (\$40,000.00); printing, traveling expenses and miscellaneous expenses, five thousand, seven hundred and eighty-two dollars (\$5,782.00).

In all, for the Chief Quarantine Officer, seventy-three thousand, four hundred and thirty-five dollars and fifty cents (\$73,435.50), or so much thereof as may be necessary.

CAPTAIN OF THE PORT OF MANILA.

For lights and ice for office, one hundred and seventeen dollars (\$117.00); forage for public horse, thirty dollars (\$30.00); contingent office expenses, three hundred dollars (\$300.00); salaries and wages, as follows: One clerk, class 5; one clerk, class 7; four clerks, class 9; two clerks, class A; four clerks, class F; one employee at the rate of one hundred and eighty dollars (\$180.00) per annum; six employees at the rate of one hundred and fifty dollars (\$150.00) per annum; one employee at the rate of one hundred and twenty dollars (\$120.00) per annum; three patrolmen at the rate of three hundred dollars (\$300.00) per annum; six sweepers at the rate of ninety dollars (\$90.00) per annum; in all, for salaries, three thousand, six hundred and ninety dollars (\$3,690.00); salaries and wages of launch crews, one thousand and eighty dollars (\$1,080.00); miscellaneous expenses of launches, five hundred dollars (\$500.00); expenses and wages for the lighthouse service, nine thousand, one hundred and ninety-five dollars (\$9,195.00); additional salaries of employees on the U. S. S. *Alava*, used as lighthouse tender, hereby authorized, for the second and third quarters of the year 1901, six firemen at the rate of seventeen dollars (\$17.00) per month; one employee at the rate of twenty dollars (\$20.00) per month; two employees at the rate of seventeen dollars and fifty cents (\$17.50) per month; nine hundred and forty-two dollars (\$942.00).

In all, for the Captain of the Port of Manila, fifteen thousand, eight hundred and fifty-four dollars (\$15,854.00), or so much thereof as may be necessary.

OFFICE OF THE AUDITOR FOR THE PHILIPPINE ARCHIPELAGO.

For salaries, as follows: One auditor, at six thousand dollars (\$6,000.00) per annum; deputy auditor, at four thousand dollars (\$4,000.00) per annum; chief clerk, at two thousand, two hundred and

fifty dollars (\$2,250.00) per annum; nine clerks, class 6, increase of two hereby authorized; five clerks, class 7; six clerks, class 8; seven clerks, class 9; two clerks, class 10; two clerks, class A; two clerks, class B; two clerks, class C; two clerks, class D; two clerks, class E; two clerks, class F; two clerks, class I; three messengers, at the rate of one hundred and fifty dollars (\$150.00) each per annum; four clerks, class 5, for detail as traveling examiners; total, for salaries, eighteen thousand, one hundred and fifteen dollars (\$18,115.00). For printing and binding, including stationery and rubber stamps, three thousand dollars (\$3,000.00); incidental expenses, including official telegrams and cablegrams, office towels, and laundry for the same, two hundred and fifty dollars (\$250.00); actual and necessary traveling expenses, not exceeding three dollars per day, and necessary cost of transportation of clerks detailed as traveling examiners, and of officers and clerks authorized by law to travel on official business in connection with the settlement of accounts and inspection of offices, two thousand dollars (\$2,000.00); payment to Alfred Edgerton, clerk, class 9, in lieu of salary, for earned leave, one hundred and ten dollars (\$110.00); payment to John Mumm, clerk, class 9, in lieu of salary, for earned leave, one hundred and thirty-three dollars and thirty-three cents (\$133.33); additional amount allowed to one clerk as disbursing clerk, fifty dollars (\$50.00). The Auditor is hereby authorized to fill the vacancies caused by the resignation of Alfred Edgerton and John Mumm on July 1. For the employment of temporary unclassified clerks, at a salary not exceeding four dollars per day, for the purpose of preparing detailed statements of receipts and expenditures of the Insular Government, as directed by the Secretary of War, fifteen hundred dollars (\$1,500.00).

In all, for the Office of the Auditor of the Philippine Archipelago, twenty-five thousand, one hundred and fifty-eight dollars and thirty-three cents (\$25,158.33), or so much thereof as may be necessary.

MINING BUREAU.

For salaries, as follows: One mining engineer and one clerk at the rate of fifteen hundred dollars (\$1,500.00) per annum each; one clerk, class C; one clerk at the rate of three hundred and thirty dollars (\$330.00) per annum; one employee at the rate of one hundred and fifty dollars (\$150.00) per annum; one employee at the rate of ninety dollars (\$90.00) per annum; one laborer at the rate of sixty dollars (\$60.00) per annum; in all, for salaries, one thousand and eighty-seven dollars and fifty cents (\$1,087.50). Deficiency pay for Wm. A. Miller, clerk, class 6, from January 25, 1901, to February 9, 1901, being from the date of his discharge from the United States Volunteer Infantry to the date of the resolution authorizing his continuance as messenger, thirty dollars (\$30.00); purchase of books for the library, seventy dollars and thirty-five cents (\$70.35); miscellaneous expenses, forty dollars (\$40.00).

In all, for the Mining Bureau, one thousand, two hundred and twenty-seven dollars and eighty-five cents (\$1,227.85).

CHIEF SIGNAL OFFICER, DIVISION OF THE PHILIPPINES.

For purchase and services in connection with the construction and maintenance of telephone, telegraph and cable lines in the Philippine Islands, and for hire of native linemen, messengers, machinists and

cable employes, sixteen thousand dollars (\$16,000.00); operation and maintenance of telegraph and telephone lines in the Department of the Visayas, three thousand dollars (\$3,000.00).

In all, for the Chief Signal Officer, Division of the Philippines, nineteen thousand dollars (\$19,000.00), or so much thereof as may be necessary. All receipts of revenue from Signal Service shall be deposited with the Insular Treasurer, and accounts thereof shall be rendered by the proper officers to the Insular Auditor.

COLLECTOR OF INTERNAL REVENUE.

For regular supplies, one thousand dollars (\$1,000); incidental expenses, sixty-two dollars and fifty cents (\$62.50); rents and repairs, three hundred and forty-eight dollars (\$348.00); tax refunds, nine dollars (\$9.00); transportation, thirty dollars (\$30.00); miscellaneous expenses, sixteen dollars (\$16.00); salaries and wages, eight thousand, nine hundred and ninety-nine dollars (\$8,999.00); for deficiency expenses for the months of April, May and June, as follows: Rents and repairs, seventy-nine dollars and fifty-two cents (\$79.52); tax refunds, one hundred and ten dollars and eighty-seven cents (\$110.87); transportation, four dollars and fifty cents (\$4.50); miscellaneous expenses, five dollars and fifty cents (\$5.50); salaries and wages, three hundred and three dollars (\$303.00).

In all, for the Collector of Internal Revenue for the Islands, ten thousand, nine hundred and sixty-seven dollars and eighty-nine cents (\$10,967.89), or so much thereof as may be necessary.

PHILIPPINE CIVIL SERVICE BOARD.

For salaries, as follows: Three members of the Board at three thousand, five hundred dollars (\$3,500.00) per annum; one examiner, class 3, hereby authorized, instead of one examiner, class 4, as heretofore authorized; one examiner, class 5; three clerks, class 8; one clerk, class 9; one clerk, class D, two messengers, at the rate of one hundred and fifty dollars (\$150.00) per annum each; one driver of official vehicle, at ten dollars (\$10.00) per month; in all, for salaries, five thousand, three hundred and fifty-five dollars (\$5,355.00); traveling expenses, two hundred dollars (\$200.00).

In all, for the Philippine Civil Service Board, five thousand, five hundred and fifty-five dollars (\$5,555.00), or so much thereof as may be necessary.

MEDICAL SUPPLY DEPOT, DEPARTMENT OF NORTHERN LUZON.

For the pay of fifty vaccinators, three thousand, one hundred and fifty dollars (\$3,150.00); pay of native physicians employed in small-pox hospitals for natives, and for the treatment of native prisoners at Bacolor, San Isidro, Iba, Dagupan, Lingayen and Vigau, and the purchase of medical supplies for native prisoners in the military prisons at the above-named places, two thousand, eight hundred dollars (\$2,800.00); purchase of medical supplies for sick and indigent natives, one thousand, two hundred dollars (\$2,100.00); purchase of stationery, fifty dollars (\$50.00).

In all, for the Medical Supply Depot, Department of Northern Luzon, seven thousand, two hundred dollars (\$7,200.00), or so much thereof as may be necessary.

MEDICAL SUPPLY DEPOT, DEPARTMENT OF SOUTHERN LUZON.

For the purchase of medical supplies for sick and indigent natives, one thousand, two hundred dollars (\$1,200.00); payment of twenty vaccinators, nine hundred dollars (\$900.00); purchase of stationery, fifty dollars (\$50.00).

In all, for the Medical Supply Depot, Department of Southern Luzon, two thousand, one hundred and fifty dollars (\$2,150.00), or so much thereof as may be necessary.

PATHOLOGICAL LABORATORY.

For the pay of a native laborer, at the rate of five dollars (\$5.00) per month, fifteen dollars (\$15.00), or so much thereof as may be necessary.

QUARTERMASTER, UNITED STATES PRISON, SAN ISIDRO, NUEVA ECIJA.

For subsistence of native convicts, two thousand, four hundred and thirty dollars (\$2,430.00); repairs to prison, two hundred dollars (\$200.00); salaries, as follows: One clerk, class 9; one interpreter, at the rate of four hundred and fifty dollars (\$450.00) per annum, four hundred and twelve dollars and fifty cents (\$412.50); postage stamps for native convicts, twelve dollars (\$12.00).

In all, for the Quartermaster, United States Prison, San Isidro, Nueva Ecija, three thousand and fifty-four dollars and fifty cents (\$3,054.50), or so much thereof as may be necessary.

MEDICAL SUPPLY DEPOT, MANILA.

For the payment of incidental expenses incurred in the Medical Department, such as subsistence for Metropolitan and Native policemen and scouts sick in hospitals, purchase of medicines for indigent natives, and salary of native vaccinators for the second and third quarters 1901, one thousand, two hundred and fifty dollars (\$1,250.00), or as much thereof as may be necessary.

CHIEF COMMISSARY, DIVISION OF THE PHILIPPINES.

For reimbursement to the United States Commissary Department for the subsistence of native convicts at various posts in the Philippine Islands, ten thousand dollars (\$10,000.00), or so much thereof as may be necessary.

CHIEF PAYMASTER, DEPARTMENT OF NORTHERN LUZON.

For the payment of the squadron of Philippine Cavalry, fourteen thousand dollars (\$14,000.00), or so much thereof as may be necessary.

DISTRICT COMMANDER, ISABELA DE BASILAN.

For salaries and wages, as follows: One interpreter, at the rate of fifty dollars (\$50.00) per month; one clerk, at the rate of fifteen dollars (\$15.00) per month; one hundred and ninety-five dollars (\$195.00); salaries and wages for the crew of the launch *Basuan*, nine hundred and twenty-two dollars and fifty cents (\$922.50); miscellaneous

expenses for the launch *Basilan*, one thousand and ten dollars (\$1,010.00); oil, nine dollars (\$9.00); rent for offices, thirty-seven dollars and fifty cents (\$37.50).

In all, for the District Commander, Isabela de Basilan, two thousand, one hundred and seventy-four dollars (\$2,174.00), or so much thereof as may be necessary.

DEPARTMENT OF PATENTS, COPYRIGHTS AND TRADEMARKS.

For one clerk, class A, two hundred and twenty-five dollars (\$225.00), or so much thereof as may be necessary.

QUARTERMASTER, UNITED STATES MILITARY PRISON. BACOLOR,
PAMPANGA.

For payment of ration supply for native convicts, three thousand, six hundred dollars (\$3,600.00); one interpreter, one hundred and twelve dollars and fifty cents (\$112.50); services rendered by Sr. David, and supplying material for repairs to public civil property, thirty-eight dollars and fifty cents (\$38.50).

In all, for the Quartermaster, United States Military Prison, Bacolor, Pampanga, three thousand, seven hundred and fifty-one dollars (\$3,751.00), or so much thereof as may be necessary.

TREASURER, PHILIPPINE ARCHIPELAGO.

For salaries, as follows: Treasurer, at the rate of six thousand dollars (\$6,000.00) per annum; one clerk, class 4; one clerk, class 6; one clerk, class 7; two clerks, class 8, one of which is hereby authorized; five clerks, class 9, one of which is hereby authorized; one interpreter; class C; two clerks, class I; one driver of official vehicle at the rate of one hundred and twenty dollars (\$120.00) per annum; one chief of Provincial Bureau, at the rate of twenty-five hundred dollars (\$2,500.00) per annum; two examiners at the rate of two thousand, two hundred and fifty dollars (\$2,250.00) each, hereby authorized; one examiner, at the rate of two thousand dollars (\$2,000.00) per annum, hereby authorized; in all, for salaries, seven thousand, seven hundred and twenty-two dollars and fifty cents (\$7,722.50) for printing, and binding ledgers, notebooks, etc., for provincial governments, twenty thousand dollars (\$20,000.00); printing for the office of Treasurer, two hundred dollars (\$200.00); traveling expenses in examination of banks and offices of provincial treasurers, three hundred and fifty dollars (\$350.00); miscellaneous items, two hundred and fifty dollars (\$250.00); extra allowance for disbursing clerk, fifty dollars (\$50.00).

In all, for the Treasurer of the Philippine Archipelago, twenty-eight thousand, five hundred and seventy-two dollars and fifty cents (\$28,572.50), or so much thereof as may be necessary.

DIRECTOR GENERAL OF POSTS.

For amount allowed to Oscar Schutt, clerk, class 8, in lieu of salary, from April 1 to April 30, 1901, and expenses to San Francisco, one hundred and sixty-six dollars and eighty-six cents (\$166.86); for employment of substitutes for clerks granted leave of absence under Act 80, two thousand, five hundred dollars (\$2,500.00).

In all, for the Director General of Posts, two thousand, six hundred and sixty-six dollars and eighty-six cents (\$2,666.86), or so much thereof as may be necessary.

GENERAL SUPERINTENDENT OF PUBLIC INSTRUCTION.

For salaries authorized by Act 102, four thousand, eight hundred and fifty-five dollars (\$4,855.00); additional natives for packing, hereby authorized, seventy-five dollars (\$75.00); authorized salaries, division superintendents, ten thousand, eight hundred dollars (\$10,800.00); traveling expenses of the general and division superintendents from the United States and in the field, five thousand dollars (\$5,000.00); salaries and expenses of the Advisory Board, one hundred dollars (\$100.00); school furniture, twenty-five thousand dollars (\$25,000.00); twenty nipa school buildings, at two hundred and fifty dollars (\$250.00) each, five thousand dollars (\$5,000.00); Department Library books, two hundred and fifty dollars (\$250.00); office supplies, two hundred and fifty dollars (\$250.00); incidental expenses and repairs, fifty dollars (\$50.00); rent of storehouse, four hundred and fifty dollars (\$450.00); freight on school books, three hundred and sixty-five dollars and fifty cents (\$365.50); financial aid to schools at San Pedro Macati, Balayan, Batangas, Isabela de Basilan and Lucban, for the third quarter of the year 1901, eight hundred and seventeen dollars and fifty cents (\$817.50); financial aid to schools at Macabebe, from January 1, 1901, to and including September 30, 1901, two hundred and eighty dollars (\$280.00); financial aid for schools in Antique Province, for the second and third quarters of the year 1901, one thousand, nine hundred and sixty-five dollars (\$1,965.00); payment of salaries of teachers in the Department of the Visayas to June 30th, and for the rental of school buildings for the same period, sixteen thousand, five hundred dollars (\$16,500.00); increase in salary of one clerk, from fifty dollars (\$50.00) per month to sixty dollars (\$60.00) per month, for the period from January 5th to March 31st, hereby authorized, twenty-eight dollars and thirty-eight cents (\$28.38); salaries of one principal teacher at the rate of twenty-five dollars (\$25.00) per month and nine teachers at the rate of twenty dollars (\$20.00) per month, hereby authorized, for the Province of Masbate for the third quarter of the year 1901, six hundred and fifteen dollars (\$615.00).

The following appropriations made in previous quarters for the office of the General Superintendent of Public Instruction, but undrawn from the treasury, are hereby made available for expenditure in the third quarter of the year 1901: Appropriated by Act No. 110, for salaries of teachers from the United States, two hundred and thirty-five thousand dollars (\$235,000.00); for traveling expenses of teachers from the United States, fifty thousand dollars (\$50,000.00); appropriated by Act No. 74, for the Normal School, twenty-two thousand dollars (\$22,000.00); for the Trade School, fifteen thousand dollars (\$15,000.00); for the Agricultural School, fifteen thousand dollars (\$15,000.00); appropriated by Act No. 97, for school books, one hundred and twenty-eight thousand, four hundred and forty-five dollars (\$128,445.00); for school supplies and stationery, thirty-four thousand, two hundred and twenty-one dollars and seventy-five cents (\$34,221.75).

In all, for the General Superintendent of Public Instruction, seventy-two thousand, four hundred and one dollars and thirty-eight cents (\$72,401.38), or so much thereof as may be necessary.

OFFICE OF THE PROVOST MARSHAL GENERAL AND THE DEPARTMENTS REPORTING TO HIM.

Department of Receipts and Disbursements:

Three clerks, class 9; one clerk, class A; one thousand, one hundred and twenty-five dollars (\$1,125.00); for refund of bail forfeited by Chan Yao and Sie Yen Len, fifty dollars (\$50.00).

In all, for the Department of Receipts and Disbursements, one thousand, one hundred and seventy-five dollars (\$1,175.00), or so much thereof as may be necessary.

Department of Streets, Parks, Fire and Sanitation:

For salaries authorized by Act 102, and for wages, six mechanics at thirty cents (\$0.30.00) per day each, and seven hundred and eighty laborers at twenty-five cents (\$0.25.00) per day each, twenty-eight thousand, six hundred and fifty-three dollars and ten cents (\$28,653.10); salaries and wages in parks and paseos, three thousand, eight hundred and six dollars and fifty cents (\$3,806.50); salaries for cleaning city markets, one thousand, one hundred and seventeen dollars and fifty cents (\$1,117.50); salaries and wages, operating rock quarry, two thousand, four hundred and eighty dollars (\$2,480.00); wages of crew of launch, seven hundred and ninety-five dollars (\$795.00); night labor on streets, six hundred and thirty-three dollars and eighty cents (\$633.80); salaries and wages in the disposal of garbage, one thousand, one hundred and eighty-three dollars (\$1,183.00); salaries and wages in land transportation, five thousand, five hundred and fifty dollars (\$5,550.00); general expenses in the markets, three hundred and sixty-nine dollars (\$369.00); general expenses for disposal of garbage, four hundred and fifty dollars (\$450.00); forage, shoeing, etc., three thousand, five hundred and eighty-six dollars and fifty cents (\$3,586.50); rent of Paco Crematory, forty-five dollars (\$45.00); road materials, fifteen thousand dollars (\$15,000.00); sewers and drains, six thousand dollars (\$6,000.00); repairs and maintenance of transportation, three thousand dollars (\$3,000.00); fire stations, street cleaning and sanitation, and miscellaneous expenses, three thousand dollars (\$3,000.00); equipment for fire-engines authorized by Act No. 143, as follows: Two American horses, one set of double harness, fifteen hundred feet of hose, two thousand and fifty dollars (\$2,050.00); salaries of one engineer at three hundred and sixty dollars (\$360.00) per annum, one assistant engineer at three hundred dollars (\$300.00) per annum, one driver at seven hundred and twenty dollars (\$720.00) per annum, three hundred and forty-five dollars (\$345.00); incidental expenses, one hundred and twelve dollars and fifty cents (\$112.50.)

In all, for the Department of Streets, Parks, Fire and Sanitation, seventy-eight thousand, one hundred and seventy-six dollars and ninety cents (\$78,176.90), or so much thereof as may be necessary.

Department of Water Supply:

For authorized salaries, as follows: One clerk of class 6; two clerks of class 7; one clerk of class 8; one chief engineer at twelve hundred dollars (\$1,200.00) per annum; one foreman at nine hundred dollars (\$900.00) per annum; one second engineer at seven hundred and twenty dollars (\$720.00) per annum; one foreman at six hundred dollars (\$600.00) per annum; one third engineer at six hundred dollars (\$600.00) per annum; one foreman at four hundred and twenty dollars (\$420.00) per annum; one fourth engineer at four hundred and eighty dollars (\$480.00) per annum; one clerk at three hundred and sixty dollars (\$360.00) per annum; one draughtsman at three hun-

dred dollars (\$300.00) per annum; one clerk at three hundred dollars (\$300.00) per annum; nine inspectors at six hundred dollars (\$600.00) per annum; one clerk, one foreman and three oilers at two hundred and forty dollars (\$240.00) per annum; three firemen and one foreman at one hundred and eighty (\$180.00) dollars per annum; four carpenters and one oiler at one hundred and fifty dollars (\$150.00) per annum; one blacksmith at one hundred and eighty dollars (\$180.00) per annum; in all, for salaries, five thousand, one hundred and thirty-two dollars and fifty cents (\$5,132.50); hire of laborers, two thousand, two hundred and sixty-two dollars (\$2,262.00); maintenance and supplies, two thousand dollars (\$2,000.00); office expenses, one hundred dollars (\$100.00); coal, six thousand dollars (\$6,000.00); changing fire-plugs on Bayambang driveway, eight hundred dollars (\$800.00); difference of salaries for employees authorized by Act No. 102 over the amount already appropriated, for the second quarter of the year 1901, one thousand, three hundred and eighty-two dollars and fifty cents (\$1,382.50); funds necessary for the reimbursement of Smith, Bell & Company for the expenditure incurred by them in placing a water installation on the Pasig River front, two hundred and thirteen dollars and thirty-five cents (\$213.35).

In all, for the Department of Water Supply, seventeen thousand, eight hundred and ninety dollars and thirty-five cents (\$17,890.35), or so much thereof as may be necessary.

Department of City Public Works:

For salaries, as follows: One city engineer at thirty-six hundred dollars (\$3,600.00) per annum; one assistant city engineer at eighteen hundred dollars (\$1,800.00) per annum; one building inspector at six hundred dollars (\$1,600.00) per annum, three building inspectors, one draughtsman and one clerk at twelve hundred dollars (\$1,200.00) per annum; two inspectors at nine hundred dollars (\$900.00) per annum; one foreman at seven hundred and twenty dollars (\$720.00) per annum; one surveyor at eight hundred and forty dollars (\$840.00) per annum; one foreman at seven hundred and twenty dollars (\$720.00) per annum; one clerk and interpreter at four hundred and eighty dollars (\$480.00) per annum; one foreman at four hundred and twenty dollars (\$420.00) per annum; one foreman at three hundred and sixty dollars (\$360.00) per annum; one chainman and three foremen at three hundred dollars (\$300.00) per annum; eight employees at two hundred and forty dollars (\$240.00) per annum; one employee at one hundred and eighty dollars (\$180.00) per annum; in all, for salaries, five thousand, four hundred and ten dollars (\$5,410.00); office expenses, one hundred dollars (\$100.00); city bridges, seven thousand dollars (\$7,000.00); Santolan Road, one thousand dollars (\$1,000.00); instruments, one hundred dollars (\$100.00); drawing material, seventy-five dollars (\$75.00); map of Manila, one thousand dollars (\$1,000.00); Quinta Market, thirty-five thousand, two hundred and fifty dollars and ninety-four cents (\$35,250.94); maintenance of stock, two hundred dollars (\$200.00); paving Santa Cruz Bridge, four thousand dollars (\$4,000.00); for piping, fitting and general expenses in the construction of an artesian well, three thousand dollars (\$3,000.00); difference of salaries authorized by Act No. 102 over the amount already appropriated for the second quarter of the year 1901, two hundred and seventy-two dollars and fifty cents (\$272.50); for the completion of the work of erecting piers, abutments and approaches of the Santa Cruz Bridge, fifteen thousand, three hundred and ninety-six dollars and sixty-four cents (\$15,396.64); for reimbursing of H. M.

Jones for cost of extra work and time in widening the Bridge of Spain, said work being done under contract, one thousand, one hundred and forty dollars (\$1,140.00).

In all, for the Department of City Public Works, seventy-three thousand, nine hundred and forty-five dollars and eight cents (\$73,945.08), or so much thereof as may be necessary.

Department of Inspection:

For one clerk, class 9; one clerk at the rate of four hundred and fifty dollars (\$450.00) per annum, four hundred and twelve dollars and fifty cents (\$412.50); subsistence and treatment of indigent and insane natives at the Hospicio de San José, seven thousand, five hundred dollars (\$7,500.00).

In all, for the Department of Inspection, seven thousand, nine hundred and twelve dollars and fifty cents (\$7,912.50), or so much thereof as may be necessary.

Department of Prisons:

For expenses in the Presidio de Manila, as follows: Subsistence of prisoners, six thousand, five hundred and fifty-five dollars (\$6,555.00); oil, ninety dollars (\$90.00); salaries, as follows: One superintendent at eighteen hundred dollars (\$1,800.00) per annum; one storekeeper at twelve hundred dollars (\$1,200.00) per annum; one interpreter and two capataces at six hundred dollars (\$600.00) per annum; four capataces (one additional hereby authorized) at three hundred dollars (\$300.00) per annum; one chaplain at three hundred dollars (\$300.00) per annum; two clerks at two hundred and forty dollars (\$240.00) per annum; one laundryman (prisoner) at ninety dollars (\$90.00) per annum; one clerk (prisoner) at thirty dollars (\$30.00) per annum; in all, for salaries, one thousand, seven hundred and twenty-five dollars (\$1,725.00); office supplies, including soap, ninety dollars (\$90.00); repairs to transportation, thirty dollars (\$30.00); miscellaneous repairs, materials and tools in the manufacturing department, and supplies for the laundry department, three thousand dollars (\$3,000.00); enlarging laundry plant, including the purchase of one boiler, three disinfecting vats, four washing vats, six washing machines, steam fittings, etc., for drying-room, and installation of the same, one thousand, three hundred and sixty-nine dollars (\$1,369.00); material for the manufacturing of flags, five hundred and nineteen dollars (\$519.00).

In all, for the Presidio de Manila, thirteen thousand, three hundred and seventy-eight dollars (\$13,378.00), or so much thereof as may be necessary.

Expenses of Bilibid Prison, as follows: For salaries, as follows: One clerk at twelve hundred dollars (\$1,200.00) per annum; one visiting physician at twelve hundred dollars (\$1,200.00) per annum; three hospital stewards at three hundred dollars (\$300.00) per annum; one teamster at one hundred and twenty dollars (\$120.00) per annum; one lieutenant native civil police at four hundred and eighty dollars (\$480.00) per annum; four sergeants native civil police at two hundred and forty dollars (\$240.00) per annum; eight corporals native civil police at one hundred and eighty dollars (\$180.00) per annum; forty privates native civil police at one hundred and forty-four dollars (\$144.00) per annum; in all, for salaries, three thousand and fifteen dollars (\$3,015.00); general repairs, three hundred dollars (\$300.00); miscellaneous expenses, eighty-seven dollars and fifty cents (\$87.50); one hundred and six native police uniforms, three hundred and thirty-three dollars and ninety cents (\$333.90); one hundred and six pairs of shoes for native police, two hundred and twelve dollars

(\$212.00); drugs for hospital, three hundred dollars (\$300.00); rations for American civil prisoners for forty-five days, for the quarter ending June 30, 1901, eleven dollars and twenty-five cents (\$11.25).

In all, for Bilibid Prison, four thousand, two hundred and fifty-nine dollars and sixty-five cents (\$4,259.65), or so much thereof as may be necessary.

For expenses of the Cárcel Pública, as follows: Subsistence for prisoners, six thousand, six hundred and sixty dollars and eighty cents (\$6,660.80); lights, fifty dollars (\$50.00); salaries as follows: One alcalde at twelve hundred dollars (\$1,200.00) per annum; one chaplain at three hundred dollars (\$300.00) per annum; one interpreter at four hundred and twenty dollars (\$420.00) per annum; one first capataz (overseer) at four hundred and twenty dollars (\$420.00) per annum; three capataces (assistant overseers) at two hundred and forty dollars (\$240.00) per annum; four bastoneros at one hundred and eighty dollars (\$180.00) per annum; two clerks at one hundred and eighty dollars (\$180.00) per annum; in all, for salaries, one thousand and thirty-five dollars (\$1,035.00); office supplies, thirty-six dollars (\$36.00); miscellaneous repairs, three hundred dollars (\$300.00); transportation, fifteen dollars (\$15.00).

In all, for the Cárcel Pública, eight thousand and ninety-six dollars and eighty cents (\$8,096.80), or so much thereof as may be necessary.

In all, for the Department of Prisons, twenty-five thousand, seven hundred and thirty-four dollars and forty-five cents (\$25,734.45), or so much thereof as may be necessary.

Department of Licenses and Municipal Revenue:

Authorized salaries, as follows: Office staff, authorized by Act No. 102, one thousand, three hundred and fifty dollars (\$1,350.00); division of licenses, two thousand and seven dollars (\$2,007.00); division of live-stock registration and vehicle tax, eight hundred and thirty dollars (\$830.00); division of weights and measures, three hundred and ninety-seven dollars and fifty cents (\$397.50); public market, two thousand, three hundred and forty-two dollars and fifty cents (\$2,342.50); slaughter-house, nine hundred and ninety-dollars (\$990.00); salary of one inspector, license division, class 9, hereby authorized, three hundred dollars (\$300.00); one chief collector of markets at twenty-five dollars per month, hereby authorized, seventy-five dollars (\$75.00); two clerks at twenty dollars (\$20.00) per month each, hereby authorized, one hundred and twenty dollars (\$120.00); stationery, one hundred and twenty-five dollars (\$125.00); printing, five hundred dollars (\$500.00); bounty for sixteen hundred dogs, forty dollars (\$40.00); matadero fuel, four hundred and fifty-dollars (\$450.00); brassards, sixty dollars (\$60.00); numbering eight hundred vehicles, sixty dollars (\$60.00); transportation, three hundred dollars (\$300.00); incidental expenses, one hundred and ninety-five dollars (\$195.00); transportation for the quarter ending June 30, 1901, and fuel for the matadero for the same period, two hundred dollars (\$200.00).

In all, for the Department of Licenses and Municipal Revenue, ten thousand, three hundred and forty-two dollars (\$10,342.00), or so much thereof as may be necessary.

Department of the Board of Health:

Authorized salaries, as follows: Office force, consisting of one chief clerk at the rate of fourteen hundred dollars (\$1,400.00) per annum; one chief municipal physician at six hundred dollars (\$600.00) per annum; two clerks at twelve hundred dollars (\$1,200.00) per annum; one clerk at nine hundred dollars (\$900.00) per annum; one clerk at

three hundred dollars (\$300.00) per annum; one clerk at twelve hundred dollars (\$1,200.00) per annum; in all, for salaries of office force, one thousand, seven hundred dollars (\$1,700.00); municipal physicians, one thousand, three hundred and twenty dollars (\$1,320.00); midwives, one hundred and eighty dollars (\$180.00); inspection department, two thousand, nine hundred and ten dollars (\$2,910.00); plague hospital, one hundred and ninety-five dollars (\$195.00); small-pox hospital, one hundred and fifty dollars (\$150.00); vaccine station, one thousand and five dollars (\$1,005.00); bacteriological laboratory, one hundred and fifty-seven dollars and fifty cents (\$157.50); chemical laboratory, nine hundred and seventy-five dollars (\$975.00); engineer department, one thousand, two hundred and ninety-two dollars and fifty cents (\$1,292.50); steam disinfecting plant, seventy-five dollars (\$75.00); municipal dispensary, ninety-seven dollars and fifty cents (\$97.50); cemeteries, six hundred and fifty-two dollars and fifty cents (\$652.50); for transportation, one thousand, five hundred and eighteen dollars (\$1,518.00); running expenses of the Board of Health, plague hospital, smallpox hospital, vaccine station, anti-plague virus farm, bacteriological laboratory, chemical laboratory, veterinary department, steam disinfecting plant, municipal dispensary and cemeteries, five thousand, three hundred and twenty-five dollars (\$5,325.00); salary of district inspector at twenty-five dollars (\$25.00) per month, and fifty-three inspectors at fifteen dollars (\$15.00) per month each, hereby authorized, for the inspection department, for the quarter ending June 30, 1901, two thousand, four hundred and sixty dollars (\$2,460.00); difference of salaries for employees authorized by Act No. 102 over amount already appropriated, three hundred and thirty-four dollars and fifty cents (\$334.50); funds for the carrying on of the manufacture of an anti-toxin for the cure of rhinderpest and experiments with the same, five hundred dollars (\$500.00).

In all, for the Department of the Board of Health, twenty thousand, eight hundred and forty-seven dollars and fifty cents (\$20,847.50), or so much thereof as may be necessary.

Department of Police:

Salaries and wages, as follows: Metropolitan Police, authorized by Act 70, one hundred and seventeen thousand, three hundred dollars (\$117,300.00); native police, thirty-one thousand, seven hundred and thirty-seven dollars (\$31,737.00); detectives, authorized by Act 102, three thousand, seven hundred and five dollars (\$3,705.00); clerks and other employees, authorized by Act 102, four thousand, three hundred dollars and two cents (\$4,300.02). Additional salaries hereby authorized, as follows: Two interpreters, class 9; three employees, class D; five employees at the rate of four hundred and fifty dollars (\$450.00) per annum each; four employees, class I; one thousand, nine hundred and twelve dollars and fifty cents (\$1,912.50); contingent expenses for detective bureau and police department, one thousand, five hundred dollars (\$1,500.00); medical supplies for native police, two hundred and twenty-five dollars (\$225.00); twenty-four laborers for the Metropolitan Police stations, at six dollars and fifty cents (\$6.50) per month each, four hundred and sixty-eight dollars (\$468.00); meals for civil prisoners, two thousand, two hundred and fifty dollars (\$2,250.00); printing and stationery, one thousand and fifty dollars (\$1,050.00); six hundred ponchos for native police, eight hundred and twenty-two dollars (\$822.00).

In all, for the Department of Police, one hundred and sixty-five thousand, two hundred and sixty-nine dollars and fifty-two cents (\$165,269.52).

Department of Illumination:

Maintenance of street and harbor lights, nine thousand, two hundred and seventy dollars and seventy-five cents (\$9,270.75); maintenance of lights in public buildings, police stations, Bilibid Prison, band-stands on the Luneta, and public markets, two thousand, five hundred and seventy-seven dollars and fifty cents (\$2,577.50); rent and service of telephones, five hundred and ten dollars (\$510.00); salaries, as follows: One inspector electrician, class 7; one clerk, class 9; seven hundred dollars (\$700.00); material for repairs, supplies, etc., to existing installations, two hundred dollars (\$200.00); meters for various installations, three hundred dollars (\$300.00); transportation for inspector, forty-five dollars (\$45.00); five per cent. of current expense for increased service and new or additional installation, six hundred and seventeen dollars and ninety-one cents (\$617.91); increased salary of inspector for the period ending June 30, 1901, hereby authorized, one hundred dollars (\$100.00).

In all, for the Department of Illumination, fourteen thousand, three hundred and twenty-one dollars and sixteen cents (\$14,321.16), or so much thereof as may be necessary.

Office of the Adjutant General of the Provost Marshal General:

Salaries, as follows: One interpreter and translator, at the rate of two thousand, four hundred dollars (\$2,400.00) per annum; one clerk, class 6; two clerks, class 7; six clerks, class 8; nineteen clerks, class 9; two clerks, class A; three messengers at the rate of one hundred and eighty dollars (\$180.00) per annum; in all, for salaries, ten thousand, two hundred and thirty-five dollars and four cents (\$10,235.04); salaries for two clerks, class 9, on duty with the Board of Officers on the Preparation of Municipal Ordinances, six hundred dollars (\$600.00); increase in salary of one interpreter from thirty-seven dollars and fifty cents (\$37.50) to seventy-five dollars (\$75.00) per month, for April, May and June, 1901, authorized by Act No. 102, one hundred and twelve dollars and fifty cents (\$112.50); for subsistence of fifty orphans at Santa Isabela College, nine hundred and seventy-five dollars (\$975.00); stationery, printing, advertising and contingent expenses, two thousand, five hundred dollars (\$2,500); for payment of services rendered by stenographic reporters recording proceedings of Military Commissions convened by the Provost Marshal General, for the quarter ending June 30, 1901, one thousand dollars (\$1,000.00).

In all, for the Office of the Adjutant General of the Provost Marshal General, fifteen thousand, four hundred and twenty-two dollars and fifty-four cents (\$15,422.54), or so much thereof as may be necessary.

Department of City Schools:

Salaries, as follows: Superintendent, at the rate of three thousand dollars (\$3,000.00) per annum; one clerk, class 7; two clerks, class 9; one clerk at the rate of four hundred and fifty dollars (\$450.00) per annum; one employee at the rate of one hundred and fifty dollars (\$150.00) per annum; in all, for salaries, one thousand, nine hundred dollars (\$1,900.00); salaries of teachers in the primary schools, twenty-six thousand, seven hundred and ninety dollars (\$26,790.00); salaries of teachers and employees in evening schools, seven thousand, six hundred and five dollars (\$7,605.00); miscellaneous expenses, including one hundred and thirty-five dollars (\$135.00) for the hire of carromato for use of the superintendent, one thousand, two hundred and ten dollars (\$1,210.00); salaries in the Nautical School, as follows: One teacher of English at the rate of one thousand dollars (\$1,000.00) per annum; one instructor at the rate of six hundred and fifty dollars

(\$650.00) per annum; one instructor at the rate of six hundred dollars (\$600.00) per annum; one instructor at the rate of five hundred dollars (\$500.00) per annum; one rigger at the rate of three hundred and sixty dollars (\$360.00) per annum; two employees at the rate of ninety dollars (\$90.00) per annum; one employee at the rate of one hundred and eighty dollars (\$180.00) per annum; in all, for salaries, eight hundred and sixty-seven dollars and fifty cents (\$867.50); hire of carromato for superintendent of the Nautical School, ninety dollars (\$90.00); incidental expenses for Nautical School, one hundred and eighty dollars (\$180.00); school furniture, two thousand, eight hundred and seventy dollars (\$2,870.00); for amount of increase in salaries authorized by Act 102 in the Superintendent's office over the amount already appropriated, for the second quarter of the year 1901, one hundred and eighty-two dollars and fifty cents (\$182.50).

In all, for the Department of City Schools, forty-one thousand, six hundred and ninety-five dollars (\$41,695.00), or so much thereof as may be necessary.

Office of the Quartermaster of the Provost Marshal General:

Rent for civil police stations, seven thousand, eight hundred and ninety-eight dollars and fifty cents (\$7,898.50); rent of schoolhouses, three thousand, one hundred and seventy-three dollars (\$3,173.00); rent of market sites, seventy-five dollars (\$75.00); expenses of city morgue, including rent of vehicle at one dollar and fifty cents (\$1.50) per day, two hundred and twenty dollars and fifty cents (\$220.50); rent of vaccine station, one hundred and twenty dollars (\$120.00); rent of land for quarantine station, thirty-seven dollars and forty-four cents (\$37.44); janitor's services at Headquarters Provost Marshal General, four hundred and fifty dollars (\$450.00); pension of Jacinta Brillanti, fifteen dollars (\$15.00); nine teamsters for excavator wagons, at sixty dollars (\$60.00) per month each, one thousand, six hundred and twenty dollars (\$1,620.00); four clerks, class 9, one thousand, two hundred dollars (\$1,200.00); incidental expenses for Headquarters Provost Marshal General, two hundred and twenty-five dollars (\$225.00); rice for indigent citizens, eight hundred dollars (\$800.00); miscellaneous repairs, two thousand dollars (\$2,000.00); advertising and printing, one thousand dollars (\$1,000.00); salary of one master mechanic at one hundred dollars (\$100.00) per month, three hundred dollars (\$300.00); two native laborers at ten dollars (\$10.00) per month each, sixty dollars (\$60.00); rent of civil police barracks, and schoolhouses, for the second quarter of the year 1901, six hundred and thirty-seven dollars and fifty cents (\$637.50).

In all, for the Office of the Quartermaster of the Provost Marshal General, nineteen thousand, eight hundred and thirty-one dollars and ninety-four cents (\$19,831.94), or so much thereof as may be necessary.

Office of the Chief Surgeon:

Subsistence of Metropolitan Police admitted to the military hospital, one thousand, two hundred and fifty-six dollars and forty cents (\$1,256.40); one clerk, class 9, three hundred dollars (\$300.00).

In all, for the Office of the Chief Surgeon, one thousand, five hundred and fifty-six dollars and forty cents (\$1,556.40), or so much thereof as may be necessary.

Department of Municipal Records:

Authorized increase of fifty-four dollars and seventeen cents (\$54.17) in the monthly salary of an interpreter and translator, and of twenty-five dollars (\$25.00) in the monthly salary of one clerk, for the second

quarter of the year 1901, two hundred and thirty-seven dollars and fifty cents (\$237.50); one clerk at the rate of twenty-five dollars (\$25.00) per month, for April, May and June, Department of Prison Records, seventy-five dollars (\$75.00); authorized increase of \$62.50 in the salary of one interpreter in the Superior Provost Court, from February 24 to June 30, 1901, two hundred and sixty-four dollars and fifty-eight cents (\$264.58); for increase in the salaries of the Chief Justice and three Associate Judges of the Supreme Court authorized by Act 136, over the amount already appropriated for the period June 17 to June 30, six hundred and fifty-one dollars and thirty-nine cents (\$651.39); for the salaries of three additional Associate Judges of the Supreme Court, authorized by Act 136, for the period June 17 to June 30, eight hundred and sixteen dollars and sixty-six cents (\$816.66); salary of one chief clerk at the rate of two hundred and fifty dollars (\$250.00) per month and three deputy clerks at the rate of one hundred and sixty-six dollars and sixty-six cents (\$166.66) per month for the Supreme Court for the period June 18 to June 30, two hundred and fifty-eight dollars and thirty-one cents (\$258.31); for increase of salary of the Attorney General and the Assistant Attorney General, authorized by Act 136, over the amount already appropriated for the period June 17 to June 30, one hundred and seventy-two dollars and fifty cents (\$172.50); salary of one Solicitor General at three hundred and seventy-five dollars (\$375.00) per month for the period June 17 to June 30, one hundred and seventy-five dollars (\$175.00); for increase in the salary of two judges of the Courts of First Instance, authorized by Act 140, for the period June 17 to June 30, two hundred and ninety-nine dollars and forty-four cents (\$299.44); salary of one sheriff at two hundred and eight dollars and thirty-three cents (\$208.33) per month, from June 21 to June 30, sixty-nine dollars and forty-four cents (\$69.44); salary of one clerk at one hundred and sixty-six dollars and sixty-six cents (\$166.66) from June 22 to June 30, fifty dollars (\$50.00); in all, for the Department of Municipal Records, three thousand and sixty-nine dollars and eighty-two cents, or so much thereof as may be necessary.

Office of the Public Prosecutor:

Two clerks, class 9; one interpreter at the rate of seven hundred and fifty dollars (\$750.00) per annum; seven hundred and eighty-seven dollars and fifty cents (\$787.50), or so much thereof as may be necessary.

In all, for the Office of the Provost Marshal General, and the departments reporting to him, four hundred and ninety-seven thousand, nine hundred and seventy-seven dollars and sixty-six cents (\$497,977.66), or so much thereof as may be necessary.

SURGEON IN CHARGE AT SAN JOSÉ DE BUENA VISTA, PANAY.

For the employment of one native vaccinator, at fifteen dollars per month, hereby authorized, forty-five dollars (\$45.00), or so much thereof as may be necessary.

DISBURSING OFFICER, UNITED STATES PHILIPPINE COMMISSION.

Salaries and general expenses of the United States Philippine Commission, fifty thousand dollars (\$50,000.00), or so much thereof as may be necessary.

PHILIPPINE WEATHER BUREAU.

For salaries, authorized by Act 131, for Manila Central Observatory, for the month of June and the third quarter of the year 1901, six thousand, eight hundred and thirty-nine dollars and ninety-six cents (\$6,839.96); expenses of the branch station at Baguio and at Dagupan, for the same period, four hundred and sixty-six dollars and sixty-four cents (\$466.64); printing and binding weather bulletin for May, June, July and August, forty-five dollars (\$45.00); rent of instruments, offices, etc., for June and the third quarter of the year 1901, fifteen hundred dollars (\$1,500.00); traveling expenses, cost of transportation and instruments, etc., for the month of June and the third quarter of the year 1901, one thousand, one hundred and fifty dollars (\$1,150.00); expenses of the following branch stations, for the third quarter of the year 1901: Zamboanga, Cebu, Iloilo, Ormoc and Legaspi, eight hundred and seventy-four dollars and ninety-five cents (\$874.95); expenses of the branch stations of Daet, Aparri, San Isidro and Tacloban, for the months of August and September, 1901, three hundred and thirty-three dollars and thirty-two cents (\$333.32); expenses of the branch stations at Maasin, Capiz and Surigao for the third quarter of the year 1901, one hundred and seventy dollars (\$170.00); expenses of the rain station at San Fernando de la Union, twenty-two dollars and fifty cents (\$22.50); weather report for August, September, October, November and December, 1899, and January, February and March, 1900, four hundred and fourteen dollars (\$414.00); binding weather report for the years 1898 and 1899, thirty-two dollars (\$32.00); extra allowance for disbursing clerk for the third quarter of the year 1901, fifty dollars (\$50.00).

In all, for the Philippine Weather Bureau, eleven thousand, eight hundred and ninety-eight dollars and thirty-seven cents (\$11,898.37), or so much thereof as may be necessary.

MISCELLANEOUS.

For payment by settlement warrant to legal heirs of deceased scouts and deceased Philippine Cavalrymen, of the amounts found to have been due to such deceased scouts and cavalrymen, five hundred dollars (\$500.00).

For O. B. Troplong, for salary from December 1 to December 15, 1900, one hundred dollars (\$100.00).

For W. H. Clarke, chief clerk, Auditor's Office, as additional compensation for services as superintendent of the Intendencia Building, at the rate of two hundred and fifty dollars (\$250.00) per annum, hereby authorized, sixty-two dollars and fifty cents (\$62.50).

For Aldecoa & Company, for increase in rent of twenty dollars (\$20.00) per month of the house, 143 Calle Camba, Binondo, used as a schoolhouse, from January 1 to May 15, 1901, ninety dollars (\$90.00).

For Henry D. Wolfe, for twenty electric fans for the offices of the United States Philippine Commission, at thirty-five dollars and twenty-five cents (\$35.25) each, seven hundred and five dollars (\$705.00).

Total appropriations for all purposes, in money of the United States, one million, two hundred and twenty-two thousand, seven hundred and thirty-two dollars and eighty-three cents (\$1,222,732.83), or so much thereof as may be necessary.

SEC. 2. There is hereby appropriated out of the Insular Treasury from funds not otherwise appropriated a sum sufficient to return to the provincial governments now or hereafter organized under the General Provincial Government Act, all the internal revenue collections made between the first of January, 1901, and the first of July, 1901, in said provinces, in accordance with Section 37 of Act No. 133, one-half to be paid into the provincial treasury and the other half to be paid to the Provincial Treasurer, to be by him distributed to the municipalities in which the same were collected. The authority for payment hereby conferred may be exercised from time to time in partial payments to provincial treasurers until all that is due under Section 37 of Act No. 133 shall be paid. The warrants for the same shall be drawn upon the application of the provincial treasurers in the amounts certified to be correct by the Insular Collector of Internal Revenue, approved by the Insular Auditor. In so far as the manner of payment provided in Section 37 of Act No. 133 is inconsistent with that herein provided, such Section No. 37 is hereby modified.

SEC. 3. Disbursing officers are hereby directed to disburse all funds by this act appropriated, one-half in money of the United States and one-half in local currency, upon the basis of two dollars of local currency for one dollar of money of the United States. Warrants shall be drawn in money of the United States, but disbursing officers are hereby required to procure on the warrants one-half in money of the United States and one-half in local currency, for the purpose of complying with this section.

SEC. 4. The public good requiring the speedy enactment of this Appropriation Bill, the passage of the same is hereby expedited in accordance with Section 2 of "An Act Prescribing the Order or Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 5. This act shall take effect on its passage.

Enacted, July 13, 1901.

[No. 164.]

AN ACT amending Act No. 157, entitled "An act providing for the establishment of a Board of Health for the Philippine Islands."

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Section 6 of "An Act Providing for the Establishment of a Board of Health for the Philippine Islands" is hereby amended by adding at its close the following words: "In case of delay in filling the office of Commissioner of Public Health, or if for any other reason there is a vacancy therein, the Chief Health Inspector shall, in addition to his duties as such, exercise the authority and discharge the duties of Commissioner of Public Health until the office is duly filled. While discharging the duties of Commissioner of Public Health he shall receive additional compensation at the rate of five hundred dollars (\$500) per year."

SEC. 2. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with Section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, July 13, 1901.

[No. 165.]

AN ACT prescribing certain duties for collectors of customs, collectors of internal revenue, and provincial treasurers with reference to the collection of taxes on forest products.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Any person who desires to ship forest products of whatever sort to a foreign port shall produce to the Collector of Customs at the port of shipment a receipt from a forestry official showing that the forestry taxes on these products have been paid, unless such products are taken from private land the title to which has been properly registered in the office of the Forestry Bureau at Manila, in which case a shipper shall produce a certificate from a forestry official to this effect.

SEC. 2. No Collector of Customs shall clear a vessel having on board forest products of any sort from any port of the Philippine Islands for a foreign port until the shipper of such products has complied with the provisions of Section 1 of this act.

SEC. 3. Every Collector of Internal Revenue and every Provincial Treasurer in the Philippine Islands shall make to the Chief of the Forestry Bureau an itemized monthly report of all moneys received by him for taxes on forest products, giving for each payment the date when made, the name of the payor, the number of the forestry official's order under which the payment is made, the nature of the product on which the payment is made, the name of the province in which it was taken and the amount of the payment.

SEC. 4. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with Section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 5. This act shall take effect on its passage.

Enacted, July 13, 1901.

[No. 166.]

AN ACT creating a special court for the trial of certain actions, appellate and original, pending in courts of the Island of Negros, on and before the 16th day of June, 1901.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. A special and temporary court is hereby created for the Island of Negros, with one judge to preside therein, who shall be appointed by the Civil Governor, with the consent of the Commission, and may be removed by the Civil Governor, with a like consent. The judge shall receive a salary at the rate of three thousand, five hundred dollars (\$3,500) per year, in money of the United States.

SEC. 2. The special court hereby created shall have exclusive jurisdiction to hear and determine:

1. All actions and proceedings which were pending in the Courts of First Instance in the Island of Negros on the 16th day of June, 1901, and which shall not have been heard by the new Courts of First

Instance organized within the Island of Negros under Act No. 136, when this act shall go into effect;

2. All appeals which, on the 16th day of June, 1901, were pending in the Court of Appeals for the Island of Negros organized under Section XVII of General Order No. 30, issued by the Military Government of the Philippine Islands on June 22, 1899;

3. All appeals which, on the 16th day of June, 1901, were pending in the Court of Appeals for fines imposed by administrative action in the Island of Negros, organized by virtue of acts of the Advisory Council of said island, and approved by the Military Governor thereof, on the 18th and 19th days of September, 1900.

All actions, proceedings and appeals in this section described, together with all the records, books and papers relating thereto, are transferred to the special court hereby established, which shall have the same power and jurisdiction over them as if they had been primarily lodged, deposited, filed or commenced therein, or, in cases of appeal, appealed thereto.

SEC. 3. The Court hereby created shall be a Court of Record and have a seal, and shall be governed as to its hours of sessions, clerk, clerk's bond, his deputy and assistants, and the employment of stenographer, typewriter, translator or interpreter, officer of the court, the duties of Fiscal, and allowance for traveling expenses, by the provisions of Chapter IV of Act No. 136, providing for the organization of courts, and the amendments thereof. The clerk shall receive a salary at the rate of eight hundred dollars per year, in money of the United States, payable monthly.

SEC. 4. The Judge of the Court hereby created shall hold terms of court at Bacolod, at which place all actions, proceedings and appeals originating in Occidental Negros shall be heard, and at Dumaguete, at which place all actions, proceedings and appeals originating in Oriental Negros shall be heard. The Judge shall fix the times of holding the terms, and give due notice thereof to the public, but shall so fix the dates for the terms that the special Court will not be in session at Bacolod or at Dumaguete at the times respectively fixed by law for holding the regular terms of the Court of First Instance in the Provinces of Occidental and Oriental Negros, respectively.

SEC. 5. The proceedings in the court hereby created shall be in accordance with the Civil and Criminal Codes of Procedure for Courts of First Instance in force in the Philippine Islands at the times when the several actions pending therein shall come on for trial; but in any appeals pending in said Court, additional evidence may be received, if the Court finds that the reception of such evidence is necessary in the interests of justice. All actions, civil and criminal, determined in said Court may pass to the Supreme Court for revision, in the same manner and with the same effect as though the actions had been heard in a Court of First Instance organized under Act No. 136.

SEC. 6. On the first day of September, 1902, or upon the earlier completion of the trial and determination of all the proceedings and appeals over which jurisdiction is given to the court hereby created, the court shall cease and be abolished without further legislation. In any action or proceedings at any time pending in the Supreme Court by appeal from the special court hereby created, the Supreme Court may, if it reverses the judgment and orders a new trial, remand the case for a new trial to the regular Court of First Instance for Occidental or Oriental Negros, as the case may be.

SEC. 7. The public good requiring the speedy enactment of this act, the passage of the same is hereby expedited in accordance with Section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 8. This act shall take effect on its passage.

Enacted, July 16, 1901.

[No. 167.]

AN ACT to amend sections 2, 3 and 14 of Act No. 102, entitled "An act regulating the salaries of officers and employees in the Philippine civil service" and to amend sections 5 and 20 of the Civil Service Act, and for other purposes.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Sections 2 and 3 of Act No. 102 entitled, "An Act Regulating the Salaries of Officers and Employees in the Philippine Civil Service," shall be amended so as to read as follows:

EXECUTIVE SECRETARY.

"SEC. 2. To assist the Civil Governor in his executive duties there shall be created an Executive Bureau, at the head of which there shall be an Executive Secretary, who shall receive an annual salary of seven hundred and fifty dollars (\$7,500), who shall speak and write fluently the English and Spanish languages and shall act as interpreter at all public sessions of the Commission when that body desires his presence, and shall supervise, at its request, the translations of its laws. In such Executive Bureau, there shall be one Assistant Executive Secretary, who shall receive a salary of two hundred and fifty dollars (\$2,500) a year, whose duty it shall be to receive estimates for appropriations and to prepare and forward forms of appropriation bills for the consideration of the Commission, and who shall discharge such other duties as may be assigned to him by the Executive Secretary; one Private Secretary to the Civil Governor, who shall receive a salary of two hundred and fifty dollars (\$2,500) a year; two Chief Clerks of Class 4; two clerks of Class 6; three clerks of Class 7; nine clerks of Class 8; fourteen clerks and one translator of Class 9; one clerk of Class A; ten clerks of Class C; two clerks of Class F; two clerks of Class H; one clerk of Class I; three clerks of Class J; and five messengers at a compensation at the rate of one hundred and fifty dollars (\$150) per annum each; *provided*, that the Executive Secretary shall assign from the force of his office such clerks, stenographers and other employees to assist the Military Governor in the discharge of his civil executive duties as may be necessary. The Executive Secretary shall, in addition to his other duties, act as custodian of the Ayuntamiento, and shall employ for the purpose one Chief Janitor of Class B, two night watchmen of Class C, and such janitors, porters and laborers as may be authorized by law."

U. S. PHILIPPINE COMMISSION.

"SEC. 3. There shall be employed at the office of the United States Philippine Commission, one private secretary for each member of the

Commission, except the President thereof, at salaries as they may be fixed by resolution of the Commission; one secretary of the Commission, at an annual compensation of thirty-five hundred dollars (\$3,500); one Spanish secretary of the Commission at an annual compensation of thirty-five hundred dollars (\$3,500); one Assistant Secretary at an annual compensation of twenty-seven hundred and fifty dollars (\$2,750); two clerks of Class 6; one clerk of Class 7; nine clerks of Class 8; one clerk of class A; one clerk of class I; four messengers at a compensation at the rate of one hundred and fifty dollars (\$150) each per annum; one Tagalog-Spanish interpreter and translator at a compensation at the rate of fifteen hundred dollars per annum."

SEC. 2. Section 14 of Act No 102 shall be amended by increasing the annual compensation of the Collector of Customs at Iloilo from thirty-five hundred dollars (\$3,500) to four thousand dollars (\$4,000); by increasing the salary of the Collector of Customs at Jolo to twenty-five hundred dollars (\$2,500); by abolishing the office of Collector of Customs at Siassi and providing that there shall be at Siassi a Deputy Collector of Customs, who shall be a subordinate and subject to the orders of the Collector of Customs at Jolo, and shall receive a salary of eighteen hundred dollars (\$1,800).

SEC. 3. Section 5 of Act No. 5, entitled "The Civil Service Act" shall be amended by striking out in paragraph (a) the words "The Military Governor," and inserting in lieu thereof the words "The Executive Secretary," and by adding the following paragraphs: "(o) The Insular Purchasing Agent; (p) The Superintendent of the Government Cold Storage and Ice Plant; (q) The Officer in Charge of the Improvement of the Port of Manila; (r) The Chief of the Weather Bureau, subject to the provisions of the act creating the Weather Bureau; (s) The Board of Health of the Philippine Islands, subject to the provisions of the act creating the board; (t) The Superintendent of the government laboratories, subject to the provisions and limitations of Act No. 156."

SEC. 4. Section 20 of Act No. 5, entitled "The Civil Service Act," is hereby amended so as to read as follows:

"SEC. 20. The requirements of this act for entrance into the Civil Service, or for promotion by competitive examination, shall not apply to the selection of the Executive Secretary; the Secretary of the United States Philippine Commission, the Treasurer for the Islands; the Auditor for the Islands; the Collector of Customs for the Islands; the Deputy Collector of Customs for the Islands; the Collector of Inland Revenue for the Islands; the Director of Posts for the Islands; the Head of the Bureau of Forestry; the Head of the Bureau of Mines; the Superintendent of Public Instruction; the Chief of the Bureau of Statistics; the members of the Civil Service Board; the Insular Purchasing Agent; the Superintendent of the Government Cold Storage and Ice Plant; the Officer in Charge of the Improvement of the Port of Manila; the Chief of the Weather Bureau, his three assistants and the Secretary of the Bureau; the members of the Board of Health of the Philippine Islands; the Superintendent of Government Laboratories and directors of laboratories; or of one private secretary for the Civil Governor and for each member of the United States Philippine Commission, except the President. But, after eighteen months from the date when the board shall certify that it has

a sufficient list of eligibles to supply vacancies, vacancies occurring in all the foregoing offices, except in the private secretaryships above described, and in the offices of the Officer in Charge of the Improvement of the Port of Manila, the Chief of the Weather Bureau, the three assistants and Secretary of such bureau, the members of the Board of Health of the Philippine Islands, and of the Superintendent and directors of Government Laboratories, shall be filled without examination from a class to be composed of the first, second and third assistants in all the foregoing offices, or bureaus, the intention of this provision being that the appointing power may, by virtue hereof, transfer from one office to another a person deemed competent to fill the vacancy. In case there are no assistants in the foregoing offices designated as such by law, the Civil Service Board may, in its discretion, include in such eligible list, by rule, one of the subordinates in such office ranking next to the head thereof."

SEC. 5. The clerks, stenographers, messengers, and other employees employed as part of the Civil Service of the Islands under the Secretary to the Military Governor on July 4, 1901, are hereby transferred to the office of the Executive Secretary, subject to the same requirements of the Civil Service Act and rules as when employed in the office of the Secretary to the Military Governor.

SEC. 6. The clerks and other employees employed in the office of the Disbursing Quartermaster for Civil Bureaus under the military government when the civil functions of that officer were terminated by order of the Military Governor on the 30th of June, 1901, are hereby continued as employees of the Insular Purchasing Agent, and the Cashier of the Disbursing Quartermaster for Civil Bureaus shall be the Chief Clerk in the office of Insular Purchasing Agent. Until a purchasing agent shall be appointed, or during any subsequent vacancy in said office, the Chief Clerk thereof shall act as Purchasing Agent for the Islands. The Disbursing Quartermaster for Civil Bureaus is hereby authorized to turn over to such Chief Clerk, as Acting Purchasing Agent, all the public civil property held by him for the benefit of the Insular Government, taking duplicate receipts therefor, one of which shall be filed with the Auditor of the Archipelago. The clerks and other employees hereby transferred from the office of the Disbursing Quartermaster for Civil Bureaus to the office of the Insular Purchasing Agent are hereby made members of the Civil Service of the islands without examination, subject to the conditions contained in Section 22 of Act No. 5, entitled "The Civil Service Act."

SEC. 7. The clerks and employees now employed under the Superintendent of the Government Cold Storage and Ice Plant, and those now employed under the Officer in Charge of the Improvement of the Port of Manila, are hereby made a part of the Civil Service of the islands without examination, subject, however, to the conditions contained in Section 22 of Act No. 5, entitled "The Civil Service Act."

SEC. 8. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with Section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Law," passed September 26, 1900.

SEC. 9. This act shall take effect on its passage.

Enacted, July 16, 1901.

[No. 168.]

AN ACT making eligible to civil office in the Philippine Islands persons not naturalized as citizens of the United States who are honorably discharged soldiers or sailors of the Army or Navy of the United States.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The conditions of eligibility to civil office in the Philippine Islands are hereby amended so that any person who has taken the oath of allegiance to the United States and served as a member of the Army or Navy of the United States, and has been honorably discharged therefrom, shall be eligible to civil office in the Philippine Islands, as if he were a legally naturalized citizen of the United States.

SEC. 2. The appointments to civil office prior to the passage of this act of all persons who by Section 1 hereof are rendered eligible to civil office, are hereby made lawful from the date of said appointments, and all official acts of such appointees are hereby declared to be valid as acts of officers both *de jure* and *de facto*.

SEC. 3. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with Section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 4. This act shall take effect on its passage.

Enacted, July 16, 1901.

[No. 169.]

AN ACT annexing the island of Catanduanes to the province of Albay.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The Island of Catanduanes is hereby annexed to and included in the Province of Albay, already organized by Act No. 122, passed April 26, 1901.

SEC. 2. The inhabitants of the territory hereby annexed and made part of the Province of Albay shall enjoy the same privileges and rights in the government as if the island had been originally incorporated in the province; and the municipal officers of the towns in such territory now organized or to be organized under the Municipal Code shall have the same relations to the provincial officers as are prescribed by the Provincial Government Act and the special act organizing the Province of Albay for the municipal officers of the towns of the Province of Albay as originally organized.

SEC. 3. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with Section 2 of "An act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 4. This act shall take effect on its passage.

Enacted July 16, 1901.

[No. 170.]

AN ACT amending act No. 82, entitled "The Municipal Code," and providing that all licenses and privilege taxes may be paid quarterly in advance at the election of the licensee.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The Municipal Code is hereby amended by inserting at the close of sub-section (b) of Section 65 the following words: "But all licenses and privilege taxes may be paid in advance in four quarterly installments, at the election of the licensee."

SEC. 2. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with Section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, July 16, 1901.

[No. 171.]

AN ACT amending act No. 16, entitled "An act for the reorganization of the Forestry Bureau of the Philippine Islands."

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Act No. 16 for the reorganization of the Forestry Bureau of the Philippine Islands is hereby amended by striking out sub-section (a) of Section 1 and inserting in lieu thereof the following sub-section:

"(a) There shall be a Chief of the Forestry Bureau, who shall receive compensation at the rate of three thousand, five hundred dollars (\$3,500.00) per year, and an Assistant Chief, who shall receive compensation at the rate of three thousand dollars (\$3,000.00) per year, all in money of the United States. In case of delay in filling the office of Chief of the Forestry Bureau, or if for any other reason there is a vacancy therein, the Assistant Chief shall, in addition to his duties as such, exercise the authority and discharge the duties of the Chief of the Forestry Bureau until the office is duly filled, without additional compensation."

SEC. 2. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with Section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, July 16, 1901.

[No. 172]

AN ACT to amend act No. 145, entitled, "An act authorizing the appointment of disbursing clerks in the various civil departments, bureaus, and offices, prescribing the duties of disbursing clerks, and fixing their compensation as such."

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The amount of the bond of disbursing officers shall be

fixed by the Insular Treasurer, and the sufficiency of the surety or sureties thereon shall be approved by him, and the bond shall be filed with him and safely kept.

SEC. 2. The public good requiring the speedy enactment of this act, its passage is hereby expedited in accordance with Section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, July 16, 1901.

[No. 173.]

AN ACT restoring the Provinces of Batangas, Cebú, and Bohol to the executive control of the Military Governor.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

WHEREAS, in the Provinces of Batangas, Cebú, and Bohol, which have been organized as provinces under the Provincial Government Act, armed insurrection continues, and in the opinion of the Commission it will facilitate the pacification of these provinces to remove them from the executive control of the Civil Governor and to put them under the executive control of the Military Governor:

SECTION 1. The provincial and municipal officers of the provinces of Batangas, Cebú, and Bohol shall report to the Military Governor, and the Military Governor shall have power to remove them and appoint others in their places, anything in the provincial act, the special acts organizing said provinces, or the Municipal Code to the contrary notwithstanding.

SEC. 2. In case of military necessity, the Military Governor shall have power to suspend the operation of any part of the laws of the Commission applicable to the government of the provinces above named, and to substitute therefor temporarily general orders having the effect of law.

SEC. 3. The writ of *habeas corpus* in the civil courts of the three provinces named shall not issue therefrom for the release of prisoners detained by order of the Military Governor or his duly authorized military subordinates.

SEC. 4. The courts established by the Commission in the three provinces above named shall continue to discharge their ordinary functions, civil and criminal; provided, that the Military Governor is empowered to provide for the trial of ordinary crimes and misdemeanors by military commissions and provost courts, and to designate what of the ordinary crimes and misdemeanors shall be tried before such commissions or provost courts, and what crimes, if any, shall be tried in the civil courts.

SEC. 5. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with Section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 6. This act shall take effect on its passage.

Enacted, July 17, 1901.

[No. 174.]

AN ACT to require the deposit in the insular treasury, and an accounting for the same to the auditor, of all revenues derived from the sales of products grown or articles fabricated by officers in charge of government property or government institutions receiving support from insular revenues.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Hereafter, and from July 1, 1901, all officers in charge of government property or of government institutions receiving support from insular revenues and from which revenues are derived from sales of products grown or articles fabricated, or otherwise, shall render to the Auditor for the Archipelago, in accordance with Rule 2 of Act 90, accounts-current and vouchers covering all of such transactions, in the form and manner prescribed by the Auditor, and deposit such receipts of revenue in full, without any deduction, with the Treasurer of the Islands, as provided by Rules 21 and 53 of Act 90.

SEC. 2. All expenditures made in behalf of such government property or institutions, including cost of operating the same, and producing articles for sale, shall be pursuant to appropriations made by the Philippine Commission, as provided by Rules 25, 26, 54 and 55 of Act 90.

SEC. 3. The provisions of this act shall apply specifically to Bilibid Prison and all other prisons supported by the Insular Government, the Refrigerating and Cold Storage Plant at Manila, the government farm at San Ramon, Zamboanga, as well as to all other institutions or offices coming within the purview of Section 1 of this act.

SEC. 4. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with Section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 5. This act shall take effect on its passage.

Enacted, July 17, 1901.

[No. 175.]

AN ACT providing for the organization and government of an Insular Constabulary and for the inspection of the municipal police.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. An Insular Constabulary is hereby established under the general supervision of the Civil Governor for the purpose of better maintaining peace, law, and order in the various provinces of the Philippine Islands, organized, officered and governed as hereinafter set forth, which shall be known as the Philippines Constabulary (see Act 255).

SEC. 2. A corps of inspectors is also hereby created for the purpose of commanding, disciplining, and efficiently directing the Insular Constabulary hereby created and inspecting the municipal police of the various municipalities, which shall consist of not less than one nor more than four Provincial Police Inspectors for each province now or hereafter organized.

SEC. 3. The Insular Constabulary shall consist of not less than fifteen privates, one sergeant and one corporal, and not more than one hundred and fifty privates, four sergeants and eight corporals for each province. The sergeants, corporals and privates to serve in any province shall be selected from the residents of such province. They shall be enlisted for two years unless sooner discharged. The number of privates, sergeants and corporals, within the above limit, shall be fixed by the Chief of the Insular Constabulary, with the approval of the Civil Governor.

SEC. 4. The office of Chief of Insular Constabulary is hereby created, the incumbent of which shall be appointed by the Civil Governor by and with the consent of the Commission. He shall be a peace officer, shall be the head of the Insular Constabulary, and shall have general charge and control thereof and shall see that brigandage, insurrection, unlawful assemblies and breaches of the peace and other violations of law are prevented or suppressed and the perpetrators of such offenses arrested, and peace, law and order maintained. He shall be paid an annual salary of four thousand dollars (\$4,000.00). It shall be his duty to see that the Insular Constabulary hereby created is properly selected and organized and that it is suitably armed, uniformed, equipped, governed, disciplined and in all respects made and kept effective for the performance of its duties. He is hereby given authority, and it is made his duty, to appoint at least one Provincial Inspector, and as many more, not exceeding four, as in his judgment the public interest requires for each province in the Philippine Islands, who shall be citizens of the United States or of the Philippine Islands, or have the rights of natives under the Treaty of Paris. The Insular Chief is also given authority to suspend, and, after due hearing, to remove, any Provincial Inspector or other member of the Insular Constabulary for inefficiency, misconduct, or disloyalty to the United States. He is further given authority to fill all vacancies by making temporary or permanent appointments, occurring by reason of the suspension, removal, resignation, death, or disability to act, of any Provincial Inspector, sergeant, corporal or private of the Insular Constabulary. The Insular Chief is also empowered and directed to make reasonable and proper rules for examination for the appointment of any Provincial Inspector and for selection and promotion of the sergeants, corporals and privates of the Insular Constabulary.

SEC. 5. The offices of First, Second, Third, and Fourth Assistant Chiefs of Constabulary are also hereby created, the incumbents of which offices shall be appointed by the Civil Governor by and with the consent of the Commission, and shall each be paid an annual salary of two thousand, seven hundred and fifty dollars (\$2,750.00), ranking in order of their number. They shall report to and be under the general supervision and direction of the Insular Chief, but, subject to such supervision and direction, they shall have all the power and be required to perform all the duties of the Insular Chief in their respective districts. It shall be the duty of the Insular Chief to divide the provinces of the Philippine Islands into four districts as nearly equal in population and size as may be, and he shall assign an Assistant Insular Chief to each of the said districts, but the Insular Chief may, in his discretion, change the territorial limits of such districts and may change such Assistant Insular Chiefs from one district to another as the public interests may seem to require. In the event of the temporary absence

of the Insular Chief or of his inability from any cause to perform the duties of his office, the same shall be performed by the Assistant Insular Chief highest in rank available for that purpose.

SEC. 6. The Insular Chief shall prescribe for the Insular Constabulary suitable arms, uniforms and equipment and shall report to the Commission, through the Civil Governor, his action in this regard, together with a statement of the cost, to the end that appropriation may be made to defray the cost thereof. The guns, revolvers and ammunition needed to equip the insular and municipal police shall be purchased by the Insular Purchasing Agent on the order of the Chief of Insular Constabulary, by whom they shall be distributed to the provinces and municipalities as they may be needed. The Chief of Insular Constabulary shall keep a record of the guns and revolvers distributed by their numbers to municipalities and provinces. The Insular Chief may, in his discretion, subject to the approval of the Civil Governor, direct that all or any part of the Insular Constabulary shall be mounted on horses and act as a mounted patrol for their respective provinces. The Insular Chief shall, with the approval of the Civil Governor, prepare a manual of discipline for the provincial and municipal police, and a code of rules defining their lawful powers and duties. Such manual and code shall be translated into Spanish, Tagalog, Visayan, Ilocano and Bicol, and circulated among all the provincial and municipal police.

SEC. 7. Whenever the Insular Chief or Assistant Insular Chief deems it necessary on account of lawlessness or opposition of a lawless nature against the properly constituted authorities, he may unite the constabulary of two or more provinces under his own command or under the command of a Provincial Inspector whom he shall name, but such consolidation shall not be permanent nor last longer than the immediate exigency requiring it.

SEC. 8. The payment of the Insular Constabulary is assumed by the Insular Government.

SEC. 9. The Provincial Inspectors, under the general supervision, direction and control of the Insular Chief and the Assistant Chiefs of Constabulary, shall have command of the Insular Constabulary of their respective provinces, and are empowered to suspend, and, after hearing, to dismiss, any member of the force under their charge for inefficiency, misconduct or disloyalty to the United States, subject to the approval of the Assistant Insular Chief in charge. The Insular Constabulary are hereby declared to be peace officers and are authorized and empowered to prevent and suppress brigandage, unlawful assemblies, riots, insurrections and other breaches of the peace and violations of law. They, and each of them, are empowered to make arrests upon reasonable suspicion without warrant for breaches of the peace or other violations of the law, and are also empowered and required to execute any lawful warrant or order of arrest issued against any person or persons for any violation of the law by any Judge of the First Instance or Justice of the Peace or any other officer authorized by law to issue a warrant. When any arrest is made under the provisions of this section without warrant the officer making the arrest shall obtain a warrant from competent authority at the earliest practicable moment under the circumstances. Prisoners, with or without warrant, shall in all cases, within twenty-four hours if reasonably practicable, be brought before a Judge or Justice of the Peace having jurisdiction over the offense,

for examination and release after bail, if the offense is bailable. When in pursuit of criminals the Provincial Inspector of one province in charge of Insular Constabulary is authorized to continue the pursuit beyond the borders of the province in which he has ordinary jurisdiction, and arrest the offenders.

SEC. 10. It shall be the duty of the Provincial Governor, whenever any Provincial Inspector or other member of the Provincial Constabulary is, in his judgment, guilty of any official oppression, extortion or other violation of duty, to make immediate report of the same to the Civil Governor, with all the particulars thereof.

SEC. 11. Upon the call of the Provincial Governor, the Provincial Inspector or Inspectors in charge of the Insular Constabulary in any province shall suppress riot or lawlessness, or apprehend offenders against the law, or assist the municipal police in the discharge of their duties, and shall furnish a suitable guard for the Governor or any other provincial officer to accompany and protect him in the proper discharge of his duties.

SEC. 12. It shall be the duty of each Provincial Inspector to make as frequent inspections as may be of the police force of each and every municipality within his province and make due report to his Assistant Insular Chief as to their equipment and efficiency and generally as to the conditions as regards peace, observance of law and order which prevail in the several municipalities of his province. The Insular Chief or the Assistant Insular Chiefs under his direction shall make suitable rules and regulations for the direction and guidance of the Provincial Inspectors in making such inspections, and may require reports from the Chief of Police of each municipality as to the number, equipment and state of discipline of the police force of such municipality, together with any information which may be deemed desirable as to the operations of such police force and as to the conditions as regards peace, law and order prevailing in such municipalities.

SEC. 13. In the event any Provincial Inspector in charge shall find that the officers or men of any municipal police force are inefficient, dishonest, disloyal to the United States, or guilty of any violation of law or duty, authority is hereby given him to suspend the offender, and, after due hearing, to dismiss him, and the vacancy thus occasioned shall be filled as provided by the provisions of the Municipal Code.

SEC. 14. Whenever the Presidente of any municipality is unable to preserve the peace within his municipality with the municipal police under his control, he is hereby required to report that fact to the Provincial Inspector in charge, whose duty it shall be to render such assistance in the maintenance or restoration of peace and order as may be requisite to that end, and the Provincial Inspector, in the event he is so notified, is authorized and empowered temporarily to take command of and direct the operations of the police force of said municipality in conjunction with the Insular Constabulary under his command until peaceful conditions are restored.

SEC. 15. Each official and member of the Insular Constabulary shall, before entering upon the duties of his office or position, make and subscribe the following oath:

I, _____, having been appointed
 _____ as _____ of the Insular Con-
 stabulary in the Province of _____,

do solemnly swear (or affirm) that I recognize and accept the supreme authority of the United States of America, and will maintain true faith and allegiance thereto; that I will obey the laws, legal orders and decrees promulgated by its duly constituted authorities; that I impose upon myself these obligations voluntarily, without mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office upon which I am about to enter; so help me God. (Last four words to be stricken out in case of affirmation.)

(Signature of officer or member.)

Subscribed and sworn to (or affirmed) before me this day of -----, 19.....

The oath may be taken before any Judge, Justice of the Peace, or Notary Public, and when taken shall be filed in the office of the Insular Chief.

SEC. 16. The annual salaries of the Provincial Inspectors shall not be less than eight hundred dollars (\$800.00) and not more than fourteen hundred dollars (\$1,400.00). They shall be divided into four classes, according to the salaries to be received by them. Those receiving eight hundred and not more than nine hundred dollars shall be designated 4th Class Inspectors; those receiving nine hundred and not more than one thousand dollars shall be designated 3d Class Inspectors; those receiving one thousand and not more than eleven hundred dollars shall be designated 2d Class Inspectors; and those receiving eleven hundred dollars or more shall be designated 1st Class Inspectors. The Insular Chief shall classify and assign the Provincial Inspectors to provinces, subject to the approval of the Civil Governor.

SEC. 17. All salaries provided for in this act shall be payable monthly.

SEC. 18. The rate of compensation of the sergeants, corporals and privates of the Insular Constabulary shall be fixed by the Insular Chief, subject to the approval of the Civil Governor. But he shall not be compelled to fix the same rates for all provinces, but in his discretion may fix different rates in different provinces, having reference to the rate of wages and cost of living therein.

SEC. 19. Any officer or member of the Insular Police Force found guilty of obtaining for his own use any money or property from any person by threats of arrest or actual arrest or intended prosecution shall be guilty of a crime, and shall be punished by imprisonment for not less than one year and not more than ten years.

SEC. 20. No member of the Insular Police Force shall interfere in any way with any elections held in the province for municipal or provincial officer. Any member of the Insular Police who is a resident of the province and entitled to vote may exercise such right, but he shall neither take part as an officer of the election nor solicit votes for any candidate nor be a candidate himself at any election. Any violation of this section shall be ground for his removal from office. Upon conviction before a Justice of the Peace of a violation of this section, he shall be fined in any sum not exceeding one hundred dollars (\$100.00), or imprisoned for any time not exceeding six months, or both.

SEC. 21. Section 7 of the Provincial Government Act, as amended by Act No. 133, shall be further amended by striking out the following clause: "Whenever lawless violence or seditious conspiracy and disturbance of the public peace shall occur of so formidable a character

as to be beyond the power of the local police of the province to suppress, it shall be the duty of the Governor to call upon the Chief Executive of the Insular Government, or the military officer commanding the district in which the province lies, to send troops to suppress the disturbance," and by substituting in said section, after the clause thus stricken out, the following: "Whenever, in the opinion of the Governor, the public interest requires it, he shall call upon the provincial inspectors in charge of the police of the province to suppress disorder, riot, lawless violence or seditious conspiracy or to apprehend all violators of law. Whenever lawless violence or seditious conspiracy and disturbance of the public peace shall occur of so formidable a character as to be beyond the power of the local and insular police of the province to suppress, it shall be the duty of the Governor to call upon the Civil Governor of the Islands to request the Military Governor and Commanding General to order troops of the Army of the United States to aid the local authorities in suppressing the same. In the provinces of Sorsogon, Masbate, Romblon, Marinduque and Surigao, between which and Manila there is no telegraphic communication, the Governor of the province may in such cases make a direct call for aid upon the Military Commander stationed in the province, without awaiting the result of an application to the Civil Governor and through him to the Military Governor."

SEC. 22. This act shall take effect on its passage.

Enacted, July 18, 1901.

[No. 176.]

AN ACT amending section 27 of Act No. 136, providing for the distribution of fees charged by the governor of the province for the service of process, when the governor is an officer in the Army of the United States detailed for the performance of civil duties.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Section 27 of Act No. 136, providing for the organization of courts, is hereby amended by adding at the end thereof the following words: "But if the Officer of the Court in any province is an officer of the Army of the United States detailed for the performance of civil duties, all fees charged by him for the service of process, except such as belong to his deputies for such service, shall be paid by him into the treasury of the province for the general purposes of provincial funds."

SEC. 2. The public good requiring the speedy enactment of this act, the passage of the same is hereby expedited in accordance with Section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, July 20, 1901.

[No. 177.]

AN ACT amending section 58 of Act No. 136, so as to provide a salary for a deputy clerk of the Court of First Instance in the provinces of Leyte, Cebu and Tayabas.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Section 58 of Act No. 136, providing for the organization of courts, is hereby amended by adding at the end of said section the following words: "Provided, nevertheless, that the Clerk of the Court of First Instance for the Province of Cebu shall appoint a deputy clerk to perform the duties of the clerk at Barili, for the southern half of the Island of Cebu, and residing at Barili, with a salary at the rate of six hundred dollars (\$600.00) per year; and that the Clerk of the Court of First Instance for the Province of Leyte shall appoint a deputy clerk to perform the duties of the clerk at Maasin, for the southern half of the Province of Leyte, and residing at Maasin, with a salary at the rate of five hundred dollars (§500.00) per year; and that the Clerk of the Court of First Instance for the Province of Tayabas shall appoint a deputy clerk to perform the duties of the clerk at Mauban, for the northern half of the Province of Tayabas, and for the Provinces of Infanta and Principe and the Island of Polillo, and residing at Mauban, with a salary at the rate of five hundred dollars (§500.00) per year. The salaries herein provided shall be payable monthly and in money of the United States, and from the Insular Treasury.

"All fees charged by the deputy clerk shall belong to the Insular Government.

"The clerk of each province in this section named may require of his deputy a sufficient bond of indemnity for his security against loss by malfeasance or nonfeasance of the deputy."

SEC. 2. The public good requiring the speedy enactment of this act, the passage of the same is hereby expedited in accordance with Section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, July 20, 1901.

[No. 178.]

AN ACT providing that seventeen thousand, three hundred dollars, Mexican, and interest thereon, collected by the former Provincial Government of the Province of Bohol, may be utilized by the present government of that province for provincial purposes.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

WHEREAS, in January, 1899, the Provincial Government of the Province of Bohol collected a sum of money by taxation, for provincial purposes, of which sum seventeen thousand, three hundred dollars (\$17,300.00), in Mexican currency, was unexpended at the time of the American occupancy of the Island of Bohol, and came into the hands of the commander of the United States forces in that island, upon the occupancy thereof by the United States troops, which funds

have been placed on deposit with Smith, Bell & Company, at four per cent. interest, to hold for the benefit of the people of that province, the receipt for which deposited money is now held by Major T. C. Woodbury, of the 19th Infantry, United States Army, commanding the United States troops in the Island of Bohol, and it is desired that the funds should be devoted to provincial uses;

SECTION 1. The Treasurer of the Province of Bohol is hereby authorized to receive from T. C. Woodbury, Major, 19th Infantry, United States Army, commanding United States forces in the Island of Bohol, or his successor, the sum of seventeen thousand, three hundred dollars (\$17,300.00), Mexican currency, together with the accrued interest thereon, now on deposit with Smith, Bell & Company, and which was originally collected in the month of January, 1899, by the provincial officers of the Island of Bohol, who were then exercising authority in that island, and to pay the same into the treasury of the present Provincial Government of Bohol. The funds so received and paid into the treasury shall be available for the general purposes of the Government of the Province of Bohol, established under Act No. 117, extending the provisions of the Provincial Government Act to the Province of Bohol. The Treasurer of the Province of Bohol is hereby authorized, upon receiving the money aforesaid, to give proper vouchers therefor to Major Woodbury, and to Smith, Bell & Company, if necessary, and the receipt of the Treasurer shall be a sufficient voucher to Major Woodbury, or his successor in command, for the disposition of said money.

SEC. 2. The Provincial Board of the Province of Bohol is hereby empowered to expend of the sum transferred to the Treasurer of the Province in the foregoing section, ten thousand dollars (\$10,000.00) for general educational purposes in the province, subject to the approval and under the supervision of the General Superintendent of Public Instruction of the Islands.

SEC. 3. The public good requiring the speedy enactment of this act, the passage of the same is hereby expedited in accordance with Section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 4. This act shall take effect on its passage.

Enacted, July 24, 1901.

[No. 179.]

AN ACT providing for the registration and carriage of the official mail of certain public officials, without charge, from one point in the Philippine Islands to another.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The official mail of all Insular and Provincial officials shall be received and carried free of charge by the Postal Department, and such mail shall be registered by the Postal Department upon request of any such official, without charge, and carried from one point in the Philippine Islands to another.

SEC. 2. The mail above referred to shall be received and carried only when plainly marked with the words "Official Mail," under which the

official sending same shall affix his official signature in writing or by stamp.

SEC. 3. Any person franking any mail under Sections 1 and 2 which is not official in its character shall be guilty of a misdemeanor and fined not exceeding three hundred dollars.

SEC. 4. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with Section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 5. This act shall take effect on its passage.

Enacted, July 24, 1901.

[No. 180.]

AN ACT amending paragraph (e) of Section 3 of Act No. 74, providing for the division of the Archipelago into school divisions.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Paragraph (e) of Section 3 of Act No. 74 is hereby amended to read as follows: "He shall divide the Archipelago into school divisions, not more than eighteen in number, and shall fix the boundaries thereof, with power to change the same when necessary; but the city of Manila and its barrios shall constitute one of such school divisions."

SEC. 2. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with Section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, July 24, 1901.

[No. 181.]

AN ACT amending that portion of Act No. 102 which relates to the organization of the postal service, and for other purposes.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

DEPARTMENT OF POSTS.

SECTION 1. Act No. 102, regulating the salaries of officers and employees in the Philippine Civil Service, is hereby amended by striking out Sections 8, 9, and 10, and substituting therefor the following sections:

"SEC. 8. The Director General of Posts for the Philippine Archipelago shall receive an annual salary of six thousand dollars. There shall be an Assistant Director General of Posts, who shall receive an annual salary of three thousand, two hundred and fifty dollars.

"There may be employed in the office of the Director General of Posts: One inspector of class five; one custodian of stamps and sup-

plies, of class five; one clerk of class six; one clerk and one printer of class seven; two clerks of class eight; three clerks of class nine; one clerk of class ten; one assistant printer of class I; one janitor, one messenger, and one driver of an official conveyance at a compensation at the rate of one hundred and fifty dollars per annum each.

MANILA POST-OFFICE.

“SEC. 9. The Postmaster of Manila shall receive an annual salary of three thousand, five hundred dollars; the Assistant Postmaster of Manila shall receive an annual salary of two thousand, two hundred and fifty dollars.

“There may be employed in the post-office at Manila: One Superintendent of Mails at an annual salary of two thousand dollars; one Superintendent of the Money-order Division and one Superintendent of the Registry Division at an annual salary of one thousand, eight hundred dollars each; one Superintendent of Free Delivery at an annual salary of one thousand, six hundred dollars; one clerk of class seven; twenty-four clerks of class eight; *provided*, that this number shall be reduced to fifteen as vacancies occur; fifteen clerks of class nine; fifteen clerks of class ten; ten clerks of class A; two clerks of class B; two clerks of class C; four clerks of class D; three clerks of class E; eight clerks of class F; eight clerks of class G; five clerks of class H; four clerks of class I; and eight porters and four drivers at a compensation at the rate of one hundred and fifty dollars per annum each; *provided*, that the total amount of salaries of officers and employees for the Manila post-office shall not exceed seventy-two thousand dollars per annum.

OTHER POST-OFFICES.

“SEC. 10. The postmasters in charge of the offices named below shall each receive an annual compensation as follows:

“Iloilo, two thousand dollars; Cavite, Cebu, Dagupan, and Vigan, one thousand, six hundred dollars; Aparri, one thousand, four hundred dollars; Bacolod, Jolo, Nueva Caceres, and Zamboanga, one thousand, two hundred dollars; Angeles, Batangas, Cagayan de Misamis, Calamba, Catbalogan, Laoag, Legaspi, Lucena, San Fernando de la Pampanga, San Isidro, Santa Cruz de Laguna, and Tacloban, one thousand dollars.

“The Director General of Posts is authorized to expend a sum not exceeding seven thousand, five hundred dollars per annum for the employment of clerks in post-offices outside of Manila, who shall be appointed in accordance with the provisions of the Civil Service Act.”

SEC. 2. The Assistant Director General of Posts, the Postmaster of Manila and the Assistant Postmaster of Manila shall be appointed by the Civil Governor, by and with the consent of the Commission, until the time fixed in Section 20 of the Civil Service Act, as amended for the appointment of other officers therein mentioned, without reference to the restrictions of the Civil Service Act; but after the time fixed in Section 20 vacancies in these three offices shall be filled in accordance with the provisions and restrictions of the Civil Service Act. The Assistant Director General of Posts, the Postmaster of Manila and the Assistant Postmaster of Manila shall form part of the eligible list provided in Section 20 of the Civil Service Act.

SEC. 3. Whenever in the opinion of the Director General of Posts the receipts of any post-office do not justify the payment of the salary fixed for the postmaster at such office, the Director General is authorized to reduce the salary of such postmaster, or to employ a person as postmaster who shall be compensated on a basis of a percentage of the gross postal receipts of the office, exclusive of the money-order business, in accordance with the following schedule: On the first twenty-five dollars or less per month, one hundred per cent.; on the next fifty dollars or less per month, fifty per cent.; on the balance per month, forty per cent. No allowances shall be made to postmasters paid on a percentage basis for rent, light, or furniture. The appointment of postmasters of this class may be made without regard to the restrictions of the Civil Service Act, but the salaries of such postmasters shall in no case exceed seventy-five dollars per month. The Director General of Posts shall notify the Auditor for the Philippine Archipelago of each appointment of a postmaster of this class, giving the name of the person appointed, the date of appointment, and such other facts as may be required by the Auditor for the purpose of auditing the accounts.

SEC. 4. The Director General of Posts is authorized to establish post-offices at any places in the islands where in his judgment the interests of the public will be subserved by the establishment of such offices, and to fix the salaries of the postmasters on the basis, fixed in Section 3, of a percentage of the gross receipts of the post-offices, exclusive of the money-order business. To facilitate the establishment of post-offices at places where it is not practicable to secure suitable persons not in the public service for appointment as postmasters, the Director General of Posts is authorized to appoint persons employed in other branches of the Civil Service, with the approval of the head of the department or departments in which such persons are employed, and subject to the approval of the Civil Governor. A person in the public service who may be thus appointed shall, in addition to his salary in the branch of the service in which he is employed, receive the compensation hereinbefore provided for such postal service.

SEC. 5. The Director General of Posts is authorized to discontinue a post-office at any place where the safety and security of the postal service and revenues are endangered from any cause whatever, or where there is no longer a necessity for the continuance of such post-office.

SEC. 6. The Director General of Posts is authorized to employ substitutes temporarily, whenever necessary, in the absence of regular employees who may be granted leave of absence under the provisions of act No. 80, entitled, "An Act Regulating the Hours of Labor, Leaves of Absence, and Transportation of Appointees under the Philippine Civil Service." The appointment of such substitutes shall be subject to the limitations of the Civil Service Act.

SEC. 7. Whenever the Commanding General of the Division of the Philippines shall request that a post-office be established at a post where it is not practicable to establish such an office under the provisions of this act, the Director General of Posts may establish a post-office at such post; *provided*, that a person in the military service is designated to act as postmaster without compensation and without allowance for rent, light or furniture.

SEC. 8. Postmasters and all other post-office employees shall be

required to execute bonds on postal account, satisfactory to the Director General of Posts, in amounts corresponding to the importance of the positions held. Postmasters at money-order offices shall also be required to execute bonds on money-order account in amounts equal to the probable liability of the postmasters to the government.

SEC. 9. The salaries now paid the postmasters outside of Manila shall continue until October 1, 1901, when they shall be paid the salaries provided in this act.

SEC. 10. The public good requiring the speedy enactment of this bill, the passage of same is hereby expedited in accordance with Section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 11. This act shall take effect on its passage.

Enacted, July 25, 1901.

[No. 182.]

AN ACT to amend Act No. 22 and act No. 101 relating to the improvement of the harbor of Manila and the Pasig River.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Section 2 of Act 101 entitled "An Act to Amend an Act Entitled 'An Act Appropriating One Million Dollars, in Money of the United States, for Improving the Port of Manila,'" enacted October 15, 1900, is hereby amended so as to authorize and direct the Chief Engineer Officer, Division of the Philippines, to improve the navigation of the Pasig River above the Bridge of Spain and to and into the Laguna de Bay, by dredging or otherwise, so as to secure a six-foot depth for navigation along said river and into said lake.

SEC. 2. The appropriation and provision made by said Act No. 22 and Act No. 101, amendatory thereof, are hereby made available for the purpose set forth in Section 1 hereof as fully as though embraced in said original acts.

SEC. 3. The Chief Engineer officer, Division of the Philippines, in charge of said harbor improvement, is hereby authorized to use, directly or through any authorized contractor, any stone or other material which he may find available and desirable on any of the public lands of the Philippine Islands. The Chief Engineer Officer, Division of the Philippines, is further authorized and empowered by and with the consent and approval of the Civil Governor of the Philippine Islands to warrant any contractor using stone from what is known as the Mariveles Quarries, and now in possession of the Insular Government, against any claim for compensation or damage made by any person or persons claiming to be the owner or owners of such quarries, by reason of the use of the stone therefrom by such contractor or contractors.

SEC. 4. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with Section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 5. This act shall take effect on its passage.

Enacted, July 29, 1901.

[No. 183.]

AN ACT to incorporate the city of Manila.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. (a) *Inhabitants of Manila constitute a municipality.*—The inhabitants of the city of Manila, residing within the territory described in Section 2 of this act, are hereby constituted a municipality, which shall be known as the city of Manila, and by that name shall have perpetual succession, and shall possess all the rights of property herein granted or heretofore enjoyed and possessed by the city of Manila as organized under Spanish sovereignty.

(b) *City of Manila to have a seal; to dispose of real and personal property, etc.*—It may have a common seal, and alter the same at pleasure, and may take, purchase, receive, hold, lease, convey, and dispose of real and personal property for the general interests of the city, contract and be contracted with, sue and be sued, and prosecute and defend to final judgment and execution, and execute all the powers hereinafter conferred.

SEC. 2. *Temporary boundaries of city prescribed.*—The temporary boundaries and limits of said city are hereby established and prescribed in general, as follows:

Beginning at a point at the junction of Estero Vitas with Manila Bay at low-water mark, in the northwest corner of Manila, thence running S. 63° E. up Bocana Vitas to its junction with Estero Gagalangin, 226.00 meters; thence N. 30° E. on Gagalangin Estero, 362.50 meters; thence S. 80° E. to the center of the main road to Caloocan at its junction with Calle Solis, 679.00 meters; thence S. 76° E. in center of Calle Solis, 85.00 meters; thence N. 82° 15' E., 50.00 meters; thence N. 75° 10' E. to junction with Manila and Dagupan Railroad, 147.50 meters; thence S. 79° E. in center of Calle Solis, 68.00 meters; thence N. 79° E., 100.00 meters; thence N. 70° 15' E., 252.50 meters; thence N. 79° 50' E. to junction of Calle Solis with Calle Lico, 186.00 meters; thence S. 71° 30' E. crossing Paangbundoc palay fields to a point at the junction of Calle Sangleyes and Calle Loma, 726.00 meters; thence N. 56° E. in center of Calle Sangleyes to a point in front of the Chinese Hospital, 170.00 meters; thence N. 63° 50' E. across fields to center of Blockhouse No. 4, 445.00 meters; thence S 22° E. to center of Blockhouse No. 5, 184.00 meters; thence S. 22° E. to center of Blockhouse No. 6, 540.20 meters; thence S 43° 15' E. to center of Blockhouse No. 8, 753.00 meters; thence S. 80° 10' E. to center of Blockhouse No. 9, 704.20 meters; thence S. 53° E. to center of Blockhouse No. 10 (or Baligbaligy), 907.50 meters; thence S. 58° E. to center of Blockhouse No. 11, 457.00 meters; thence S. 38° 15' E. to center of San Juan Bridge, 757.00 meters; thence S. 55° 30' E. down middle of San Juan River, 479.00 meters; thence S. 26° 10' E., 552.00 meters; thence S. 3° 40' W., 185.00 meters; thence S. 48° 15' W., 505.00 meters; thence S. 63° 30' W., 316.00 meters; thence S. 83° W., 382.00 meters; thence N. 64° 10' W., 151.00 meters; thence N. 29° 50' W. to a point in the middle of the Pasig River, 135.00 meters; thence S. 67° 10' W. on the Pasig River, 137.50 meters; thence up the center of Estero Biata to a point at its junction with Estero Pesafrancia and Estero Lasdamas; thence continuing up the middle of Estero Lasdamas to a point at its junction with Estero Paco; thence

on Estero Paco to Calle Lingeros and Estero Tripa de Gallina; thence in the middle of Estero de Gallina to a point on the Singalon Bridge on the road from Pineda to San Pedro Macati; thence S. 76° W. to the middle of Calle Lico, 40.00 meters; thence S. $47^{\circ} 30'$ W., in the middle of Calle Lico to its junction with Camino Singalon, 39.00 meters; thence S. $63^{\circ} 40'$ W. to Calle Real de Pineda, 119.00 meters; thence S. $63^{\circ} 50'$ W. in the middle of the road from Singalon to Maytubig or Malate, 185.00 meters; thence S. $26^{\circ} 30'$ W., 159.00 meters; thence S. $81^{\circ} 50'$ W., 152.50 meters; thence S. $69^{\circ} 50'$ W., 23.00 meters; thence S. $77^{\circ} 30'$ W., 170.00 meters; thence S. $68^{\circ} 40'$ W. to the junction of Calle San Lucas, 167.50 meters; thence S. $22^{\circ} 50'$ E. in the middle of Calle San Lucas, 224.00 meters; thence across fields S. $68^{\circ} 30'$ W. to a point in the middle of Calle Marina, about 206.00 meters, to low-water mark in Manila Bay; thence following the shore line of said bay at low-water mark in a general northwesterly direction to the point of beginning.

On or before the 31st day of December, 1901, the Municipal Board hereinafter provided for shall make careful investigation and fix what, in its opinion, are proper boundaries for the city of Manila, and make report of its investigations to the Commission for further legislation. For this purpose it shall cause surveys to be made of the proposed new boundaries and may include within such proposed boundaries territory not now or heretofore included in the city of Manila.

SEC. 3. *Jurisdiction of city government for police purposes.*—The jurisdiction of the city government for police purposes only shall extend to three miles from the shore into Manila Bay and over a zone surrounding the city on land of five miles in width.

SEC. 4. *Government of city vested in Municipal Board.*—The government of said city is hereby vested in a Municipal Board, consisting of three members, to be appointed by the Civil Governor, by and with the consent of the Commission, and to be removable in the same manner. One member of the Board shall be designated in the appointment as President, and shall preside at all meetings of the Board. He shall sign all ordinances, resolutions, bonds, contracts, and obligations made or authorized by the Board, and shall issue such orders and instructions as may be necessary to carry out and enforce the ordinances of the city, and the orders of the Board relating thereto. In case of sickness or prolonged absence of any member of the Board, or if for any reason it becomes necessary to maintain a quorum or to break a tie, the Civil Governor may make temporary appointment until the return of such absent member or members. The person so appointed shall possess all the rights and perform all the duties of a member of the Board.

SEC. 5. *Duties of Secretary of Board.*—The Board shall have a secretary, who shall be first appointed by the Civil Governor, by and with the consent of the Commission, and his successor shall be appointed by the Board, subject to the provisions of the Civil Service Act. The Secretary shall be in charge of the municipal records. He shall keep a full record of the proceedings of the Board, both legislative and executive, and file all documents relating thereto; shall record, in a book kept for that purpose, all ordinances passed by the Board, with the dates of passage and publication of the same; shall keep the corporate seal, and affix the same, with his signature, to all ordinances and other official acts of the Board, and shall present the

same for signature to the President; shall cause each ordinance passed to be published as herein provided; shall have charge and custody of all records and documents of the city and of any office or department thereof, for which provision is not otherwise made; shall, on demand, furnish certified copies of all city records and documents, and shall collect and receive therefor such fees as may be prescribed, for the use of the city; shall keep his office and all records therein open to inspection during usual business hours by all residents of the city and all officers of the Insular and general governments. He shall have such other powers and perform such other duties as the Board may prescribe.

SEC. 6. *Duties of Disbursing Officer of Board.*—The Board shall appoint a disbursing officer, who shall be charged with the duty of disbursing all moneys drawn from the Insular Treasury pursuant to appropriations made by the Commission. He shall discharge his duties in accordance with the provisions of Act No. 145, prescribing the duties of disbursing clerks, and shall render his accounts in such manner as the Auditor for the Philippine Archipelago may prescribe.

SEC. 7. *Oath to be taken by each member of Board, and city officer.*—Each member of the Board, and city officer appointed under this act shall, before entering on the duties thereof, take and subscribe to the following oath, which shall be filed with the Secretary to the Board, and be by him recorded:

I, _____, having been duly appointed _____ of the city of Manila, do hereby accept said office, and do solemnly swear (or affirm) that I recognize and accept the supreme authority of the United States of America in these Islands, and will maintain true faith and allegiance thereto; that I will obey all the laws, legal orders, and decrees promulgated by its duly constituted authorities; that I impose upon myself this obligation voluntarily, without mental reservation or purpose of evasion; that I will well and faithfully discharge the duties of the office upon which I am about to enter, so help me God. (Last four words to be stricken out in case of affirmation.)

(Signature of officer.)

Subscribed and sworn to (or affirmed) before me this _____ day of _____, 19 _____

(Signature of officer administering oath.)

This oath, and all others required in connection with the administration of the city government, may be administered by any officer authorized to administer oaths, or by any member of the Board or its secretary, or by any other city officer appointed under this act, and no fee shall be charged therefor.

SEC. 8. *Each member of Board to execute bond.*—Each member of the Board, before entering upon the duties of his office, shall execute a bond to the Insular Government in the sum of ten thousand dollars, and with such surety or sureties as shall be approved by the Treasurer of the Philippine Archipelago. The bond shall be filed with the Treasurer, and a copy spread upon the records of the Board. Every city officer charged with the custody of property or funds, before entering upon the duties of his office, shall execute a bond to the city, in such

sum and with such surety or sureties as shall be approved by the members of the Board in writing thereon. The bond shall be filed with the Treasurer, and a copy spread upon the records of the Board. Should suit be brought upon any of said bonds, it shall be no defense to those signing the bond that the above requirements for approval have not been complied with, if, in fact, by virtue of such bond, such officer has entered upon his official duties.

SEC. 9. *Beginning of fiscal year.*—The fiscal year of the city shall commence on the first day of July of each calendar year, and extend to and include the thirtieth day of June following.

SEC. 10. *Method of transacting business by Board.*—The Board shall meet and transact business every day during the year, Sundays and legal holidays excepted. It shall sit with open doors unless otherwise ordered by affirmative vote of two members. It shall keep a record of its proceedings, and determine its rules of procedure not herein set forth. Two members of the Board shall constitute a quorum for the transaction of business, and two affirmative votes shall be necessary to the passage of any ordinance or motion. The ayes and noes shall be taken and recorded upon the passage of all ordinances, upon all propositions directing payment of money or creating liability, and at the request of any member, upon any other proposition. Each ordinance shall be sealed with the city seal, signed by the President of the Board and the Secretary, and recorded in a book kept for that purpose. Each ordinance shall be published in two daily newspapers of Manila, one printed in English and the other in Spanish, within three days after its passage, and shall take effect and be in force on and after the tenth day following its passage, if no date is fixed in the ordinance.

SEC. 11. *Board to have certain legislative and executive authority.*—The Board shall have the legislative authority herein conferred. It shall possess the executive powers herein conferred, which shall be exercised through the following departments, and by general supervisory control over the same:

1. Department of Engineering and Public Works.
2. Police Department.
3. Law Department.
4. Department of Fires and Building Inspection.
5. Department of Assessments and Collections.

SEC. 12. *Appointment of city officers and employes, etc.*—The heads of departments, assistant heads, and all superintendents therein shall, upon the passage of this act, be appointed by the Civil Governor, by and with the consent of the Commission, and shall be subject to removal by the Board. Vacancies in such offices thereafter shall be filled by appointment of the Board in accordance with the provisions of the Civil Service Act. Employes other than officers shall be appointed and removed by the heads of departments in accordance with the provisions of the Civil Service Act.

SEC. 13. *Board to inspect official books, papers, etc.*—The Board shall have power at all times to examine and inspect official books, papers, and records of all officers, agents, and employes, and shall examine and inspect the same at least once in each year.

SEC. 14. *Board to submit annually certain information to Civil Governor; to prepare annual report.*—On or before the tenth day of June of each year, the Board shall prepare and present to the Civil

Governor for transmission to the Commission, in itemized form and in detail: (a) an inventory of lands, buildings, and other property, real and personal, belonging to the city, including cash in the treasury; (b) a statement of the liabilities of the city; (c) an estimate of the revenues of the city from all sources for the ensuing fiscal year, with a statement opposite each item of the amount realized from such sources during the preceding twelve months; (d) an estimate of the ordinary expenses for the ensuing fiscal year, with a statement opposite each item of the corresponding expenses during the preceding twelve months; (e) an estimate of such extraordinary expenditures as may be necessary for any purpose, the approximate total expenditure recommended, and the amount which it is expected to expend during the ensuing fiscal year; also an itemized statement of the extraordinary expenditures during the preceding twelve months. The Board shall, on or before the first day of August of each year, prepare and present to the Civil Governor for transmission to the Commission an annual report covering the operations of the city government during the preceding fiscal year. This report shall be printed in pamphlet form by the Board for general circulation.

SEC. 15. *Appropriations for city of Manila.*—The Commission shall, upon estimates submitted by the Board, make all appropriations for the expenses of the city of Manila. Thirty per cent. of the appropriations for said purpose shall be paid out of any moneys in the Insular Treasury not otherwise appropriated, and seventy per cent. shall be paid out of the revenues of the city of Manila. In part consideration of the contribution of thirty per cent. of the city expenses from the Insular Treasury, it shall be lawful for the Insular Government to appropriate to its use temporarily the building known as the Ayuntamiento, now occupied by the offices of the Insular Government.

SEC. 16. *General powers and duties of Board.*—The Board shall take possession of all lands, buildings, offices, books, papers, records, moneys, credits, securities, assets, accounts, or other property or rights belonging to the former city of Manila or pertaining to the business or interests thereof, and, subject to the provisions herein set forth, shall have control of all its property except the building known as the Ayuntamiento, provision for the occupation and control of which is made in Section 15 of this act; shall collect taxes and other revenues, and apply the same in accordance with appropriations, as hereinbefore provided, to the payment of the municipal expenses; shall supervise and control the discharge of official duties by subordinates; shall institute judicial proceedings to recover property and funds of the city wherever found or otherwise to protect the interests of the city, and shall defend all suits against the city; shall make such ordinances and regulations as may be necessary to carry into effect and discharge the powers and duties conferred by this act, and to provide for the peace, order, safety, and general welfare of the city and its inhabitants; shall fix penalties for the violation of ordinances, provided that no fine shall exceed one hundred dollars, and no imprisonment shall exceed six months for a single offense. The Board shall see that the laws and ordinances are faithfully executed and enforced, and shall have such further powers and perform such further duties as may be prescribed by law.

SEC. 17. *General powers of Board stated in detail.*—In addition to the foregoing the Board shall have the following general powers:

(a) To collect taxes for general and special purposes, in accordance with law.

(b) To prescribe the time, places, and manner of payment of salaries and wages to city officials and employes.

(c) To provide for the erection or rental and care of buildings necessary for the use of the city.

(d) To establish and maintain free public schools for primary instruction and to provide school-houses therefor, subject to the limitations of Act No. 74.

(e) To provide secondary schools, and professional schools, with the approval of the City Superintendent, and to charge matriculation and tuition fees with the same approval.

(f) To maintain police courts established by law, which shall have exclusive jurisdiction of all criminal cases under the ordinances of the city, and such further jurisdiction as may be herein or hereafter conferred.

(g) To release any person imprisoned for violation of a city ordinance and to remit the sentence of such person, or any part thereof.

(h) To establish fire limits, and regulate the kinds of buildings and structures that may be erected within said limits, and the manner of constructing and repairing the same.

(i) To erect engine houses, and provide fire engines, hose carts, hooks and ladders, and other equipment for the prevention and extinguishment of fires, and to provide for the management and use of the same.

(j) To issue licenses, fixing the amount of the license fee and prescribing the time and manner of issuing or revoking the same, and to make regulations for the following:

(k) Hawkers, peddlers, hucksters, pawn-brokers, dealers in second-hand merchandise, junk-dealers, auctioneers, plumbers, brewers, distillers, money-changers and brokers, hotels, restaurants, cafés, lodging houses, public vehicles, public ferries, livery stables, billiard tables, theatres, theatrical performances, race tracks, horse races, circuses and all other forms and places of amusement; the keeping, preparation and sale of meat, poultry, fish, butter, cheese, lard, vegetables, bread and other provisions.

(l) To regulate the business and fix the location of tanneries, renderies, tallow chandleries, bone-factories, soap-factories, match-factories, blacksmith shops, foundries, steam boilers, lumber yards, ship yards and other dangerous, offensive or unwholesome establishments; the storage and sale of gunpowder, tar, pitch, resin, coal-oil, benzine, turpentine, hemp, cotton, nitro-glycerin, petroleum, or any of the products thereof and all other highly combustible or explosive materials.

(m) To inspect and regulate the method of using steam engines and boilers, other than marine, and to charge a reasonable inspection fee for so doing, and to license all engineers engaged in operating the same.

(n) To suppress houses of ill fame and other disorderly houses, gaming houses, gambling, and all fraudulent devices for the purpose of gain and of obtaining money or property; to prohibit the printing, sale or exhibition of immoral pictures, books or publications of any description.

(o) To regulate and license or suppress cock-fighting and cock-pits.

(p) To license, regulate or prohibit the keeping of dogs, and to authorize their impounding and destruction when running at large contrary to ordinance.

(q) To establish and maintain city pounds; to regulate, restrain, and prohibit the running at large of domestic animals, and provide for the distraining, impounding, and sale of the same for the penalty incurred, and the cost of the proceedings; also to impose penalties upon the owners of said animals for the violation of any ordinance in relation thereto.

(r) To prohibit and provide for the punishment of cruelty to animals.

(s) To provide for the inspection and sealing of weights and measures, enforce the keeping and use of proper weights and measures by vendors, and regulate the inspection, weighing and measuring of brick, coal, lumber and other articles of merchandise.

(t) To lay out, construct, improve, and regulate the use of streets, avenues, alleys, sidewalks, wharves, piers, parks, cemeteries and other public places; to prevent and remove encroachments and obstructions from the same; to provide for the lighting, cleaning, and sprinkling of streets and public places: to regulate or prevent the use of the same for processions, signs, sign posts, awnings, awning posts; the carrying or displaying of banners, placards, advertisements or hand bills, or the flying of signs, flags or banners, across, over, or from any building along the same. To prohibit the throwing or depositing of offal, garbage, refuse, or other offensive matter in the same, and to provide for its collection and disposition; to regulate the openings therein for the laying of gas, water, sewer, and other pipes therein, the building and repair of tunnels, sewers, and drains, and all structures therein and thereunder, and the erecting of poles and the stringing of wires therein; to provide for and regulate cross-walks, curbs, and gutters therein; to name and change the names of the same, and provide for and regulate the numbering of houses and lots fronting thereon: to regulate traffic and sales upon the same; to abate nuisances in the same, and punish the authors or owners thereof; to construct, maintain and regulate the use of bridges, viaducts and culverts; to prevent and regulate playing ball, flying kites, and rolling hoops, and any other amusements having a tendency to annoy persons using the streets or public places, or to frighten horses or other animals; to regulate the speed of horses and other animals, vehicles, cars and locomotives within the limits of the city; to regulate the locating, constructing and laying of the track of any horse, electric or other form of railroad in the streets or other public places of the city authorized by law; to provide for and change the location, grade, and crossings of any railroad, and to compel such railroad to raise or lower its tracks to conform to such provisions or changes; to require any railroad company to fence its railroad, or any part thereof, to provide suitable protection against injury to persons or property, and to construct and repair ditches, drains, sewers, and culverts along and under its tracks, so that the natural drainage of the streets and adjacent property shall not be constructed.

(u) To construct, maintain, and regulate the use of canals and water courses, and provide for the cleansing and purifying of the same, and the draining and filling of private premises to prevent or abate nuisances.

(v) To construct and maintain public landing-places, wharves, piers,

docks, levees, and to regulate and control the use of the same, and all private landing-places, wharves, piers, docks, and levees.

(w) To maintain water works for the purpose of supplying water to the inhabitants of the city, to purify the source of supply, and regulate the control and use of the water, and to fix and collect rents therefor; to regulate the construction, repair and use of hydrants, pumps, cisterns and reservoirs, and to prevent the waste of water.

(x) To establish, maintain, and regulate the use of public drains, sewers, latrines, and cess-pools, and regulate the construction and use of private drains, sewers, latrines, and cess-pools.

(y) To provide for the establishment of public stables and bath-houses, and to inspect and regulate the same.

(z) To establish public markets, market-houses, and slaughter-houses, and provide for the regulation, inspection, and use thereof, and to regulate or prohibit the establishment of such institutions by any person, firm or corporation.

(aa) To make suitable provisions to insure the public safety from conflagrations, and the effects of floods, storms, and other public calamities, and to provide relief for persons suffering from the same.

(bb) To establish, maintain and regulate a police force, prescribe the powers and duties of its members, and make and enforce all necessary police ordinances, with the view to the confinement and reformation of vagrants, disorderly persons, mendicants, and prostitutes, and persons convicted of violating any city ordinance; to provide for the arrest, trial, fining, and putting to work on the streets and elsewhere, of such persons.

(cc) To extend and enforce all its ordinances over all waters within the city, and over the Bay of Manila three miles beyond the city limits, and over any boat or other floating structure thereon; and for the purpose of protecting and insuring the purity of the water supply of the city, to extend and enforce ordinances to that end over all territory within the drainage area of such water supply, or within 100 meters of any reservoir, conduit, canal, aqueduct or pumping station used in connection with the city water service.

(dd) To enforce the regulations of the Insular Board of Health and to impose fines and penalties against persons who violate such regulations.

(ee) To fix rates and collect wharfage from all water craft landing at or using public wharves, docks, levees, or landing places.

(ff) To provide for the closing of opium joints, and to prohibit the keeping or visiting of any place where opium is smoked or sold for the purpose of smoking.

(gg) To regulate the use of lights in stables, shops, and other buildings and places, and to regulate and restrain the building of bonfires and the use of firecrackers, fireworks, torpedoes, candles, sky-rockets, and other pyrotechnic displays.

(hh) To prevent and suppress riots, affrays, disturbances, and disorderly assemblies; to punish and prevent intoxication, fighting, quarreling, and all disorderly conduct; and to keep the peace.

(ii) To make, publish, amend, and repeal all ordinances, necessary to carry into effect the powers herein granted, and to enforce the same by fines and penalties, within the limits authorized by law.

SEC. 18. *Insular Auditor to audit accounts of city.*—The Auditor for the Philippine Archipelago shall receive and audit all accounts of the city of Manila, in accordance with the provisions of Act No. 90.

SEC. 19. *Insular Treasurer to receive and keep moneys of city.*—The Treasurer of the Philippine Archipelago shall receive and safely keep all moneys arising from the revenues of the city of Manila, in accordance with the provisions of Act No. 90, and shall expend the same upon warrants drawn in accordance with the provisions of said act. Requisitions for such warrants, in favor of the disbursing officer of the Board, shall be made by the head of the department of the city government to which the business relates, subject to the approval of the Civil Governor.

SEC. 20. *Insular Purchasing Agent to make purchases for city.*—The Insular Purchasing Agent shall purchase all supplies, equipments, material, and property of every kind, except real estate, for the use of the city of Manila or any of the departments or offices thereof, and shall supply the same to the city or any of its departments or offices, in accordance with the provisions of Act No. 146.

SEC. 21. *Health of city.*—The health of the city shall be under the control of the Insular Board of Health, which Board shall exercise in the city of Manila the powers conferred by Act No. 157. If conflict of opinion and jurisdiction shall arise between the Municipal Board and the Insular Board of Health, the issue shall be referred to the Civil Governor for his decision, which shall be final.

SEC. 22. *Warden of Bilibid Prison to receive city prisoners.*—The Warden of Bilibid Prison shall set apart a suitable portion thereof for city prisoners, and shall receive for confinement and detention all persons who have been sentenced to imprisonment by the municipal courts of the city of Manila; and the expense of maintaining such portion of Bilibid Prison shall be paid for out of the funds of the city.

SEC. 23. *Establishment of schools in city.*—The Board shall have the same powers in respect to the establishment of schools in Manila as are conferred on municipal councils by the provisions of the Municipal Code and its amendments, as limited by Act No. 74, establishing a department of public instruction. A local school board of six members for the city of Manila, who shall serve without salary, shall be selected and removed in accordance with Sections 10 and 11 of said Act No. 74, and shall exercise the same powers as provided in said act. The General Superintendent of Public Instruction shall exercise the same jurisdiction and powers in the city of Manila as elsewhere in the archipelago, and the City Superintendent of Schools in Manila shall have all the powers and duties in respect to the schools of such city as are vested in division superintendents in respect to the schools of their divisions.

SEC. 24. *Reports to be made on condition of schools and school buildings.*—The City Superintendent of Schools shall make a quarterly report of the condition of the schools and school buildings of Manila to the Board, and such recommendations as seem to him wise in respect to the number of teachers, their salaries, new buildings to be erected, and all other similar matters, together with the amount of city revenues which should be expended in paying native teachers, and improving the schools or school buildings of the city. The local school board shall make a similar quarterly report to the Board. The local school board shall be furnished an office and necessary clerical force by the City Superintendent out of the appropriation for his office. All construction or repairs of school houses ordered by the Municipal Board, subject to the limitations of Act No. 74, shall be carried on under the Department of Engineering and Public Works,

and the care and custody of school buildings shall be under the Superintendent of Buildings and Illumination.

SEC. 25. *Powers and duties of heads of departments.*—Each head of department of the city government shall be in control of such department, under the direction and supervision of the Board, and shall possess such powers as may be prescribed herein or by ordinance. He shall make requisition in duplicate for all funds required for the use of his department during the ensuing month. All warrants drawn in accordance with such requisitions shall be in favor of the disbursing officer of the Board, and shall be disbursed pursuant to appropriations. The correctness of all payrolls and vouchers covering the payment of money shall be certified to by each head of department before payment, except as herein otherwise expressly provided. Each head of department shall deposit with the Treasurer of the Philippine Archipelago all moneys collected within his department, taking, as required by Rules 51 and 52 of Act No. 90, receipts for all moneys so deposited. He shall submit to the Auditor for the Philippine Archipelago on the first day of each month an abstract showing all collections made within his department during the preceding month, supported by proper vouchers covering such receipts. He shall, ten days before the beginning of each quarter, prepare and submit to the Board, through the Auditor for the Philippine Archipelago, the following estimates: (a) An itemized estimate of the revenues of the department from all sources for the ensuing quarter, with a statement opposite each item of the amount realized from such source during the preceding quarter; (b) an itemized estimate of the ordinary expenses of the department for the ensuing quarter, with a statement opposite each item of the corresponding expenses during the preceding quarter; (c) an itemized estimate of such extraordinary expenditures as may be deemed necessary for any purpose, with an itemized statement of extraordinary expenditures during the preceding quarter. Such estimates shall contain a statement of the approximate total expenditure recommended, and the amount which it is expected to expend during the ensuing quarter. He shall, on or before the tenth day of July of each year, prepare and present to the Board an annual report, in duplicate, covering the operations of his office during the preceding fiscal year.

SEC. 26. *City officers to devote time to business.*—Each officer shall devote his time and attention exclusively during the usual business hours to the duties of his office, and shall not hold more than one office unless expressly authorized by law.

This section shall not apply to members of the Advisory Board or to members of the local school board, or to other persons discharging public duties under the city government who receive no compensation for their services.

SEC. 27. *Persons who are eligible for appointment to city offices.*—No person shall be eligible for appointment to any city office who is not either (a) a citizen of the United States, or (b) a native of the Philippine Islands, or (c) a person who has, under and by virtue of the Treaty of Paris, acquired the political rights of a native of the Islands.

SEC. 28. *City officers not to engage in certain business transactions.*—It shall be unlawful for any city officer, directly or indirectly, individually or as a member of a firm, to engage in any business transac-

tion with the city through any of its authorized officials, boards, agents, or attorneys, whereby money is to be paid, directly or indirectly, out of the revenues of the city to such person or firm; or to purchase any real estate or other property belonging to the city, or which shall be sold for taxes or assessments, or by virtue of legal process at the suit of the city; or to be surety for any person having a contract or doing business with the city, for the performance of which security may be required; or to be surety on the official bond of any officer of the city.

SEC. 29. *Action in case of separation from service of city officers.*—Every city officer shall, at the expiration of his term, or upon resignation, deliver to his successor in office, who shall receipt for the same in duplicate, all property, books, and effects of every description in his possession, belonging to the city or pertaining to his office. One copy of the receipt shall be delivered to the retiring officer and the other copy filed with the Auditor for the Philippine Archipelago. All funds, whether collections or moneys appropriated for disbursement, shall be deposited in the Insular Treasury. Funds for disbursement shall be deposited as repayments to the respective appropriations to which they pertain and be available for withdrawal by warrant in favor of the successor. In case of the death or removal of any city officer, the Board shall at once take charge of the office, books, papers, property, and funds of the late incumbent, and forthwith notify the sureties on his official bond. Such sureties shall cause to be rendered to the Auditor the accounts current of the deceased or removed officer, and deposit or cause to be deposited as aforesaid the moneys with which such officer was chargeable.

SEC. 30. *When Board must advertise for sealed bids or proposals.*—Before entering upon any work or public improvement the total expense whereof shall exceed the sum of five hundred dollars, the Board shall advertise for sealed bids or proposals for the same in two daily newspapers published in Manila, one printed in English and the other in Spanish, for a period of one week, the first insertion to be not less than ten days before the day fixed for opening such proposals. A plan or profile of the work to be done, accompanied by specifications for the performance of the same, shall, before advertisement, be placed on file in the office of the Board, or the department of the city government having charge of the work, which plan, profile, and specification shall, at all proper times, be open for public inspection. All bids shall be opened in the presence of the Board at the advertised time and place. Each bid shall be accompanied by a deposit, the amount and character of which shall be fixed by the Board and named in the advertisement, and which shall not exceed ten per cent. of the estimated cost of the improvement or work to be done where the estimated cost exceeds one thousand dollars nor be less than one hundred dollars in any case. Such deposit shall be forfeited to the city if the bidder shall neglect or refuse to enter into a contract, with approved sureties, to execute the work for the price mentioned in his bid and according to the plans and specifications, in case the contract shall be awarded to him. Should all bids be rejected, or should it become necessary for any reason to call for new bids, subsequent advertisement shall be for a period of five days before the proposals are opened, and in the manner above prescribed.

SEC. 31. *Contracts in excess of \$500.*—Every contract exceeding in

amount the sum of five hundred dollars, for work, materials or supplies, shall be let by the Board to the lowest responsible bidder, provided that the Board may, in its discretion, reject any and all bids, and if such bids are too high may purchase the material, hire the laborers, and supervise the work. Bonds, to be approved by the Board, shall be taken for the faithful performance of contracts; all such contracts shall be executed in triplicate by the Board and by the contractor; one original copy so executed shall be kept and filed in the office of the Board, one shall be filed in the office of the Auditor for the Philippine Archipelago, and the third shall be given to the contractor. Every contract for a sum greater than five hundred dollars shall be signed by the President of the Board and the Secretary under the corporate seal.

SEC. 32. *Contracts not in excess of \$500.*—If the consideration for a contract shall not exceed five hundred dollars, the Board may authorize the head of any department, or any city officer, to execute such contract; but no expenditure shall be made for such purpose without the written order of the Board, which order shall be returned and filed as a voucher with the bill upon which payment was made.

DEPARTMENT OF ENGINEERING AND PUBLIC WORKS.

SEC. 33. *Duties of City Engineer.*—There shall be, under the Board, a City Engineer, who shall be in charge of the Department of Engineering and Public Works. He shall have charge of all the surveying and engineering work of the city, and shall perform such services in connection with public improvements, or any work entered upon or projected by the city, or any department thereof, as may require the skill and experience of a civil engineer. He shall ascertain, record, and establish monuments of the city survey and from thence extend the surveys of the city, and locate, establish, and survey all city property, and also private property abutting on the same, whenever directed by the Board; shall prepare and submit plans, maps, specifications, and estimates for buildings, streets, bridges, docks, and other public works, and supervise the construction and repair of the same; shall make such tests and inspection of engineering materials used in construction and repair as may be necessary to protect the city from the use of materials of a poor or dangerous quality; shall inspect and report upon the condition of public property and public works whenever required by the Board; shall have the care and custody of all public buildings, when erected, including markets and slaughter-houses and all buildings rented for city purposes, and of any system now or hereafter established for lighting the streets, public places and public buildings of the city; shall inspect and seal weights and measures, enforce the keeping and use of proper weights and measures by vendors and vendees, and regulate the inspection, weighing and measuring of brick, coal, lumber, and other articles of merchandise, in accordance with law and ordinances; shall prevent the encroachment of private buildings and fences on the streets and public places of the city; shall inspect and supervise the construction, repair, removal, and safety of private buildings; shall regulate and enforce the numbering of houses, in accordance with the ordinances of the city; shall have the care of all public streets, parks, and bridges; shall maintain, clean, sprinkle, and regulate the use of the same for all purposes as provided by ordi-

nance; shall supervise the collection and disposition of all garbage, refuse, the contents of closets, vaults, and cess-pools, and all other offensive and dangerous substances within the city; shall have the care and custody of all public docks, wharves, piers, levees, and landing-places, when erected; shall have general supervision and inspection of all private docks, wharves, piers, levees, and landing-places, and other property bordering on the harbor, river, esteros, and waterways of the city; and shall issue permits for the construction, repair, and removal of the same, and enforce all ordinances relating to the same; shall have the care and custody of the public system of waterworks and sewers, and all sources of water supply, and shall control, maintain, and regulate the use of the same, in accordance with the ordinances relating thereto, and shall collect water rents as fixed by law or ordinance; shall inspect and regulate, subject to the approval of the Board, the use of all private systems for supplying water to the city and its inhabitants, and all private sewers and their connections with the public sewer system. He shall file and preserve all maps, plans, notes, surveys, and other papers and documents pertaining to his office.

SEC. 34. *Assistants to City Engineer.*—To assist the City Engineer in the discharge of his official duties, there shall be employed under his direction a first assistant city engineer, two second assistant city engineers, a superintendent of streets, parks, bridges, docks, and wharves, a superintendent of water and sewers, and a superintendent of buildings and illumination.

POLICE DEPARTMENT.

SEC. 35. *Duties of Chief of Police.*—There shall be, under the Board, a Chief of Police, who shall have charge of the Department of Police, and everything pertaining thereto, including the organization, government, discipline, and disposition of the city police and detective force; shall quell riots, disorders, disturbances of the peace, and shall arrest and prosecute violators of any law or ordinance; shall exercise police supervision over all land and water within the police jurisdiction of the city; shall be charged with the protection of the rights of persons and property wherever found within the jurisdiction of the city, and shall arrest without warrant, when necessary to prevent the escape of the offender, violators of any law or ordinance, and all who obstruct or interfere with him in the discharge of his duty; shall be responsible for the safe keeping of all prisoners until they shall be released from custody, in accordance with law, or delivered to the warden of the proper prison or penitentiary; may take good and sufficient bail for the appearance before the city court of any person arrested for violation of any city ordinance; shall have authority, within the police limits of the city, to serve and execute criminal processes of any court; shall, either in person or by deputy, attend all sessions of the city courts, and shall promptly and faithfully execute all orders of the Board, and all writs and processes of the city courts and all criminal processes of the Court of the First Instance of the city of Manila, when placed in his hands for that purpose. He shall have such further powers and perform such further duties as may be prescribed by law or ordinance.

SEC. 36. *Duties of Chief of Secret Service.*—The Chief of Police shall have an assistant, to be known as the Chief of the Secret Service,

who shall have charge of the detective force, and shall perform such other duties as may be assigned to him by the Chief of Police or be prescribed by ordinance.

SEC. 37. *Powers and duties of peace officers.*—The members of the Board, the Chief of Police, the Chief of the Secret Service, and all officers and members of the police force and secret service shall be peace officers; and all peace officers created by this act, or authorized by law or ordinance, are authorized to serve and execute all processes of municipal courts and criminal processes of insular courts to whomsoever directed, within the jurisdictional limits of the city or within the police limits as hereinbefore defined; and within the same territory they may pursue and arrest, without warrant, any person found in suspicious places or under suspicious circumstances reasonably tending to show that such person has committed, or is about to commit, any crime or breach of the peace; may arrest or cause to be arrested, without warrant, any offender when the offense is committed in the presence of a peace officer or within his view; and in such pursuit or arrest may enter any building, ship, boat, or vessel, or take into custody any person therein suspected of being concerned in such crime or breach of the peace, and any property suspected of having been stolen. They shall detain such person only until he can be brought before the proper magistrate, and shall have such other powers and perform such other duties as peace officers as may be prescribed by law or ordinance. Whenever the Board shall deem it necessary, to avert danger or to protect life and property, in case of riot, disturbance, or public calamity, or when it has reason to fear any serious violation of law and order, it shall have power to swear in special police, in such numbers as the occasion may demand. Such special police shall have the same powers while on duty as members of the regular force.

LAW DEPARTMENT.

SEC. 38. *Duties of City Attorney; to have one assistant.*—The Law Department shall consist of the offices of the City Attorney and the Prosecuting Attorney. The City Attorney shall be the chief legal adviser of the city and all offices and departments thereof; shall represent the city in all civil cases now pending or hereafter brought in any court, wherein the city or any officer thereof in his official capacity is a party; shall attend, when required, meetings of the Board, draw ordinances, contracts, bonds, leases, and other documents involving any interest of the city, and inspect and pass upon all such documents already drawn; shall give his opinion in writing, when requested by the Board upon any question relating to the city, or the rights or duties of any city officer; shall appear in behalf of the city in all civil cases; shall, whenever it is brought to his knowledge that any city officer is guilty of neglect or misconduct in office, or that any person, firm, or corporation holding or exercising any franchise or public privilege from the city, has failed to comply with any condition, or to pay any consideration mentioned in the grant of such franchise or privilege, investigate the same and report to the Board; shall, when directed by the Board, institute and prosecute in the city's interest a suit on any bond, lease, or other contract, and upon any breach or violation thereof; prosecute and defend all civil actions related to or connected with any city office or interest of the city. He shall at all

times render such professional services as the Board may require, and shall have such other powers and shall perform such other duties as may be prescribed by law or ordinance. He shall have one assistant, to be known as Assistant City Attorney.

SEC. 39. *Duties of Prosecuting Attorney; to have three assistants.*—The Prosecuting Attorney of the city of Manila shall have charge of the prosecution of all crimes, misdemeanors and violations of city ordinances, in the Court of First Instance and the municipal courts of the city of Manila. He shall investigate all charges of crimes, misdemeanors, and violations of ordinances, and prepare the necessary informations or make the necessary complaints against the persons accused, and discharge all other duties in respect to criminal prosecutions enjoined upon provincial fiscals in the General Provincial Act and the Criminal Code of Procedure. There shall be three assistant prosecuting attorneys, who shall assist the Prosecuting Attorney as he shall direct. The Prosecuting Attorney or any of his assistants may, if he deems it wise, conduct investigations in respect to crimes, misdemeanors and violations of ordinances by taking oral evidence of reputed witnesses, and for this purpose may, by subpoena, summon witnesses to appear and testify under oath before him, and the attendance or evidence of an absent or recalcitrant witness may be enforced by application to the municipal court or the Court of First Instance.

No witness summoned to testify under this section shall be under obligation to give any testimony tending to criminate himself, and no testimony elicited from a witness by such examination under oath before the Prosecuting Attorney or his assistants under this section shall be used against such witness in any prosecution pending, or thereafter instituted against him, for any crime or offense.

SEC. 40. *Municipal Courts provided for.*—There shall be two judicial districts in the city, one of which shall include all territory within the police jurisdiction of the city north of the Pasig River, and the other all territory within the same jurisdiction south of said river. There shall be a municipal court in each of the two districts. The Civil Governor, by and with the consent of the Commission, shall appoint a Judge and a Clerk for each Municipal Court. Vacancies occurring in such clerkship after the first of March, 1902, shall be filled under the restrictions and provisions of the Civil Service Act. The municipal courts of the two districts shall have concurrent jurisdiction over crimes, misdemeanors and violations of ordinances committed on the waters of the Pasig River or Manila Bay within the police jurisdiction of the city. There shall be a daily session of each municipal court, Sundays and legal holidays alone excepted. In order to equalize the work of the courts so established, the judges and clerks may exercise their duties interchangeably in either district and the two judges may at the same time hold separate sessions of the court of one district and in such case the judge of the district shall divide the business to be done between himself and the visiting judge. Said court shall respectively have exclusive jurisdiction over all criminal cases arising under the ordinances of the city, and over all criminal cases arising under the penal laws of the Philippine Islands, where the offense is committed within the police jurisdiction of the city and their respective districts and the maximum punishment is by imprisonment for not more than six months, or a fine of not more than one hundred dollars, or both. Such courts may

also conduct preliminary examinations for any offense, without regard to the limits of punishment, and may release, or commit and bind over any person charged with such offense to secure his appearance before the proper court. Said courts shall have no civil jurisdiction except for the forfeiture and collection of bonds given in cases or proceedings pending therein. In a prosecution for the violation of any ordinance, the first process shall be a summons; provided, however, that a warrant for the arrest of the offender may be issued in the first instance upon the affidavit of any person that such ordinance has been violated, and that the person making the complaint has reasonable grounds to believe that the party charged is guilty thereof; and such warrant shall conclude, "Against the ordinances of the city in such case made and provided." All proceedings and prosecutions for offenses against the laws of the Philippine Islands shall conform to the rules relating to process, pleading, practice, and procedure now or hereafter established for the judiciary of the Islands, and such rules shall govern said police courts and their officers in all cases in so far as the same may be applicable. Every person arrested shall, without unnecessary delay, be brought before a municipal court or a court of first instance for preliminary hearing, release on bail or trial. Each judge shall have power to enforce all processes of the court, compel the attendance of witnesses and punish all contempts of court by fine or imprisonment, or both, under the limitations imposed by the Code of Civil Procedure. He may require of any person arrested a bond for good behavior or to keep the peace, or for the further appearance of such person before a court of competent jurisdiction, and no such bond shall be accepted unless it be executed by the person in whose behalf it is made, with sufficient surety or sureties to be approved by said court. There shall be taxed against and collected from the defendant, in case of his conviction in said court, such costs and fees as may be prescribed by the Board, which costs and fees shall not exceed those charged in criminal cases in justices' courts. All fines and forfeitures, fees and costs imposed shall be collected by the clerk of each court, who shall keep a docket of all fines, forfeitures, costs, and fees imposed, and of those collected, and shall pay collections of the same to the City Assessor and Collector for the benefit of the city, on the next business day after the same are collected, and receive receipts therefor. The judge shall examine the docket of fines, forfeitures, fees and costs each day, compare the same with the amount receipted for by the City Assessor and Collector, and satisfy himself that all fines, forfeitures, fees and costs have been duly accounted for. The judgments of each court may be enforced by imprisonment of any defendant adjudged guilty therein until the fines, fees, and costs assessed have been paid, or until the same shall have been satisfied by imprisonment at hard labor at the rate of twenty-five cents a day; and any such judgment may also be enforced by execution against the property of the defendant adjudged guilty therein. Each court shall also have power to administer oaths and to give certificates thereof; to issue summons, writs, warrants, executions, and all other processes necessary to enforce its orders and judgments. The clerk of each court shall have power to administer oaths. The clerk of each court shall keep its seal and affix it to all orders, judgments, certificates, records, and other documents issued by the court. He shall keep a docket of the trials in the court, in which he shall record in a summary manner the name of the defend-

ant, the charge against him, the name of the prosecuting witness, the date of the arrest, the appearance of the defendant, the date of the trial, and the nature of the judgment, together with the fines and costs adjudged or collected in accordance with the judgment. The Chief of Police shall be the executive officer of each court and shall, either in person or by deputy, attend all sessions, serve all processes, and execute all orders and judgments of the same.

SEC. 41. *Certain requirements to be complied with before confinement of city prisoners.*—No person shall be confined in the city prison by sentence of either municipal court until the warden or officer in charge of the prison shall receive a written commitment showing the offense for which the prisoner was tried, the date of the trial, the exact terms of the judgment or sentence, and the date of the order of commitment. The clerk shall, under seal of the court, issue such a commitment in each case of sentence to imprisonment.

SEC. 42. *Appeals to Courts of First Instance.*—An appeal shall lie to the Court of First Instance next to be held within the city in all cases where fine or imprisonment is imposed by a municipal court. Such appeals shall be governed by the rules of practice and procedure in judicial appeals from courts of first instance to the Supreme Court now or hereafter established by law. Pending an appeal, the defendant shall remain in custody, unless released upon sufficient bail, in accordance with the rules and regulations now or hereafter in force, to await the judgment of the appellate court.

SEC. 43. *Duties of Sheriff of Manila.*—The Sheriff of the city of Manila, appointed under Section 25 of Act No. 136, providing for the organization of courts, shall receive a salary at the rate of twenty-five hundred dollars per year. The Sheriff is hereby authorized to appoint two deputies at a salary of one hundred dollars per month each, and two deputies at a salary of sixty dollars per month each. The Sheriff and his deputies shall charge and collect for the service of all civil process the fees provided in the Code of Civil Procedure only, and all fees collected by them for such service shall be paid to the City Assessor and Collector, and the Sheriff shall be answerable therefor upon his bond. The fees charged by the Sheriff and his deputies for the service of criminal process shall be such as are provided in the Code of Criminal Procedure to be adopted, and when collected shall be paid to the City Assessor and Collector. Such fees shall be taxed as a part of the costs against defendants who are convicted in criminal prosecutions and sentenced to pay the costs. The Sheriff shall pay to the City Assessor and Collector, on the first day of each month, all fees collected by him and his deputies for the service of civil process during the preceding month, and shall at the same time deliver to the Auditor for the Philippine Archipelago an itemized statement of such fees. The salaries of the Sheriff and his deputies herein provided shall be paid from the revenues of the city of Manila. The Sheriff is also authorized to expend a sum not to exceed three dollars per day for the transportation of prisoners by himself and deputies and for the general service of the process of the courts throughout his jurisdiction, and which shall be paid from the revenues of the city. The Sheriff may, in writing, appoint special deputies for the service of any particular process, who shall be paid only by fees, in accordance with the scale of fees provided in the Civil and Criminal Codes of Procedure. The Sheriff and his deputies shall be peace officers with the powers set forth in Section 37.

Sections 25 and 27 of Act No. 136, providing for the organization of courts, are hereby repealed so far as they conflict with this section, but in all other respects remain in full force.

SEC. 44. *Justices and auxiliary justices of the peace provided for.*—There shall be appointed by the Civil Governor, by and with the consent of the Commission, two justices of the peace and two auxiliary justices of the peace for the city of Manila, who shall be subject to removal in the manner provided for their appointment, and who shall exercise within the city of Manila the jurisdiction conferred upon justices of the peace in Act No. 136, providing for the organization of courts; but no justice of the peace, or auxiliary justice of the peace, of the city of Manila, shall exercise any criminal jurisdiction, such jurisdiction within the city of Manila being confined to Courts of First Instance and to the Municipal Courts herein provided. Each justice of the peace shall receive a salary of one thousand dollars per year, and shall charge and collect in all civil suits tried before him the fees provided for justices of the peace in the Code of Civil Procedure. All fees so charged and collected by him during each month shall be paid by him on the first day of the succeeding month to the City Assessor and Collector. He shall at the same time deliver to the Auditor for the Philippine Archipelago an itemized statement of all such fees, and his accounts shall be audited by the Auditor for the Philippine Archipelago, and for that purpose his dockets and books shall be examined by the Auditor. Auxiliary justices of the peace shall be paid by the justices of the peace out of their salaries, respectively, in proportion to the time that the auxiliary justice of the peace shall have performed the duties of the justice. Each justice of the peace may appoint a clerk, at a salary of twenty-five dollars per month, to be paid out of the revenues of the city. The existing courts of the justices of the peace in the city of Manila are hereby abolished.

DEPARTMENT OF FIRES AND BUILDING INSPECTION.

SEC. 45. *Duties of Chief of Department of Fires and Building Inspection.*—There shall be, under the Board, a Chief of the Department of Fires and Building Inspection. He shall have the management and control of all matters relating to the administration of the department as herein provided, and the organization, government, discipline, and disposition of the fire force; shall have charge of fire engine houses, fire engines, hose carts, hooks and ladders, trucks, and other fire apparatus; shall have full police power in the vicinity of fires; shall have authority to remove any building or other property whenever it shall become necessary to prevent the spreading of fire or to protect adjacent property; shall investigate and report upon the origin and cause of all fires occurring within the city.

He shall inspect all buildings in the city under construction or repair and see that ordinances relating to the construction of buildings within fire limits are observed; shall inspect all private and public buildings erected or to be erected within the city, to determine whether they comply with the building ordinances applicable to fire limits or otherwise; shall have power to order, in accordance with ordinance and subject to the approval of the Municipal Board, buildings dangerous to the public to be taken down or made secure; shall supervise and regulate the stringing, grounding, and insulation of wires for all

electrical connections with a view to avoiding conflagrations or interfering with public traffic or safety, or the obstruction of the necessary operations of the fire department in putting out fires; shall supervise and regulate the manufacture, storage, sale, and use of petroleum, gas, acetyline, gun powder, and other highly combustible matter and explosives, and the arrangement and use of engines, boilers, forges, and other manufacturing and heating appliances in accordance with law or ordinances relating thereto; shall have charge of the city telegraph, telephone, and fire alarm services; and the laying of mains and connections for the purpose of supplying gas to the inhabitants of the city.

DEPARTMENT OF ASSESSMENTS AND COLLECTIONS.

SEC. 46. *Duties of City Assessor and Collector.*—There shall be, under the Board, a City Assessor and Collector, who shall have charge of the Department of Assessments and Collections. The real estate of the city of Manila shall be assessed and valued for taxation by the City Assessor and Collector and his authorized deputies, who are empowered to administer any oath authorized to be administered in the assessment or collection of taxes. It shall be the duty of every owner of real estate in the city of Manila to prepare, or cause to be prepared, a statement of the amount of land and the improvements thereon which he owns, the annual rent or income received by him from each piece of his property for each of the three years preceding the statement and a description sufficiently in detail to enable the City Assessor and Collector to identify the same on examination. The owner or his duly authorized agent shall verify such statement and swear to the same before any officer authorized by law to administer an oath. The statement shall be filed with the City Assessor and Collector on or before the first day of September, 1901. He shall make a list of all taxable real estate in the city, by districts, and the names of the owners in each district shall be arranged alphabetically, with a brief description opposite their names of the property owned by them and the cash value thereof. In making this list the City Assessor and Collector shall take into consideration any sworn statement made by the owners of the property, but shall not be prevented thereby from considering other evidence on the subject, and exercising his own judgment in respect thereto. For the purpose of completing this list he is authorized to summon witnesses, administer oaths to them, and subject them to examination concerning the ownership and the amount of real estate in each district, and its cash value. It shall be the duty of the City Assessor and Collector, so far as is necessary, to examine the records of the office of the City Registrar showing the ownership of real estate in the city.

SEC. 47. *Rate per cent. of annual tax for the years 1901, 1902, and subsequent years.*—A tax of one per cent. on the assessed value of all real estate in the city subject to taxation as hereinbefore provided is hereby levied for the unexpired portion of the year 1901; provided, that every taxpayer who has paid the urbana tax on any house or building or who has paid the frontage tax on any real estate for the year 1901 shall receive a credit on the tax hereby levied for the amounts paid as urbana or frontage taxes. The laws, general orders, or regulations under which the urbana tax and the frontage tax are now collectible in the city of Manila are hereby repealed except as to

arrearages as hereinafter provided. All taxes on real estate for the year 1901 shall be due and payable on or before the fifteenth day of February, 1902. An annual tax of one and one-half per cent. ($1\frac{1}{2}\%$) on the assessed value of all real estate in the city subject to taxation as hereinbefore provided is hereby levied for the year 1902, and an annual tax of two per cent. (2%) on the assessed value is hereby levied for the year 1903 and each subsequent year. All taxes for the year 1902 and each year thereafter shall be due and payable on or before the first day of July of each year, and if any taxpayer shall fail to pay the taxes assessed against him for the year 1901 on or before the first day of March, 1902, or shall fail to pay such taxes assessed against him for the year 1902, and each succeeding year thereafter, on or before the first day of July of each year respectively, he shall be delinquent in such payment, and shall be subject to an additional tax of fifteen per cent. (15%) of the amount of the original tax as a penalty for such delinquency, to be collected at the same time and in the same manner as the original tax; provided, that at the option of the taxpayer the payment of one-half of the tax for the year 1902 and each succeeding year thereafter may be postponed until the 31st day of December of such year, but if he fail to pay the first half of the tax on or before the first day of July, then the tax for the whole year shall be delinquent, and the penalty shall be due as hereinbefore provided. If any taxpayer, having paid the first half of the taxes due for the year 1902 or any succeeding year, shall fail to pay the remaining half of the tax due for such year on or before the 31st day of December of that year, the penalty to be collected shall be fifteen per cent. (15%) of the half of such annual tax then due. The penalties thus imposed shall be accounted for by the City Assessor and Collector in the same manner as the tax. In the event that such tax and penalty shall remain unpaid for fifteen days after the tax has become delinquent the City Assessor and Collector shall proceed to make collection thereof in the manner prescribed in Sections 75, 76, 77, 78, 79, 80, 81, 82 and 83 of the Municipal Code, and all the provisions of said sections shall be applicable, and all the powers and duties conferred and imposed by said sections upon the Provincial Treasurer are imposed upon the City Assessor and Collector. The provisions of Sections 83, 84, 85 and 86 of the Municipal Code are hereby declared applicable as fully as though incorporated herein to all taxes assessed, penalties accruing, sales made of the real estate of the delinquent taxpayer, and suits instituted by him attacking the assessment of such taxes or the validity of sales made hereunder. It shall not be essential to the validity of tax sales of real estate hereunder that the City Assessor and Collector shall have attempted to make out of the personal property of the taxpayer the tax due upon his real estate. The remedy provided in the Municipal Code for the collection of taxes upon real estate by levying upon the personal property of the taxpayer shall be deemed to be cumulative only. The lien upon the real estate for taxes levied for the year 1901 shall attach upon the passage of this act. A lien for taxes due for any subsequent year shall attach on the first day of January of such year.

SEC. 48. *Exemptions from taxation.*—Lands or buildings owned by the United States of America, the central government of the Philippine Islands, or the city of Manila, and burying-grounds, churches, and their adjacent parsonages and conventos, and lands or buildings

used exclusively for religious, charitable, scientific or educational purposes, and not for profit, shall be exempt from taxation; but such exemption shall not extend to lands or buildings held for investment, though the income therefrom be devoted to religious, charitable, scientific or educational purposes.

SEC. 49. *Action in case owner of real estate fails to make return thereof.*—If the owner of any parcel of real estate shall fail to make a return thereof, as provided in Section 46, or if the City Assessor and Collector is unable to discover the owner of any real estate, he shall nevertheless list the same for taxation, charge the tax against the true owner, if known, and if unknown then as against an unknown owner. In case of doubt or dispute as to ownership of real estate, the taxes shall be levied against the possessor or possessors thereof. Where it shall appear that there are separate owners of the land and the improvements thereon, a separate assessment of the property of each shall be made.

In case the land and improvements, a statement of which it is the duty of the owner hereunder to file with the City Assessor and Collector, shall have been leased to another before the date of this act on terms such that the leasehold held by the lessee is valuable, the owner of the land may in his statement request that the lessee or tenant of the leasehold be cited to appear and make a sworn statement of its value before the City Assessor and Collector. The City Assessor and Collector shall then proceed as in other cases to fix and assess the value of the leasehold. The owner of the land and improvements shall be required to pay taxes only on the total value of the land and improvements, less the value of the leasehold, while the lessee or tenant of the leasehold shall have assessed against him, and be required to pay, taxes upon the value of the leasehold. The remedies hereinbefore provided for the sale of land for collection of delinquent taxes thereon shall be applicable to the collection of delinquent taxes on leaseholds.

SEC. 50. *Action in case real estate has escaped taxation.*—If it shall be discovered by the City Assessor and Collector, or brought to his attention, that any taxable real estate in the city has escaped listing, it shall be his duty at once to list and value the same and charge against the owner thereof the taxes due for the current year and for all other years since the original assessment under this charter was made, and the taxes thus assessed shall be legal and collectible by all the remedies herein provided, and interest and penalty shall be added to the back taxes as if they were assessed at the time when they should have been assessed.

SEC. 51. *Certificate to be made by City Assessor and Collector.*—The City Assessor and Collector shall complete the listing and valuation of all real estate situated within the city on or before the first day of December, 1901, and when completed shall authenticate the same by signing the following certificate at the foot of the list:

“I hereby certify that the foregoing list contains a true statement of the piece or pieces of taxable real estate belonging to each person named in the list, and its true cash value, and that no real estate taxable by law in the city of Manila has been omitted from this list, according to the best of my knowledge and belief.”

(Signature.).....

The City Assessor and Collector shall also authenticate subsequent assessments, as hereinafter provided for, by signing the foregoing certificate in connection with each such assessment.

SEC. 52. *Notice to be given to public when tax list is completed.*—When the list shall be completed in accordance with the foregoing section the City Assessor and Collector shall, by notice published for ten days in two newspapers of general circulation in the city, one printed in English and one in Spanish, inform the public that the list has been completed and is on file in his office, and may be examined by any person interested therein, and that upon a date fixed in the notice, which shall not be later than the 15th day of December, the City Assessor and Collector will be in his office for the purpose of hearing complaints as to the accuracy of the listing of the property and the assessed value thereof. It shall be his duty carefully to preserve and record in his office copies of said notices. On the day fixed in the notice, and for seven days thereafter, he shall be present in his office to hear all complaints filed within that period by persons against whom taxes have been assessed as owners of real estate, and he shall make his decision and enter the same in a well-bound book, to be by him kept for that purpose, within fourteen days from the date fixed for hearing complaints in such notice, and if he shall determine that injustice has been done or errors have been committed he is authorized to amend the list in accordance with his findings.

SEC. 53. *Appeals from decisions of City Assessor and Collector.*—In case any complainant before the City Assessor and Collector shall feel aggrieved by his decision, such complainant may, within ten days after the entry of such decision, appeal to the Board of Tax Appeals constituted as hereinafter provided. He shall perfect his appeal by filing a written notice of the same with the City Assessor and Collector, and it shall be the duty of that officer forthwith to transmit the appeal to the Board of Tax Appeals with all written evidence in his possession relating to such assessment and valuation.

SEC. 54. *Board of Tax Appeals constituted.*—The Municipal Board shall constitute the Board of Tax Appeals. The President of the Municipal Board shall be President of the Board of Tax Appeals, and the Secretary to the Municipal Board shall be the Secretary to the Board of Tax Appeals and shall keep the record of its proceedings.

SEC. 55. *Oath to be taken by each member of Board of Tax Appeals.*—Before organizing as such, the members of the Board of Tax Appeals shall take the following oath before a justice of the peace or some other officer authorized to administer an oath in the city of Manila:

“I do solemnly swear (or affirm) that I will well and truly hear and determine all matters and issues between taxpayers and the City Assessor and Collector submitted for my decision; so help me God.” (In case of affirmation the last four words to be stricken out.)

(Signature.).....

“Subscribed and sworn to (or affirmed) before me this.....day of....., 19.....”

.....
(Signature of officer administering oath.)

The oath of each member shall be recorded by the Secretary to the Board in the minutes of its proceedings.

SEC. 56. *Meetings of Board of Tax Appeals.*—The Board of Tax

Appeals shall meet on the second Monday in January, 1902, and each succeeding year, and shall hear all appeals duly transmitted to it, and shall decide the same within fifteen days. It shall have authority to cause to be amended the listing and valuation of the property in respect to which any complaint is made by order signed by the Board or a majority thereof, and transmit it to the City Assessor and Collector, who shall amend the tax list in conformity with said order.

SEC. 57. *When assessment may be increased or reduced.*—The City Assessor and Collector shall, during the first three days of December of each year after the year 1901, add to the list of taxable real estate in the city, the value of the improvements placed upon such property during the preceding year, and reduce the assessments against any taxpayer whose improvements already assessed have been destroyed during the preceding year, and shall add to the list any property which is taxable and which has theretofore escaped taxation. He shall give ten days' notice by publication in two newspapers of general circulation published in the city of Manila, one printed in English and one in Spanish, that he will be present in his office for that purpose on said days. Appeals may be taken from the decisions of the City Assessor and Collector, under this section, to the Board of Tax Appeals, as in case of original assessments.

SEC. 58. *Duration of first and subsequent assessments.*—The assessment first made under the provisions of this charter, as amended from time to time, shall continue in force for the period of three years, unless an earlier provision is made by law for another general assessment. The City Assessor and Collector shall, at the close of said three years, and at the close of each period of five years thereafter, make a new assessment in accordance with the provisions of this charter, and the taxpayer shall have the same remedies by appeal for unjust assessment and valuation as are provided for the first assessment.

SEC. 59. *Money to be applied to school purposes.*—One-fourth of all moneys realized from the real estate tax herein provided for shall be devoted exclusively to the support of free public primary schools of the city, and to the erection and maintenance of suitable school buildings. The Municipal Board may, however, in its discretion, apply to the Commission for appropriations from the general resources of the city of additional funds for the support of such schools and the maintenance of such buildings.

SEC. 60. *Cedula or registration tax.*—All the provisions of Sections 26, 27, 28, 29, 30, 31, 32, 34 and 35 of Act No. 133, entitled "An Act to Amend the Provincial Government Act, No. 83," and which provides for the collection of an annual cedula or registration tax, are hereby made applicable to the city of Manila and its inhabitants, and the City Assessor and Collector shall discharge the same duties in respect to said tax and its collection that the Provincial Treasurer discharges under the above mentioned sections of Act No. 133.

SEC. 61. *City Assessor and Collector to collect all taxes, licenses, etc.*—The City Assessor and Collector shall collect all taxes and assessments due the city, all licenses authorized by law or ordinance, all rents for lands, markets, and other property owned by the city, and shall receive and receipt for all fines, forfeitures, fees, and costs imposed by municipal courts, from the clerks thereof, and the fees collected by the Sheriff of Manila or his deputies, or by the justices of the peace of

Manila. He shall deposit each day in the Treasury of the Philippine Archipelago all moneys belonging to the city received on the previous business day; shall give bond to the city in such sum and with such surety or sureties as the Municipal Board may prescribe, for the faithful performance of the official duties of himself and his deputies or assistants and the deposit of all sums of money that may come into his or their hands officially in the Treasury of the Philippine Archipelago; shall, on or before the tenth day of each month, submit to the Auditor for the Philippine Archipelago, an account current with abstracts of collections and abstracts of deposits, covering all transactions of his office during the preceding month; shall, on or before the tenth day of July of each year, prepare in duplicate an itemized statement of the receipts and deposits with the Treasurer of the Philippine Archipelago for the preceding fiscal year, and shall transmit the same to the Board through the Auditor for the Philippine Archipelago. He shall perform such other duties as the Board may, by ordinance, prescribe.

SEC. 62. *City Assessor and Collector to collect Internal Revenue Tax.*—The City Assessor and Collector shall hereafter collect for the benefit of the city all taxes due under the law or orders imposing internal revenue taxes collectible within the city of Manila, and shall deposit the same with the Treasurer of the Archipelago to the credit of the city; provided, that this shall not include the urbana tax heretofore abolished; and provided further, that it shall not include the collections made at the instance of the Chief of the Bureau of Forestry, or his subordinates, within the city of Manila, for timber and timber products cut or taken from the public lands in the provinces outside the city of Manila. Until further provided by law the City Assessor and Collector shall also act as the Collector of Internal Revenue in those parts of the islands not within organized provincial governments and not within the city of Manila.

SEC. 63. *Chief Deputy Assessor and Chief Deputy Collector provided for.*—There shall be a chief deputy assessor and a chief deputy collector in the office of the Department of Assessments and Collections who shall be appointed by the Civil Governor, by and with the consent of the Commission. Their successors shall be appointed by the Board under the provisions of the Civil Service Act.

SEC. 64. *Collection and disposition of taxes now in force.*—All licenses and taxes, rents and income due and collectible under law, ordinance, general orders or regulations, by the Provost Marshal General or his subordinates, or by any Insular officer, for the benefit of the territory now incorporated as the city of Manila, which shall be delinquent at the time of the passage of this act, except such as are herein specifically abolished, shall be collected for the benefit of the city by the City Assessor and Collector in the same method and with the same penalties as would be applicable had this act not been adopted. A failure to pay delinquent urbana and frontage taxes for the years 1899 and 1900 within thirty days after the passage of this act shall impose upon the taxpayer so delinquent a penalty of 15% and interest at rate of 10% from the date of the passage of this act until payment. In the event such delinquent taxpayer shall neglect to pay the urbana or frontage taxes so due for thirty days after the passage of this act, it shall be the duty of the Assessor and Collector to proceed against such delinquent taxpayer and the property upon which such urbana or frontage taxes are due in manner and form and with like effect as

provided in this act for the collection of delinquent taxes upon real estate, the provisions of which are hereby declared applicable to such delinquent urbana and frontage taxes.

ADVISORY BOARD, POWERS AND DUTIES THEREOF.

SEC. 65. There shall be an Advisory Board of the city, to consist of one member appointed by the Civil Governor, by and with the consent of the Commission, from each of the eleven city districts as they existed under the Spanish Government. Within ten days after their appointment the members of the Board shall meet at a place and time to be designated by the Civil Governor and shall organize by the election of a president and of a secretary. The Board shall hold regular meetings once every two weeks, upon a day and at a time to be fixed by resolution of the Board. Each member of the Board shall receive five dollars (\$5.00) for each regular meeting which he attends. The Secretary of the Board shall have a permanent office and shall receive a salary of fourteen hundred dollars (\$1,400.00) a year. The Municipal Board shall provide the Advisory Board with a suitable room in which to hold its meetings, and with a suitable office for its Secretary, and with such furniture, stationery and other supplies as may be suitable. It shall be the duty of the Advisory Board to bring to the attention of the Municipal Board the special needs of the city and its inhabitants, and it shall make such suggestions and recommendations relative thereto as it may from time to time deem necessary. It shall consider petitions presented by residents or inhabitants of the city and it shall report its recommendations thereon to the Municipal Board. It shall furnish such further information relating to existing conditions within the city and the several districts thereof as may be requested by the Municipal Board. In case it shall deem further legislation by the Commission necessary for the good of the city and its inhabitants it shall make proper recommendations in relation thereto. The Municipal Board shall not have power to pass any ordinances fixing license fees, or involving the liability of the city in any sum exceeding ten thousand dollars (\$10,000.00), or denouncing as an offense the violation of any city ordinance, and imposing a penalty and fine or imprisonment therefor, or directing the condemnation of any property for the use of the city, or making any contract for improvements in the city which shall probably involve an expenditure of more than ten thousand dollars (\$10,000.00), without first having submitted for comment, discussion and recommendation the proposed ordinance to the Advisory Board, and received from the Advisory Board its recommendations thereon. Should the Advisory Board, however, delay action upon the ordinance thus presented to it for its consideration and recommendation, for more than two weeks after the same shall have been received and receipted for by its Secretary, the Municipal Board may proceed to adopt the ordinance without awaiting action by the Advisory Board. No person shall be eligible to appointment as a member of the Advisory Board from a particular district unless he is a *bona fide* resident of such district at the time of appointment.

SEC. 66. *Eligibility for appointment under city government.*—No person shall be eligible for appointment to any official position under the city government who is not either a citizen of the United States, a

native of the Philippine Islands, a person who by virtue of the Treaty of Paris is entitled to the political rights of a native of the Philippine Islands, or a person who having served in the army or navy of the United States has been honorably discharged therefrom and has taken the oath of allegiance to the United States.

SEC. 67. *United States money referred to.*—All sums of money herein mentioned shall be held to refer to money of the United States unless otherwise expressly provided.

SEC. 68. *City not to be liable for damages, etc.*—The city shall not be liable or held for damages or injuries to persons or property arising from the failure of the Municipal Board, or any city officer, to enforce the provisions of this charter, or any law or ordinance, or from negligence of said Board or other officers while enforcing, or attempting to enforce, the same.

SEC. 69. *Existing city ordinances, etc., to continue in force unless repealed or modified.*—All city ordinances and orders in force at the time of the passage of this act, and not inconsistent herewith, shall continue in force until they are repealed or modified by ordinances passed in accordance with the provisions of this act.

SEC. 70.—*Liquor licenses granted by Board.*—The powers and duties in reference to the granting of liquor licenses and the forfeiting of the same, in the city of Manila, now conferred upon the Provost Marshal General, are hereby transferred to the Municipal Board hereinbefore created.

SEC. 71. *Insular Purchasing Agent given control of property purchased out of civil funds.*—The Quartermaster of the Provost Guard is hereby directed to deliver to the Insular Purchasing Agent all the property held by him purchased out of civil funds for the use of the departments and bureaus of the city government under the Provost Marshal General, taking proper receipts from the Insular Purchasing Agent. It shall also be his duty to transfer to the Insular Purchasing Agent all the property received by him from the Disbursing Quartermaster for Civil Bureaus prior to July 1, 1901, and purchased by the Disbursing Quartermaster for Civil Bureaus out of public civil funds for the use of the civil departments of the civil government, taking like receipts from the Insular Purchasing Agent for this property.

SEC. 72. *Repeal of former acts, orders and regulations.*—All acts, orders and regulations, and parts of the same, which are inconsistent with the provisions of this act are hereby repealed, and this act shall take effect upon the proclamation of the Civil Governor, to be issued within thirty days after the passage of the act.

Enacted, July 31, 1901.

[No. 184.]

AN ACT appropriating one hundred and fifty-nine thousand, seven hundred and eighty dollars and three cents (\$159,780.03), or so much thereof as may be necessary, in money of the United States, to pay various expenses of the Insular Government not provided for in the general appropriation act for the third quarter of the year 1901.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The following sums, or so much thereof as may be necessary, in money of the United States, are hereby appropriated out of

any money in the Insular Treasury not otherwise appropriated, to pay various expenses of the Insular Government for the third quarter of the year 1901 not provided for in the General Appropriation Act for the third quarter.

EXECUTIVE SECRETARY.

For salaries authorized by Acts No. 167 and 145, including the salary of one clerk promoted from class 9 to class 8, hereby authorized, and of the various employes performing services in the offices of the Military Secretary, the Executive Secretary and in the care of the Ayuntamiento Building, between July 1st and July 16th, seventeen thousand and sixty-eight dollars (\$17,068.00). Allowances in lieu of salary for earned leave of absence for two clerks granted leave by the Military Secretary, two hundred and thirty-two dollars (\$232.00). Wages of ten laborers in the Ayuntamiento Building from July 1st to September 30th, hereby authorized, three hundred dollars (\$300.00). Miscellaneous expenses in the office of the Executive Secretary, and electric lighting, repairs and expenses in the care of the Ayuntamiento Building, twelve hundred dollars (\$1,200.00).

In all, for the office of the Executive Secretary, eighteen thousand, eight hundred dollars (\$18,800.00), or so much thereof as may be necessary.

UNITED STATES PHILIPPINE COMMISSION.

For reimbursement for amount paid to Louis Schultz in lieu of salary for earned leave of absence, such payment being by resolution of the Commission, thirty-one dollars and eleven cents (\$31.11).

DEPARTMENT OF JUSTICE.

For salaries in the Supreme Court as follows:

One chief justice at seven thousand, five hundred dollars (\$7,500.00) per annum; six associate justices at seven thousand dollars (\$7,000.00) per annum each; one clerk at three thousand dollars (\$3,000.00) per annum; three deputy clerks at two thousand dollars (\$2,000.00) per annum each; one translator at sixteen hundred dollars (\$1,600.00) per annum; one translator and stenographer at sixteen hundred dollars (\$1,600.00) per annum; three copyists at three hundred and sixty dollars (\$360.00) per annum each; five messengers at one hundred and twenty dollars (\$120.00) per annum each; and five escribientes at two hundred and forty dollars (\$240.00) per annum each.

In all, for the Supreme Court, sixteen thousand, one hundred and forty-five dollars (\$16,145.00).

For salaries for the Court of First Instance for Manila:

Two judges at five thousand, five hundred dollars (\$5,500.00) per annum each; one clerk at two thousand dollars (\$2,000.00) per annum; one assistant clerk at sixteen hundred dollars (\$1,600.00) per annum; one escribiente at seven hundred and twenty dollars (\$720.00) per annum; five escribientes at three hundred and sixty dollars (\$360.00) per annum each; three messengers at one hundred and fifty dollars (\$150.00) per annum each; three stenographers at twelve hundred dollars (\$1,200.00) per annum each; and one interpreter at twelve hundred dollars (\$1,200.00) per annum.

In all, for the Court of First Instance for Manila, five thousand, five hundred and ninety-two dollars and fifty cents (\$5,592.50).

Courts of First Instance for the First District:

One judge at three thousand, five hundred dollars (\$3,500.00) per annum; one clerk for Ilocos Norte at nine hundred dollars (\$900.00) per annum; one clerk for Cagayan at eight hundred dollars (\$800.00) per annum; one clerk for Isabela at seven hundred dollars (\$700.00) per annum; one clerk for Nueva Viscaya at four hundred dollars (\$400.00) per annum.

In all, for the Courts of First Instance for the First District, one thousand, five hundred and seventy-five dollars (\$1,575.00).

Courts of First Instance for the Second District:

One judge at three thousand dollars (\$3,000.00) per annum; one clerk for Ilocos Sur at nine hundred dollars (\$900.00) per annum; one clerk for Abra at seven hundred dollars (\$700.00) per annum; one clerk for Bontoc and Lepanto at five hundred dollars (\$500.00) per annum.

In all, for the Courts of the First Instance for the Second District, one thousand, two hundred and seventy-five dollars (\$1,275.00).

Courts of First Instance for the Third District:

One judge at four thousand, five hundred dollars (\$4,500.00) per annum; one clerk for Union and Benguet at nine hundred dollars (\$900.00) per annum; one clerk for Pangasinan at eleven hundred dollars (\$1,100.00) per annum; one clerk for Zambales at eight hundred dollars (\$800.00) per annum; one stenographer at twelve hundred dollars (\$1,200.00) per annum; one interpreter at seven hundred and twenty dollars (\$720.00) per annum.

In all, for the Courts of First Instance for the Third District, two thousand, three hundred and five dollars (\$2,305.00).

Courts of First Instance for the Fourth District:

One judge at four thousand, five hundred dollars (\$4,500.00) per annum; two clerks, one for Tarlac and one for Nueva Ecija, at nine hundred dollars (\$900.00) per annum each; one clerk for Pampanga at one thousand dollars (\$1,000.00) per annum.

In all, for the Courts of First Instance for the Fourth District, one thousand, eight hundred and twenty-five dollars (\$1,825.00).

Courts of First Instance for the Fifth District:

One judge at four thousand dollars (\$4,000.00) per annum; one clerk for Bulacan at one thousand dollars (\$1,000.00) per annum; one clerk for Bataan at eight hundred dollars (\$800.00) per annum; one clerk for Rizal at nine hundred dollars (\$900.00) per annum.

In all, for the Courts of First Instance for the Fifth District, one thousand, six hundred and seventy-five dollars (\$1,675.00).

Courts of First Instance for the Sixth District:

One judge at four thousand dollars (\$4,000.00) per annum; three clerks, one for Laguna, one for Cavite and one for Principe, Tayabas, Infanta and Polillo at nine hundred dollars (\$900.00) per annum each.

In all, for the Courts of First Instance for the Sixth District; one thousand, six hundred and seventy-five dollars (\$1,675.00).

Courts of First Instance for the Seventh District:

One judge at four thousand dollars (\$4,000.00) per annum; one clerk for Batangas at eleven hundred dollars (\$1,100.00) per annum; one clerk for Marinduque at seven hundred dollars (\$700.00) per annum; one clerk for Mindoro at eight hundred dollars (\$800.00) per annum.

In all, for the Courts of First Instance for the Seventh District, one thousand, six hundred and fifty dollars (\$1,650.00).

Courts of First Instance for the Eighth District:

One judge at four thousand dollars (\$4,000.00) per annum; one clerk for Sorsogon at eight hundred dollars (\$800.00) per annum; two clerks, one for Ambos Camarines, and one for Albay and Catanduanes at nine hundred dollars (\$900.00) per annum each; one clerk for Masbate at four hundred dollars (\$400.00) per annum.

In all, for the Courts of First Instance for the Eighth District, one thousand, seven hundred and fifty dollars (\$1,750.00).

Courts of First Instance for the Ninth District:

One judge at five thousand dollars (\$5,000.00) per annum; one clerk for Romblon at five hundred dollars (\$500.00) per annum; one clerk for Capiz at nine hundred dollars (\$900.00) per annum; one clerk for Iloilo at twelve hundred dollars (\$1,200.00) per annum.

In all, for the Courts of First Instance for the Ninth District, one thousand, nine hundred dollars (\$1,900.00).

Courts of First Instance for the Tenth District:

One judge at four thousand, five hundred dollars (\$4,500.00) per annum; one clerk for Antique at nine hundred dollars (\$900.00) per annum; one clerk for Occidental Negros, at eleven hundred dollars (\$1,100.00) per annum; one clerk for Oriental Negros, at eight hundred dollars (\$800.00) per annum.

In all, for the Courts of First Instance for the Tenth District, one thousand, eight hundred and twenty-five dollars (\$1,825.00).

Courts of First Instance for the Eleventh District:

One judge at five thousand dollars (\$5,000.00) per annum; one clerk for Cebu, at twelve hundred dollars (\$1,200.00) per annum; one clerk for Bohol, at one thousand dollars (\$1,000.00) per annum.

In all, for the Courts of First Instance for the Eleventh District, one thousand, eight hundred dollars (\$1,800.00).

Courts of First Instance for the Twelfth District:

One judge at four thousand, five hundred dollars (\$4,500.00) per annum; one clerk for Samar, at nine hundred dollars (\$900.00) per annum; one clerk for Leyte, at one thousand dollars (\$1,000.00) per annum; one clerk for Surigao, at eight hundred dollars (\$800.00) per annum.

In all, for the Courts of First Instance for the Twelfth District, one thousand eight hundred dollars (\$1,800.00).

Courts of First Instance for the Thirteenth District:

One judge at three thousand dollars (\$3,000.00) per annum; one clerk for Misamis, at nine hundred dollars (\$900.00) per annum; one clerk interpreter and translator for Zamboanga, Cottabato, Davao, Basilan and Dapitan, at twelve hundred dollars (\$1,200.00) per annum; five deputies at two hundred dollars (\$200.00) per annum each.

In all, for the Courts of First Instance for the Thirteenth District, one thousand, five hundred and twenty-five dollars (\$1,525.00).

Courts of First Instance for the Fourteenth District:

One judge at three thousand dollars (\$3,000.00) per annum; one clerk interpreter and translator at nine hundred dollars (\$900.00) per annum; four deputy clerks, one for the Sulu group, one for the Tawi-Tawi group, one for the Calamianes and one for the Island of Paragua, at two hundred dollars (\$200.00) per annum each.

In all, for the Courts of First Instance for the Fourteenth District, one thousand, one hundred and seventy-five dollars (\$1,175.00).

Office of the Attorney General:

One attorney general at five thousand, five hundred dollars (\$5,500.00) per annum; one solicitor general at four thousand, five hundred dollars (\$4,500.00) per annum; one assistant attorney general at three thousand dollars (\$3,000.00) per annum; one disbursing clerk at two thousand dollars (\$2,000.00) per annum; one translator and stenographer at two thousand dollars (\$2,000.00) per annum; two stenographers at twelve hundred dollars (\$1,200.00) per annum each; two clerks at three hundred dollars (\$300.00) per annum each; two messengers at one hundred and fifty dollars (\$150.00) per annum each; incidental expenses, furniture, stationery, typewriters, etc., two thousand dollars (\$2,000.00).

In all, for the office of the Attorney General, seven thousand and seventy-five dollars (\$7,075.00).

For temporary additional judge for Negros, from July 27th to September 30th, at three thousand, five hundred dollars (\$3,500.00) per annum; and for one clerk at eight hundred dollars (\$800.00) per annum, for the months of August and September, seven hundred and ninety-four dollars and thirty-two cents (\$794.32).

For deficiency salaries as follows:

Two associate judges of the Supreme Court from March 1st to June 16th, hereby authorized, four thousand, one hundred and twenty-two dollars and twenty-four cents (\$4,122.24); to Judge Fletcher Ladd in lieu of salary from March 1st to June 16th, one thousand, four hundred and seventy-two dollars and twenty-five cents (\$1,472.25); one judge of the Court of First Instance for Manila, from March 1st to June 16th, hereby authorized, one thousand, six hundred and nineteen dollars and forty-three cents (\$1,619.43); one judge of the Court of First Instance in Manila, from March 15th to June 16th, hereby authorized, one thousand, four hundred and five dollars and fifty-four cents (\$1,405.54); one judge of the Court of First Instance for the First District, from June 19th to June 30th, one hundred and six dollars and ninety-four cents (\$106.94); one judge of the Court of First Instance for the Second District, from June 20th to June 30th, eighty-three dollars and thirty-three cents (\$83.33); one judge of the Court of First Instance for the Third District, from March 1st to June 30th, hereby authorized, fifteen hundred dollars (\$1,500.00); one judge of the Court of First Instance for the Fourth District, from June 18th to June 30th, one hundred and fifty dollars (\$150.00); one judge of the Court of First Instance for the Fifth District, from June 22d to June 30th, eighty-eight dollars and eighty-nine cents (\$88.89); one judge of the Court of First Instance for the Sixth District, from June 29th to June 30th, eleven dollars and eleven cents (\$11.11); one judge of the Court of First Instance for the Seventh District, from May 29th to June 30th, hereby authorized, three hundred and fifty-five dollars and fifty-five cents (\$355.55); one judge of the Court of First Instance for the Eighth District, from June 21st to June 30th, one hundred dollars (\$100.00); one judge of the Court of First Instance for the Ninth District, from February 25th to June 30th, hereby authorized, one thousand, seven hundred and forty-nine dollars and ninety-seven cents (\$1,749.97); one judge of the Court of First Instance for the Eleventh District, from March 1st to June 30th, hereby authorized, one thousand, six hundred and sixty-six dollars and sixty-four cents (\$1,666.64).

For the salary of the Attorney General, from March 15th to June

16th, hereby authorized, fourteen hundred and five dollars and fifty-four cents (\$1,405.54). In lieu of all traveling expenses from the United States to Manila: to Judge W. A. Kincaid, sixty-two dollars and fifty cents (\$62.50); to Judge Joseph Cooper, three hundred and nineteen dollars and ninety-nine cents (\$319.99); to Judge A. F. Odlin, four hundred and eighty-eight dollars and thirty cents (\$488.30); to Judge Fletcher Ladd, four hundred and eighty-nine dollars and twenty-five cents (\$489.25); to Judge C. A. Willard, sixty-eight dollars and sixty-two cents (\$68.62); to Judge H. B. Bates, four hundred and eighty-three dollars (\$483.00); to Judge L. C. Carlock, two hundred and sixteen dollars and sixty cents (\$216.60); to Judge E. F. Johnson, one hundred and fifty-five dollars (\$155.00); and for Attorney General L. R. Wilfley, one hundred and forty-five dollars and twenty-nine cents (\$145.29). For allowance to H. J. Green, translator of the Supreme Court, in lieu of salary for earned leave of absence, three hundred and seventy-seven dollars and sixty-seven cents (\$377.67). For Frank de Thoma, translator of the Supreme Court, in lieu of salary for earned leave of absence, one hundred and eighty-four dollars (\$184.00). The payment of the salaries of the judges and other employes for the period from June 16th to June 30th of the Courts of First Instance, discontinued by Act 136, is hereby authorized and the funds appropriated therefor by Acts 110 and 143 are hereby made available. The sum of one hundred and fifty dollars (\$150.00), or so much thereof as may be necessary, is hereby appropriated for the salaries of two judges of Courts of First Instance in Manila, the funds appropriated for such judges having been used for the payment of the judges of the Courts of First Instance in Manila established by Act 136. For salaries of the judge and employes of the Court of the District of Oriental Negros for the months of May and June, 1901, hereby authorized, as follows: one judge at one hundred and twenty-five dollars (\$125.00) per month; one clerk at sixty-two dollars and fifty cents (\$62.50) per month; two clerks at thirty-seven dollars and fifty cents (\$37.50) per month each; two copyists at twelve dollars and fifty cents (\$12.50) per month each; three copyists and one bailiff at seven dollars and fifty cents (\$7.50) per month each; one defender of prisoners at fifteen dollars (\$15.00) per month; one janitor at five dollars (\$5.00) per month; and one messenger at two dollars and fifty cents (\$2.50) per month; total six hundred and eighty dollars (\$680.00).

In all, for the Department of Justice, seventy-three thousand and nineteen dollars and fifty-seven cents (\$73,019.57), or so much thereof as may be necessary.

DIRECTOR GENERAL OF POSTS.

For salaries authorized by Act 181, six thousand, three hundred and fifty dollars (\$6,350.00). Traveling expenses of post-office inspector and other employes, four hundred dollars (\$400.00). Miscellaneous expenses, two hundred dollars (\$200.00). For salary of the Acting Assistant Director General of Posts from June 6 to June 30, hereby authorized, two hundred and twenty-five dollars and sixty-nine cents (\$225.69).

In all, for the Director General of Posts, seven thousand, one hundred and seventy-five dollars and sixty-nine cents (\$7,175.69), or so much thereof as may be necessary.

CHIEF QUARTERMASTER DIVISION OF THE PHILIPPINES.

For expenses incurred in the construction and decoration of the grand stand for inaugural ceremonies, one hundred and ninety-seven dollars and ninety-four cents (\$197.94). For payment of claim of Agustin Garcia Gaiveres for additional rent and damages of premises No. 36 Calle Bustillos, Sampaloc, from August 14, 1898, to March 31, 1901, fifteen hundred and fourteen dollars and nine cents (\$1,514.09). For payment of claim of Michela Rosales for damages to property at No. 1 Calle San Marcelino, Sampaloc, six hundred and fifty dollars (\$650.00). For painting old Custom House, twenty-four hundred dollars (\$2,400.00). For deficiency salaries of native scouts for the second quarter of the year 1901, four thousand dollars (\$4,000.00). For hire of two quileces for the office of the Secretary to the Military Governor for the month of June, ninety dollars (\$90.00). For glue for printing shop, twenty-eight dollars (\$28.00).

The appropriation in Act 163, for the Chief Quartermaster, Division of the Philippines, under the head of Expenses for the Department of Southern Luzon for "Witnesses before Military Commissions, three thousand dollars (\$3,000.00)," is hereby amended to read, "Witnesses, reporters and interpreters before Military Commissions, three thousand dollars (\$3,000.00)." The appropriation of three thousand dollars (\$3,000.00) in Act 154 for "Witnesses before Military Commissions" is hereby made available for the same purposes for the third quarter of the year 1901.

In all, for the Chief Quartermaster Division of the Philippines, eight thousand, eight hundred and eighty dollars and three cents (\$8,880.03), or so much thereof as may be necessary.

GENERAL SUPERINTENDENT OF PUBLIC INSTRUCTION.

For amount needed to put the Administration Building on the Exposition Grounds in proper condition for permanent occupation for public school teachers, thirteen hundred and fifty dollars (\$1,350.00). Salary of caretaker and subordinate employes for the Administration Building, three hundred dollars (\$300.00). One special disbursing clerk of class 5, hereby authorized, five hundred dollars (\$500.00). One driver of official vehicle for the month of July, ten dollars (\$10.00). Wages of eight laborers in handling supplies, hereby authorized, one hundred and fifty dollars (\$150.00). For the construction of schools in Benguet, two hundred and fifty dollars (\$250.00).

In all, for the General Superintendent of Public Instruction, twenty-five hundred and sixty dollars (\$2,560.00), or so much thereof as may be necessary.

INSULAR PURCHASING AGENT.

For salaries as follows, hereby authorized: Purchasing Agent at three thousand five hundred dollars (\$3,500.00) per annum, from July 27th to September 30th; one clerk class 6; one clerk class 7; one clerk class 8; two clerks class 9; two clerks at ten hundred and fifty dollars (\$1,050.00) per annum each; one clerk class D; two clerks class H; total for salaries, thirty-two hundred and seventy-seven dollars and twenty cents (\$3,277.20); forage for animals, one hundred and fifty dollars (\$150.00); repairs to transportation, three hundred dollars

(\$300.00); hire of laborers, six hundred dollars (\$600.00); office rent, four hundred and fifty dollars (\$450.00).

In all, for the Insular Purchasing Agent, four thousand, seven hundred and seventy-seven dollars and twenty cents (\$4,777.20), or so much thereof as may be necessary.

BOARD OF HEALTH FOR THE PHILIPPINE ISLANDS.

For salaries of the Chief Health Inspector and Acting Commissioner of Public Health at four thousand dollars (\$4,000.00) per annum, and of the Secretary of the Insular Board at twenty-five hundred dollars (\$2,500.00) per annum, from July 15, to September 30, 1901, thirteen hundred and fifty-four dollars and sixty-eight cents (\$1,354.68). Expenses of trip to southern Islands by City Veterinarian for the purpose of controlling and suppressing the Rinderpest, five hundred dollars (\$500.00). Capitation fee of 1½ cents per head for 200,000 rats in suppression of Bubonic Plague, twenty-five hundred dollars (\$2,500.00). Rat-traps, drugs and other necessary implements, five hundred dollars (\$500.00). For additional employé class A, at the experimental station, hereby authorized, two hundred and twenty-five dollars (\$225.00). For the employment of inspectors, laborers, carts, etc., and other necessary incidental expenses in connection with cases of plague outside the city of Manila, for the months of August and September, one thousand dollars (\$1,000.00).

In all, for the Insular Board of Health, six thousand and seventy-nine dollars and sixty-eight cents (\$6,079.68), or so much thereof as may be necessary.

AUDITOR OF THE PHILIPPINE ISLANDS.

For the continuation of the temporary clerks authorized by Act No. 163, fifteen hundred dollars (\$1,500.00), or so much thereof as may be necessary.

PHILIPPINE CIVIL SERVICE BOARD.

One clerk class G, from July 6th to September 30th, hereby authorized, one hundred and five dollars (\$105.00); extra allowance for disbursing clerk, fifty dollars (\$50.00); miscellaneous expenses, four hundred dollars (\$400.00).

In all, for the Philippine Civil Service Board, five hundred and fifty-five dollars (\$555.00), or so much thereof as may be necessary.

FORESTRY BUREAU.

Salaries of additional employés authorized by Acts 144 and 171, six thousand and seventy-five dollars (\$6,075.00); salary of one captain of volunteers formerly detailed to the Forestry Bureau, July 1st to July 16th, one hundred dollars and fifty cents (\$100.50); traveling expenses six hundred dollars (\$600.00); rent of telephone, eighteen dollars (\$18.00); printing forestry regulations, one hundred and forty-five dollars (\$145.00).

In all, for the Forestry Bureau, six thousand, nine hundred and thirty-eight dollars and fifty cents (\$6,938.50), or so much thereof as may be necessary.

BUREAU OF STATISTICS.

For salaries for the month of July as follows: one clerk class I, and one messenger at the rate of one hundred and fifty dollars (\$150.00) per annum, thirty-seven dollars and fifty cents (\$37.50), or so much thereof as may be necessary.

MINING BUREAU.

For salary of one former volunteer officer for the month of July, one hundred and seventy dollars and sixty-six cents (\$170.66); binding reports, nineteen dollars (\$19.00); repairs to furniture, etc., fifteen dollars (\$15.00).

In all, for the Mining Bureau, two hundred and four dollars and sixty-six cents (\$204.66), or so much thereof as may be necessary.

OFFICE OF THE PROVOST MARSHAL GENERAL AND DEPARTMENTS
REPORTING TO HIM.

Department of Streets, Parks, Fire and Sanitation:

For hire of one hundred bulls, carts and drivers for the collection and disposal of garbage for the month of July, three thousand, eight hundred and twenty-nine dollars (\$3,829.00), or so much thereof as may be necessary.

Department of Police:

For clothing of native police: one thousand pairs of shoes, two thousand dollars (\$2,000.00); one thousand uniforms, three thousand, one hundred and fifty dollars (\$3,150.00).

In all, for the Department of Police, five thousand, one hundred and fifty dollars (\$5,150.00), or so much thereof as may be necessary.

Department of Licenses and Municipal Revenue:

For reimbursement to Ruby Howard for unused period of license, one hundred and twenty-five dollars (\$125.00), or so much thereof as may be necessary.

Adjutant General of the Provost Guard:

For salaries for the month of July of former volunteer officers performing civil duties, hereby authorized as follows: In the Department of Police, one officer at two hundred and seventy-seven dollars and sixteen cents (\$277.16); one officer at two hundred and ninety-seven dollars and ninety-nine cents (\$297.99); one officer at two hundred and one dollars (\$201.00); two officers at one hundred and eighty dollars (\$180.00); one officer at one hundred and seventy-five dollars (\$175.00); one officer at one hundred and seventy-four dollars (\$174.00); eight officers at one hundred and sixty-five dollars (\$165.00); two officers at one hundred and sixty-one dollars and fifty cents (\$161.50); one officer at one hundred and fifty-two dollars and thirty-two cents (\$152.32); one officer at one hundred and fifty-one dollars and sixty-five cents (\$151.65); four officers at one hundred and thirty-seven dollars and fifty cents (\$137.50); three officers at one hundred and twenty-eight dollars and thirty-two cents (\$128.32). In the Department of Streets, Parks, Fire and Sanitation: One officer at two hundred and sixteen dollars (\$216.00); one officer at two hundred and one dollars (\$201.00). In the Department of Licenses and Municipal Revenue: Two officers at two hundred and one dollars (\$201.00) each. In the Department of

Public Instruction: One officer at one hundred and sixty-one dollars and fifty cents (\$161.50). In the Department of Illumination and Telephones: One officer at two hundred and nineteen dollars and thirty-three cents (\$219.33). In the Department of Prisons: One officer at two hundred and one dollars (\$201.00). In the office of the Public Prosecutor: One officer at two hundred and one dollars (\$201.00) and two officers at one hundred and sixty-one dollars and fifty cents (\$161.50) each. In the Department of City Water Works and Water Supply: One officer at one hundred and fifty-two dollars and thirty-three cents (\$152.33). In the Board of Officers on preparation of Municipal Ordinances: Two officers at two hundred and one dollars (\$201.00) each. In the office of the Disbursing Quartermaster of Civil Funds: One officer at one hundred and sixty-one dollars and fifty cents (\$161.50); one officer at one hundred and fifty-two dollars and thirty-three cents (\$152.33). In the Department of Municipal Records: One officer at one hundred and sixty-one dollars and fifty cents (\$161.50).

In all, for the Adjutant General of the Provost Guard, seven thousand, three hundred and twenty-one dollars and fifty-seven cents (\$7,321.57), or so much thereof as may be necessary.

Department of Prisons:

Current expenses for the Presidio de Manila for the month of June over the amount of the regular estimate, one thousand and eighty-one dollars and fifty-four cents (\$1,081.54). Expenses for the Cárcel Pública: Subsistence of convicts for the second quarter of the year 1901, six hundred and sixty dollars and four cents (\$660.04). For additional sum to provide for increase in salaries of two clerks from fifteen to twenty dollars per month for the second quarter of the year 1901, seven dollars and eighty-three cents (\$7.83). For increase in salaries of two clerks from fifteen to twenty dollars per month for the third quarter of the year 1901, thirty dollars (\$30.00). Miscellaneous expenses, eighty-four dollars (\$84.00). For dietary purposes in the Bilibid Military Hospital, three hundred dollars (\$300.00).

In all, for the Department of Prisons, two thousand, one hundred and sixty-three dollars and forty-one cents (\$2,163.41), or so much thereof as may be necessary.

Department of Municipal Records:

For employés of the Supreme Court and Court of First Instance of Manila for the month of July, 1901: One sheriff at twenty-five hundred dollars (\$2,500.00) per annum; two deputy sheriffs at twelve hundred dollars (\$1,200.00) per annum; two deputy sheriffs at seven hundred and twenty dollars (\$720.00) per annum; one janitor of the Supreme Court at one hundred and eighty dollars (\$180.00) per annum; three laborers of the Supreme Court at one hundred and twenty dollars (\$120.00) per annum; two laborers for the Courts of First Instance at one hundred and twenty dollars (\$120.00) per annum. Total for salaries for employés of the Supreme Court for the month of July, five hundred and ninety-three dollars and thirty-three cents (\$593.33).

Hire of carromatas for the sheriff in his official duties, from June 21st to July 31st, 1901, one hundred and four dollars and twenty-five cents (\$104.25). For reimbursement to the Sheriff for three-fourths of the cost of his official bond, one hundred and eighty-seven dollars and fifty cents (\$187.50). For miscellaneous expenses for the Sheriff of Manila for the month of July, twenty-five dollars (\$25.00).

For salaries for the month of July of one justice of the peace at

seventy-two dollars (\$72.00) per month; one secretary at twenty-five dollars (\$25.00) per month; four clerks at ten dollars (\$10.00) per month each, and two bailiffs at six dollars (\$6.00) per month each, in each of the courts of the justices of the peace of Binondo, Tondo, Quiapo and Intramuros, five hundred and ninety-six dollars (\$596.00).

For salaries of the Superior Provost Court for the month of July as follows: one stenographer, class 9, and one interpreter, class 9, two hundred dollars (\$200.00). For salaries of the Inferior Provost Court for the month of July as follows: one interpreter, class A, and one interpreter at thirty-seven dollars and fifty cents (\$37.50) per month, one hundred and twelve dollars and fifty cents (\$112.50).

For salaries in the office of the Collector of Taxes for July as follows: one collector at one hundred dollars (\$100.00) per month and two clerks at fifteen dollars (\$15.00) per month each, one hundred and thirty dollars (\$130.00).

For salaries in the Department of Municipal Records for July as follows: two clerks, class 9; one clerk, class 8; one clerk, class C; three hundred and seventy-six dollars and sixty-seven cents (\$376.67).

Stationery and contingent fund for Department of Municipal Records for the month of July, thirty-two dollars and fifty cents (\$32.50).

For salaries for the Department of Prison Records for the month of July as follows: two clerks at thirty-seven dollars and fifty cents (\$37.50) per month each; one clerk, class I, total one hundred dollars (\$100.00).

In all, for the Department of Municipal Records, two thousand, four hundred and fifty-seven dollars and seventy-five cents (\$2,457.75), or so much thereof as may be necessary.

In all, for the office of the Provost Marshal General and Departments reporting to him, twenty-one thousand, and forty-six dollars and seventy-three cents (\$21,046.73), or so much thereof as may be necessary.

ADJUTANT GENERAL, DIVISION OF THE PHILIPPINES.

For salaries of thirty-one clerks for the month of July, three thousand, two hundred dollars (\$3,200.00), or so much thereof as may be necessary.

BOARD OF OFFICERS ON CLAIMS.

For salaries for the month of July as follows: One recorder at one hundred and sixty-one dollars and fifty cents (\$161.50) per month; one counsel at two hundred and fifty dollars (\$250.00) per month, from July 1st to July 27th; two clerks class 9; one clerk class 10, and one clerk class C, seven hundred and twenty-nine dollars and eighty-three cents (\$729.83) or so much thereof as may be necessary.

QUARTERMASTER OF THE U. S. MILITARY PRISON AT BACOLOR.

Rent of house occupied by the Court of First Instance, Pampanga, for the second quarter of the year 1901, ninety dollars (\$90.00); purchase of lime and other materials, one hundred and fifty dollars (\$150.00).

In all, for the Quartermaster of the U. S. Military Prison at Bacolor, two hundred and forty dollars (\$240.00), or so much thereof as may be necessary.

TREASURER OF THE PROVINCE OF BATAAN.

For tax refund to Vicente Reyes for the month of June, eight dollars and thirty-three cents (\$8.33).

DISTRICT COMMANDER, POLLOK, MINDANAO.

For salary of one clerk at fifteen dollars (\$15.00) per month; one school teacher at nine dollars (\$9.00) per month; and one assistant to District Medical Officer at fifteen dollars (\$15.00) per month, one hundred and seventeen dollars (\$117.00); repairs to and lighting office, twenty-five dollars (\$25.00); subsistence for prisoners, medicines for sick and indigent natives and incidental expenses, fifty-five dollars (\$55.00).

In all, for the District Commander at Pollok, Mindanao, one hundred and ninety-seven dollars (\$197.00), or so much thereof as may be necessary.

PROVOST MARSHAL OF CAVITE.

For increase in the salary of Henry J. Marche from seventy-five to one hundred dollars per month for the period from January 1, 1901, to June 30, 1901, one hundred and fifty dollars (\$150.00).

CHIEF QUARTERMASTER, SECOND DISTRICT, DEPARTMENT OF NORTHERN LUZON.

For subsistence for civil prisoners, one thousand, two hundred and seventy five dollars (\$1,275.00), or so much thereof as may be necessary.

SUPERINTENDENT OF THE INTENDENCIA BUILDING.

Salary of the head janitor at twelve dollars and fifty cents (\$12.50) per month, and six assistants at ten dollars (\$10.00) per month each, hereby authorized, two hundred and seventeen dollars and fifty cents (\$217.50). For incidental expenses, including purchase of petroleum, ice, repairs to the building, electric light and other material, four hundred and thirty-seven dollars and fifty cents (\$437.50).

In all, for the superintendent of the Intendencia Building, six hundred and fifty-five dollars (\$655.00), or so much thereof as may be necessary.

MISCELLANEOUS EXPENSES.

For Frank W. Carpenter in lieu of salary for earned leave of absence and of salary from July 1st to July 12th, four hundred and ninety-four dollars and forty-five cents (\$494.45).

For Lucas Pandiala, for reimbursement of value of house in barrio San Lazaro, used by American soldiers as small-pox hospital and later destroyed, one thousand dollars (\$1,000.00).

For J. Q. A. Braden, Treasurer, Ambos Camarines, for traveling expenses from Manila to Nueva Caceres, thirty dollars (\$30.00).

For John W. Abbott, former Treasurer of Tayabas, for expenses from Lucena to Manila, eight dollars (\$8.00).

For Modesto Reyes and Co. for printing in connection with the inauguration of the Civil Governor, sixteen dollars and seventy-five cents (\$16.75).

For I. C. Allen, City Chemist, for traveling expenses from San Francisco to Manila, in August, 1900, thirty-four dollars (\$34.00).

For Francisco Soriano, Provincial Fiscal of Surigao, in lieu of all traveling expenses from Manila to Surigao, one hundred and thirty-six dollars (\$136.00).

Total of all appropriations for all purposes, in money of the United States, one hundred and fifty-nine thousand, seven hundred and eighty dollars and three cents (\$159,780.03), or so much thereof as may be necessary.

SEC. 2. The unexpended balance of the sum of seventy-five thousand dollars (\$75,000.00), appropriated by Act No. 61, for the expenses incident to the construction of a highway from the town of Pozorubio to the town of Baguio is hereby made available for the period ending April 1, 1902.

The appropriation in Act No. 163 "For the payment of the Squadron of Philippine Cavalry, fourteen thousand dollars (\$14,000.00), or so much thereof as may be necessary," is hereby amended to read "For the payment of the Battalion of Philippine Scouts, fourteen thousand dollars (\$14,000.00), or so much thereof as may be necessary."

SEC. 3. Disbursing officers are hereby directed to disburse all funds appropriated by this act in local currency upon the basis of two dollars of local currency for one dollar of money of the United States.

SEC. 4. The public good requiring the speedy enactment of this appropriation bill, the passage of the same is hereby expedited in accordance with Section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 5. This act shall take effect on its passage.

Enacted, August 1, 1901.

[No. 185.]

AN ACT regulating the salaries of officers and employees in the municipal service of Manila.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The following officers and employees may be employed in the departments and offices in the Municipal Service of Manila, and the salaries for officers and employees in each class shall be construed to be the minimum salary for that class, as provided in Civil Service Rule XII, set forth in Act 102, except where otherwise expressly provided.

OFFICE OF THE MUNICIPAL BOARD.

SEC. 2. The members of the Board shall receive an annual compensation of \$4,500 each; the Secretary of the Board, who shall act as City Clerk, shall receive an annual compensation of \$3,000; the Disbursing Officer of the Board shall receive an annual compensation of \$2,500.

There may be employed in the office of the Secretary: One clerk of class eight; three clerks of class nine; one translator and typewriter

of class nine; two clerks of class A; one interpreter of class A; and three messengers at an annual compensation of \$120 each. In the office of the Disbursing Officer: One assistant of class seven; one clerk of class eight; one clerk of class nine; one clerk of class ten; and one messenger at an annual compensation of \$120.

DEPARTMENT OF ENGINEERING AND PUBLIC WORKS.

SEC. 3. The City Engineer shall receive an annual compensation of \$3,500; the First Assistant Engineer shall receive an annual compensation of \$2,500; and the two second assistant engineers shall each receive an annual compensation of \$1,800.

There may be employed in the office of the City Engineer: One chief clerk of class eight; one transit level man of class nine; one draughtsman of class nine; one sealer of weights and measures, of class nine; one property clerk of class nine; two clerks of class I; two draughtsmen of class I; one rodman of class I; two chainmen of class I; and one messenger at a compensation at the rate of one hundred and twenty dollars per annum.

SUPERINTENDENT OF STREETS, PARKS, BRIDGES, DOCKS AND WHARVES.

SEC. 4. The Superintendent of Streets, Parks, Bridges, Docks and Wharves shall receive an annual compensation of \$2,500, and the Assistant Superintendent shall receive an annual compensation of \$1,800.

There may be employed in the office of the Superintendent of Streets, Parks, Bridges, Docks and Wharves: One inspector of class seven; one clerk of class seven; one clerk of class nine; four inspectors of class nine; one stable boss of class nine; one captain of launch crews of class nine; two inspectors of class ten; two clerks of class ten; two clerks and timekeepers of class F; two overseers of class F; and such engineers, firemen, gardeners, storekeepers, laborers, carpenters, blacksmiths, masons, teamsters and launch crews as may be authorized by law.

SUPERINTENDENT OF WATER AND SEWERS.

SEC. 5. The Superintendent of Water and Sewers shall receive an annual compensation of \$2,500.

There shall be employed in the office of the Superintendent of Water and Sewers: One chief clerk of class seven; one collection and disbursing clerk of class eight; one general foreman of class nine; four clerks of class I; one draughtsman of class I; eight inspectors of class D; and such carpenters, blacksmiths, pipemen and laborers as may be authorized by law.

Shops and Stores:

One storekeeper of class G; one foreman of class A; one clerk of class J; and such pipe-fitters, carpenters, blacksmiths and laborers as may be authorized by law.

Pumping Station:

One engineer of class eight; three assistant engineers of class F; three assistant engineers of class J; and such pipe-fitters, carpenters, blacksmiths, masons, oilers, firemen, coal-passers, teamsters and laborers as may be authorized by law.

Reservoir:

One foreman of class E, and such masons and laborers as may be authorized by law.

SUPERINTENDENT OF BUILDINGS AND ILLUMINATION.

SEC. 6. The Superintendent of Buildings and Illumination shall receive an annual compensation of \$2,500.

There may be employed in the office of the Superintendent of Buildings and Illumination: One electrician of class eight; one clerk of class nine; one clerk and interpreter of class D; one clerk and interpreter of class I; six superintendents of markets and mataderos, of class H; and such janitors, carpenters and laborers as may be authorized by law.

POLICE DEPARTMENT.

SEC. 7. The Superintendent of Police shall receive an annual compensation of \$3,500.

There may be employed in the office of the Superintendent of Police: One chief and property clerk of class six; two stenographers and typewriters of class eight; one storekeeper of class eight; four clerks of class nine; one translator of class nine; one interpreter of class nine; five translators and interpreters of class A; two clerks of class D; three interpreters of class D; and three messengers at a compensation at the rate of one hundred and twenty dollars per annum each.

SEC. 8. The Chief of the Secret Service, who shall also act as Assistant Chief of Police, shall receive an annual compensation of \$3,000.

There may be employed in the Secret Service: Two detectives of class six; two detectives of class seven; two detectives of class A; six detectives of class D; fifteen detailed police of class A, who shall receive an extra compensation at the rate of three hundred dollars per annum while on such detail.

Metropolitan Police:

SEC. 9. There may be employed in the department of metropolitan police: One inspector of class three; seven captains of precincts of class six; one surgeon of class six; and such sergeants, roundsmen and patrolmen as may be authorized by law, to be compensated as follows: Sergeants, twelve hundred dollars per annum; roundsmen, ten hundred and twenty dollars per annum; patrolmen at nine hundred dollars per annum.

Native Police:

SEC. 10. There may be employed in the department of native police: One inspector of class nine; one surgeon of class A; six captains of class A; and such sergeants, roundsmen and patrolmen as may be authorized by law, to be compensated as follows: Sergeants, three hundred dollars per annum; roundsmen, two hundred and forty dollars per annum; patrolmen, one hundred and eighty dollars per annum; provided, that on or before the first day of November next the Superintendent of Police shall report to the Municipal Board, for its recommendation and reference to the Commission, a plan for the reorganization of the police force of Manila, with a view to increased efficiency and economy.

DEPARTMENT OF FIRES AND BUILDING INSPECTION.

SEC. 11. The Chief of the Department of Fires and Building Inspection shall receive an annual compensation of \$3,000.

There may be employed in the Department of Fires and Building Inspection a deputy chief of class six, who shall act as Chief Inspector of Buildings; one electrician of class six; one chief engineer of class eight at fifteen hundred dollars per annum; one clerk of class nine; six captains of fire stations, of class nine; four lieutenants of class A; two linemen and building inspectors of class A; fifteen drivers of class C; six lieutenants of class D; five engineers of class D; three drivers of class J; thirty-seven pipemen and twelve truckmen at a compensation at the rate of one hundred and eighty dollars per annum each.

LAW DEPARTMENT.

SEC. 12. The City Attorney shall receive an annual compensation of \$3,500, and the Assistant City Attorney shall receive an annual compensation of \$2,500.

There may be employed in the office of the City Attorney: Two law clerks of class six; two clerks and typewriters of class nine; one interpreter of class A; one translator of class nine; and one messenger at a compensation at the rate of one hundred and twenty dollars per annum.

The Prosecuting Attorney shall receive an annual compensation of \$3,500; the first assistant shall receive an annual compensation of \$2,500; the second assistant shall receive an annual compensation of \$2,250; and the third assistant shall receive an annual compensation of \$2,000.

There may be employed in the office of the Prosecuting Attorney: Two clerks of class nine; one interpreter of class A; one translator of class nine; and one messenger at a compensation at the rate of one hundred and twenty dollars per annum.

The two judges of the municipal courts shall each receive an annual compensation of \$3,000, and the two clerks of the court shall each receive an annual compensation of \$1,000.

DEPARTMENT OF ASSESSMENTS AND COLLECTIONS.

SEC. 13. The City Assessor and Collector shall receive an annual compensation of \$4,000; the Chief Deputy Assessor and the Chief Deputy Collector shall receive an annual compensation of \$3,000 each.

There may be employed in the Department of Assessments and Collections: One appraiser and inspector of class four; one superintendent of the License Department of class six; one chief clerk of class six; one cashier of class seven; one clerk of class seven; four clerks of class eight; eleven clerks of class nine; four clerks of class A; four clerks of class C; four clerks of class G; ten clerks of class I; twenty clerks of class J; forty-two collectors at one hundred and fifty dollars per annum each; two messengers and eight laborers at one hundred and twenty dollars per annum each; provided, that within sixty days from the passage of this act, the City Assessor and Collector shall report to the Municipal Board, for its recommendation and reference to the Commission, a plan for the reorganization of his office force with a view to increased efficiency and economy.

It shall be the duty of the City Assessor and Collector on or before the first day of January, 1902, to make a report to the Municipal Board showing the location and value of each piece of land and of each building exempt from taxation under the provisions of Section 48 of Act No. 183, organizing the city of Manila, and the name of the owner thereof and the specific use to which each such piece of land or building is devoted, and the reason for its exemption from taxation.

SEC. 14. Sections 15 and 16 of Act No. 102, passed March 9, 1901, are hereby repealed.

SEC. 15. This act shall take effect at the same time that the act incorporating the city of Manila takes effect.

Enacted, August 3, 1901.

[No. 186.]

AN ACT transferring actions and proceedings now pending in courts of justices of the peace and provost courts in the city of Manila, to the new courts created by Act No. 183, incorporating the city of Manila.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Section 69, of Act No. 136, relating to the organization of courts, is hereby repealed and the existing Courts of Justices of the Peace in the city of Manila are hereby abolished. All civil actions and proceedings now pending therein, together with all records, books and papers relating to such actions and proceedings, are hereby transferred to the Courts of Justices of the Peace established under Act No. 183 incorporating the city of Manila, which shall have the same power and jurisdiction over them as if they had been primarily commenced, lodged and filed therein.

SEC. 2. All criminal actions and proceedings now pending in the existing Courts of Justices of the Peace in the city of Manila, together with all records, books and proceedings relating to such actions and proceedings, are hereby transferred to the Municipal Courts established under the said Act No. 183, which shall have the same power and jurisdiction over them and over the defendants therein as if they had been primarily commenced, lodged or filed therein. Such criminal actions and proceedings shall be tried in that judicial district of the city of Manila in which the offense is alleged to have been committed.

SEC. 3. All military orders, and all acts conferring upon Provost Courts in the city of Manila jurisdiction over criminal offenses committed against the laws of the Philippine Islands, are hereby repealed. All criminal prosecutions now pending on the Provost Courts of the city of Manila are hereby transferred to the Municipal Courts established under Act No. 183 or to the Courts of First Instance for the District of Manila, each prosecution to be transferred to the proper tribunal in which it would have been brought under the provisions of Act No. 136 providing for the organizations of courts, and of Act No. 183, incorporating the city of Manila, had the last named act been in force at the time said prosecutions were commenced, and the Courts of First Instance in the city of Manila, and Municipal Courts therein, are authorized to try and determine the prosecutions so transferred to them respectively from the Provost Courts, in the same manner, and

with the same legal effect as though such actions had originally been commenced in said Courts of First Instance or Municipal Courts, provided nevertheless that nothing herein contained shall affect the jurisdiction of Provost Courts over purely military offenses.

SEC. 4. The public good requiring the speedy enactment of this act, the passage of the same is hereby expedited in accordance with Section 2, of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 5. This act shall take effect at the same time as Act No. 183, incorporating the city of Manila.

Enacted, August 5, 1901.

[No. 187.]

AN ACT transferring the employés of the Manila Board of Health to the Board of Health for the Philippine Islands.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All employés of the Manila Board of Health are hereby transferred to the the Board of Health for the Philippine Islands, at their present salaries.

SEC. 2. The Commissioner of Public Health shall report to the Commission at the earliest possible time a plan for the reorganization of the employés of the Board, with a view to increased efficiency and economy.

SEC. 3. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with Section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 4. This act shall take effect on its passage.

Enacted, August 5, 1901.

[No. 188.]

AN ACT authorizing the Civil Governor temporarily to take charge of all departments, bureaus or offices heretofore under the supervision of the Provost Marshal General of Manila and not provided for by the Charter of Manila.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The Civil Governor is hereby authorized and directed temporarily, and until other provision shall be made by law, to provide for the administration of any department, bureau or office heretofore under the direction and supervision of the Provost Marshal General of the city of Manila, and not provided for in Act No. 183 incorporating the city of Manila, by the appointment of the necessary officers and employés of such department, bureau or office, or by assigning the administration of such department, bureau or office, to any officer of the Insular Government, or to any officer appointed under the Charter of the city of Manila.

SEC. 2. The Civil Governor is further authorized and directed to designate the officer of the city of Manila or of the Insular Government who shall receive and receipt for any funds or property now in the hands of the Provost Marshal General of Manila, or of any officer under his control, transfer of which is not otherwise provided for in the Charter of the city of Manila.

SEC. 3. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 4. This act shall take effect on its passage.

Enacted, August 6, 1901.

[No. 189.]

AN ACT providing for medical attendance on civil officers and employés and on their families.

By authority of the President of the United States, he it enacted by the United States Philippine Commission, that:

SECTION 1. There shall be at Manila an Attending Physician and Surgeon and an Assistant Attending Physician and Surgeon for civil officers and employés and for their families.

SEC. 2. The Attending Physician and Surgeon shall be appointed by the Civil Governor, by and with the consent of the Commission. He shall receive compensation at the rate of three thousand dollars (\$3,000.00) per year in currency of the United States, payable monthly. He shall keep his office at the Ayuntamiento, or at such other place as the Civil Governor shall designate, and shall be present therein from 10 a. m. to 1 p. m. daily, and shall there prescribe for all civil officers and employés, or members of their families, applying to him for treatment. He shall also there attend to minor surgical cases not requiring hospital treatment. Until such time as a public hospital for civilians shall be established at Manila, he shall perform major surgical operations for civil officers and employés and for members of their families in the operating room of the Women's Hospital, or at the homes of patients, as he may deem desirable. He shall hold himself in readiness at all times to respond to calls in consultation by the Assistant Attending Physician and Surgeon.

SEC. 3. The Assistant Attending Physician and Surgeon shall be appointed by the Attending Physician and Surgeon and shall be under his immediate direction. He shall receive compensation at the rate of two thousand dollars (\$2,000.00) per year in currency of the United States, payable monthly. He shall assist the Attending Physician and Surgeon in all major surgical operations and on all other occasions whenever requested to do so. He shall visit patients who, in the opinion of the Attending Physician and Surgeon, should be treated at their homes or in hospital, and shall answer night calls. Except in case of emergency, he shall be at the office from 2:30 p. m. to 5:30 p. m. daily.

SEC. 4. There shall be a properly equipped room for minor surgical operations and for dressings connected with the office.

SEC. 5. There shall be a dispensary connected with the office, where

the prescriptions of the Attending Physician and Surgeon and of the Assistant Attending Physician and Surgeon shall be filled without charge.

SEC. 6. The dispensary shall be in charge of a properly qualified dispensing clerk, who shall be appointed by the Attending Physician and Surgeon and shall receive compensation at the rate of one thousand, two hundred dollars (\$1,200.00) per year in currency of the United States, payable monthly. He shall be at the dispensary from 8:30 a. m. to 1 p. m., from 3 p. m. to 5:30 p. m., and at such other hours as the Attending Physician and Surgeon may require. He shall assist the Attending Physician and Surgeon at operations whenever requested to do so.

SEC. 7. Civil officers and employés or members of their families who are not personally known to the Attending Physician and Surgeon shall, except in emergency cases, present notes of identification from the immediate heads of their several departments when they apply for medical treatment.

SEC. 8. The public good requiring the speedy enactment of this act, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws." passed September 26, 1900.

SEC. 9. This act shall take effect on its passage.

Enacted, August 6, 1901.

[No. 190.]

AN ACT providing a Code of Procedure in civil actions and special proceedings in the Philippine Islands.

By authority of the President of the United States, be it enacted by the United States, Philippine Commission, that:

PART I.

CHAPTER I.

GENERAL AND PRELIMINARY PROVISIONS.

SECTION 1. *Interpretation of words.*—In the interpretation of this Code, unless the context shows that another sense was intended, the word "person" includes a private corporation; "writing" includes printing; "oath" includes affirmation or other solemn declaration in such form as the Court shall find to be obligatory upon the conscience of the witness; "of unsound mind" includes every species of mental deficiency or derangement; "bond" includes an undertaking or recognizance; "and" may be read "or," and "or" read "and," if the sense requires it; "writ" signifies an order or precept in writing issued in the name of the government, or of a Court or judicial officer, and the word "process" a writ or summons issued in the course of judicial proceedings; an "action" means an ordinary suit in a Court of Justice, by which one party prosecutes another for the enforcement or protection of a right, or the redress or prevention of a wrong; every other remedy furnished by law is a special proceeding; "pleadings" are

the formal allegations by the parties of their respective claims and defenses, for the judgment of the Court; words in the present tense include the future tense, and in the masculine gender include the feminine and neuter gender; and words in the plural include the singular, and in the singular include the plural number; the term "dollars" means the money of the United States and the term "pesos" means Mexican or Insular currency.

The phrase "territory of the United States," or "territories of the United States," includes any body politic and any territorial possession under the jurisdiction of the United States.

But this enumeration shall not be construed to require a strict construction of other general words.

SEC. 2. *Construction of code.*—The provisions of this Code, and the proceedings under it, shall be liberally construed, in order to promote its object, and assist the parties in obtaining speedy Justice.

SEC. 3. *Powers of deputies.*—The duty enjoined by statute upon a ministerial officer, and an act permitted to be done by him, may be performed by his lawful deputy.

SEC. 4. *How time computed.*—Unless otherwise specially provided, the time within which an act is required by law to be done shall be computed by excluding the first day and including the last; and if the last be Sunday or a legal holiday it shall be excluded.

SEC. 5. *Provisions concerning process.*—Process shall be under the seal of the Court from which it issues, be styled "The United States of America, Philippine Islands, Province of _____" to be signed by the clerk and bear date the day it actually issued.

SEC. 6. *Rules of Court.*—The Judges of the Supreme Court shall prepare rules regulating the conduct of business in the Supreme Court and in the Courts of First Instance. The rules shall be uniform for all Courts of First Instance throughout the Islands. Such rules, when duly made and promulgated and not in conflict with the laws of the United States or of the Philippine Islands, shall be binding and must be observed, but no judgment shall be reversed by reason of a failure of the Court to comply with such rules unless the substantial rights of a party have been impaired by such failure.

SEC. 7. *Stamped paper.*—Stamped paper is not required for use in proceedings in any Court. But, for uniformity and convenience of folding and filing papers, the rules of Court may prescribe the size and form of sheets of paper to be used for all written and printed documents in legal proceedings.

SEC. 8. *Disqualification of Judges.*—No Judge, Magistrate, Justice of the Peace, Assessor, referee, or presiding officer of any tribunal shall sit in any cause or proceeding in which he is pecuniarily interested or related to either party within the sixth degree of consanguinity or affinity, computed according to the rules of the Civil law, nor in which he has been counsel, nor in which he has presided in any inferior judicature when his ruling or decision is the subject of review, without the written consent of all parties in interest, signed by them and entered upon the record.

No challenge as to the competency of any of the officials named in this section shall be received or allowed, but if it be claimed that the official is disqualified by the provisions of this section, the party objecting to his competency may, in writing, file with the official his objection, stating the grounds therefor, and the official shall thereupon

proceed with the trial, or withdraw therefrom, in accordance with his determination of the question of his disqualification. His decision shall be forthwith made in writing and filed with the other papers in the case, but no appeal or stay of action shall be allowed from, or by reason of, his decision in favor of his own competency, until after final judgment in his Court.

SEC. 9. *Civil liability of judges.*—No Judge, Justice of the Peace or Assessor shall be liable to a civil action for the recovery of damages by reason of any judicial action or judgment rendered by him in good faith, and within the limits of his legal powers and jurisdiction.

SEC. 10. *Publicity of proceedings and records.*—The sitting of every Court of justice shall be public, but any Court may, in its discretion, exclude the public when the testimony to be adduced is of so indecent a nature as to require such exclusion in the interests of morality. The records of every Court of justice shall be public records and available for the inspection of any party in interest, at all proper business hours, under the supervision of the clerk having the custody of such records, unless the Court shall in any special case have forbidden the publicity of the records in the interests of morality, by reason of their indecent character.

SEC. 11. *Incidental powers of Courts.*—Every Court shall have power:

1. To preserve and enforce order in its immediate presence;
2. To enforce order in proceedings before it, or before a person or persons empowered to conduct a judicial investigation under its authority;
3. To compel obedience to its judgments, orders and process and to the lawful orders of a judge out of Court, in an action or proceeding pending therein;
4. To control in furtherance of justice, the conduct of its ministerial officers, and of all other persons in any manner connected with a judicial proceeding before it, in every matter appertaining thereto;
5. To compel the attendance of persons to testify in an action or proceeding pending therein;
6. To administer or cause to be administered oaths in an action or proceeding pending therein, and in all other cases where it may be necessary in the exercise of its powers;
7. To amend and control its process and orders so as to make them conformable to law and justice.

SEC. 12. *Official language.*—The official language of all Courts and their records shall be the Spanish language, until the first day of January, 1906. After that date, English shall be the official language. But the Supreme Court, or any Court of First Instance, may, in its discretion, order a duplicate record in the English language to be made and duly enrolled in any action or proceeding, whenever the Court shall determine that such duplicate record would promote the public convenience and the interests of the parties.

Provided that any party or his counsel may examine or cross examine witnesses, or make an oral argument in English or a native dialect and the same shall be clearly interpreted into Spanish by a Court interpreter; and a party or his counsel may submit a written or printed pleading or brief in English or a native dialect, if at the same time he accompanies it by a correct Spanish translation; and provided further, that in cases in which all the parties or counsel stipulate in writing

and the Court consents, the proceedings may be conducted in English or a native dialect only, but in such cases the record of the pleadings, bills of exceptions, and judgments shall be made in Spanish as well as in the language in which the cause was conducted.

CHAPTER II.

LAWYERS, THEIR QUALIFICATIONS AND DUTIES.

SEC. 13. *Who may practice as lawyers.*—The following persons, if not specially declared ineligible, are entitled to practice law in the Courts of the Philippine Islands:

1. Those who have been duly licensed under the laws and orders of the Islands under the sovereignty of Spain or of the United States and are in good and regular standing as members of the bar of the Philippine Islands at the time of the adoption of this Code;

2. Those who are hereafter licensed in the manner herein prescribed.

SEC. 14. *Qualification of applicants.*—Any resident of the Philippine Islands, not a subject or citizen of any foreign government, of the age of the twenty-three years, of good moral character, and who possesses the necessary qualifications of learning and ability, is entitled to admission as a member of the bar of the Islands and to practice as such in all their Courts.

SEC. 15. *Certificates of good character required.*—Every applicant for admission as a member of the bar must produce before the Supreme Court satisfactory testimonials of good moral character, and must satisfactorily pass a proper examination upon all the codes of law and procedure in force in the Philippine Islands, and upon such other branches of legal learning as the Supreme Court by general rule shall provide. The Supreme Court by rule may require that applicants shall have regularly and attentively studied law for a fixed period before taking the examination and may specify the kind of evidence necessary to establish the fact. Provided nevertheless that if the applicant has been admitted to practice law in the Courts of the Philippine Islands, or in the Courts of Spain, or any of its dependencies, during the period of the Spanish sovereignty in the Philippine Islands, he may be admitted to practice in the Courts of these Islands without further examination, except as in this section hereinafter provided, upon the production of his license and satisfactory evidence that such license has not been revoked, and that the applicant is of good moral character and professional standing; but the Judges of the Supreme Court may, by general rules, provided that an applicant for admission under this proviso shall satisfactorily pass an examination upon the codes of law and procedure in force in these Islands.

SEC. 16. *Place and manner of examinations.*—Such examinations shall be conducted at Manila, by the judges of the Supreme Court or by a committee of competent lawyers by them to be appointed and shall be held at such times as the Judges of that Court shall provide by general or special rules.

SEC. 17. *Admission.*—If upon examination, the candidate is found qualified, the Supreme Court shall admit him as a member of the bar for all the Courts of the Philippine Islands, and shall direct an order to be entered to that effect upon its records, and that a certificate of

such record be given to him by the clerk of the Court, which certificate shall be his license.

SEC. 18. *Oaths*.—Before receiving a certificate the applicant shall take and subscribe in Court the following oaths:

1. "I, recognize and accept the Supreme authority of the United States of America; and I do swear that I will maintain allegiance to that nation; that I will obey the existing laws which rule in the Philippine Islands, as well as the legal orders and decrees of the duly constituted authorities therein; that I impose upon myself this voluntary obligation without any mental reservation or purpose of evasion. So help me God;"

2. "I do solemnly swear that I will do no falsehood, nor consent to the doing of any in Court; I will not wittingly or willingly promote or sue any false, groundless or unlawful suit, nor give aid nor consent to the same; I will delay no man for money or malice, but will conduct myself in the office of a lawyer within the Courts according to the best of my knowledge and discretion, with all good fidelity as well to the Courts as to my clients. So help me God."

These oaths may be taken before any judge of the Supreme Court, and a certificate that the oath has been taken shall be set forth in the license.

SEC. 19. *Admission from other jurisdictions*.—Every resident of the Philippine Islands, not a citizen or subject of any foreign government, who has been admitted to practice law in the Supreme Court of the United States, or in any circuit Court of appeals, circuit or district Court therein, or in the highest Court of any state or territory of the United States, may be admitted to practice in the Courts of these Islands upon the production of his license and satisfactory evidence that such license has not been revoked, and that the applicant is of good moral character and professional standing. But the Judges of the Supreme Court may, by general rules, provide that an applicant for admission under this section shall satisfactorily pass an examination upon the codes of law and procedure in force in these Islands.

The applicant under this section shall take the oaths above provided, before receiving his license.

SEC. 20. *Lawyers' roll*.—The Clerk of the Supreme Court shall keep a roll of all the lawyers admitted to practice in the Court, which roll shall be signed by the person admitted before he receives his license.

SEC. 21. *Disbarments*.—A member of the bar may be removed or suspended from his office as lawyer, by the Supreme Court, for any deceit, malpractice or other gross misconduct in such office, or by reason of his conviction of a crime involving moral turpitude or for any violation of either of the oaths aforesaid or for the wilful disobedience of any lawful order of the Supreme Court or Courts of First Instance, or for corruptly or wilfully appearing as a lawyer for a party to an action or proceeding without authority so to do.

SEC. 22. *Suspension of lawyers*.—Courts of First Instance may suspend a lawyer from the further practice of his profession for any of the causes named in the last preceding section, and after such suspension such lawyer will not be privileged to practice his profession in any of the Courts of the Islands until further action of the Supreme Court in the premises.

SEC. 23. *Proceedings upon suspension*.—Upon such suspension, the

Judge of the Court of First Instance ordering the suspension, shall forthwith transmit to the Supreme Court a certified copy of the order of suspension and a full statement of the facts upon which the same was based. Upon the receipt of such certified copy and statement, the Supreme Court shall make full investigation of the facts involved and make such order revoking or extending the suspension, or removing the lawyer permanently from the roll, as it shall find the facts to warrant.

SEC. 24. *Institution and costs of disbarment proceedings.*—Proceedings for the removal or suspension of a lawyer may be taken by the Court of its own motion, or upon the complaint of another in writing. It shall be the duty of the Attorney General for the Islands to appear for the government in all such proceedings in the Supreme Court, and to conduct prosecutions. The costs of the prosecution of such proceedings shall be paid by the government. The costs of the defendant by himself.

SEC. 25. *Hearing of charges.*—No lawyer shall be removed from the roll or be suspended from the performance of his profession until he has had full opportunity to answer the charges against him, and to produce witnesses in his own behalf and to be heard by himself and counsel, if he so desires, upon reasonable notice. But if upon reasonable notice the accused fails to appear and answer the accusation, the Court may proceed to determine the matter *ex parte*.

SEC. 26. *Authority to appear.*—No written power of Attorney shall be required to authorize a duly enrolled lawyer to appear in Court for his client, but the presiding Judge may, on motion of either party, and on reasonable grounds therefor being shown, require any lawyer who assumes the right to appear in an action or proceeding to produce or prove the authority under which he appears, and to disclose, whenever pertinent to any issue, the name of the person who employed him, and may make any order that justice may require on such investigation; but *prima facie* lawyers shall be held properly authorized to represent any causes they may appear in.

SEC. 27. *Authority to bind their clients.*—Lawyers have authority to bind their clients in any action or proceeding, by any agreement in relation to the cause, made in writing and in entering appeals, and in all matters of ordinary judicial procedure. But they cannot, without special authority, compromise their client's litigation, or receive anything in discharge of a client's claim but the full amount in cash.

SEC. 28. *Unauthorized appearances contempt.*—A lawyer wilfully appearing in Court for a person without being employed, unless by leave of the Court, is guilty of a contempt of Court, and may be fined a sum of not less than one hundred dollars and not more than one thousand dollars by the Court in which such unauthorized appearance has been entered.

SEC. 29. *Lawyers' fees.*—A lawyer shall be entitled to have and recover from his client no more than a reasonable compensation for the services rendered, with a view to the importance of the subject matter of the controversy, the extent of the services rendered and the professional standing of the lawyer. But in such cases the Court shall not be bound by the opinion of lawyers as expert witnesses as to the proper compensation, but may disregard such testimony and base its conclusion on its own professional knowledge. A written contract for services shall control the amount of recovery if found by the Court not to be unconscionable or unreasonable.

SEC. 30. *Retention of client's funds.*—When a lawyer unjustly retains in his hands money of his clients after it has been demanded, he may be dealt with as for contempt of Court, and may, after due hearing, be imprisoned until he pays over his client's moneys ascertained to be unlawfully in his hands, but for a period not exceeding six months in all. But proceedings under this section shall not be a bar to a criminal prosecution for embezzlement.

SEC. 31. *Inviolability of communications of clients.*—A lawyer must strictly maintain inviolate the confidence, and preserve the secrets, of his client. He shall not be permitted in any Court, without the consent of his client given in open Court, to testify to any facts imparted to him by his client in professional consultation, or for the purpose of obtaining advice upon legal matters.

SEC. 32. *Change of lawyers.*—A lawyer may retire at any time from any action or special proceeding, by the written consent of his client filed in Court, and a client may at any time dismiss his lawyer or substitute another in his place. A lawyer may also retire at any time from an action or special proceeding, without the consent of his client, should the Court, on notice to the client and lawyer, and on hearing, determine that he ought to be allowed to retire. In case of such substitution, the name of the lawyer newly employed shall be entered on the docket of the Court in place of the former one, and written notice of the change shall be given to the adverse party.

SEC. 33. *Procuradors or solicitors.*—Procuradors or solicitors will no longer be recognized as officers of the Courts, and the duties formerly appertaining to such office shall devolve upon lawyers.

SEC. 34. *Employment of lawyers not required.*—Any party may conduct his litigation in a Court of a Justice of the Peace, in person or with the aid of an agent or friend appointed by him for that purpose, or with the aid of a lawyer; in any other Court a party may conduct his litigation personally or by the aid of a lawyer, and his appearance must be either personal or by the aid of a duly authorized member of the bar.

SEC. 35. *Lawyers for destitute litigants.*—The Supreme Court and Courts of the First Instance may, in their discretion, assign any lawyer to render professional aid to a party, in any pending action, free of charge, if such Court, upon full investigation, shall find that the party is destitute and unable to employ a lawyer and that the services of counsel are necessary to secure the ends of justice, and to protect the rights of the party. Upon such assignment, it shall be the duty of the lawyer assigned to render the required services, unless he shall be excused therefrom by the Court for sufficient cause shown.

SEC. 36. *Judges as lawyers.*—No Judge of the Supreme Court or Court of First Instance, Attorney General, Solicitor General, Assistant Attorney General or Clerk of Court shall be allowed to act as a lawyer, or to give professional advice to clients while holding office.

SEC. 37. *Lawyers' liens.*—A lawyer shall have a lien upon all the funds and papers and documents of his client which may lawfully have come into his possession, and may retain the same until his lawful fees and disbursements due to him from his client have been paid, and may apply such funds to the satisfaction thereof. He shall also have a lien to the same extent upon all judgments and decrees for the payment of money, and executions issued in pursuance of such judgments and decrees which he has secured in a litigation of his client, from and after, but not before, the time when he shall have caused a statement

of his claim of such lien to be entered upon the records of the Court rendering such judgment or decree, or issuing such execution, and shall have caused written notice thereof to be delivered to the adverse party, and shall have the same right and power over such judgments, decrees and executions to enforce his lien as his client had or may have, to the extent that may be necessary for the payment of his just fees and disbursements.

CHAPTER III.

PRESCRIPTION; TIME OF COMMENCING ACTIONS.

SEC. 38. *To what this chapter does not apply.*—This chapter shall not apply to actions already commenced, or to cases wherein the right of action has already accrued; but the statutes in force when the action, or right of action accrued, shall be applicable to such cases according to the subject of the action and without regard to the form; nor shall this chapter apply in the case of a continuing and subsisting trust, nor to an action by the vendee of real property in possession thereof to obtain the conveyance of it. Provided nevertheless that all rights of action which have already accrued, except those named in the last preceding paragraph, must be vindicated by the commencement of an action or proceeding to enforce the same within ten years after this Act comes into effect.

SEC. 39. *Special limitations excepted.*—Civil actions can only be commenced within the periods prescribed in this chapter after the cause of action accrues; but where a different limitation is prescribed by this Code, that shall govern.

SEC. 40. *Period of prescription as to real estate.*—An action for recovery of title to, or possession of, real property, or an interest therein, can only be brought within ten years after the cause of such action accrues.

SEC. 41. *Title to land by prescription.*—Ten years actual adverse possession by any person claiming to be the owner for that time of any land or interest in land, uninterruptedly continued for ten years by occupancy, descent, grants, or otherwise, in whatever way such occupancy may have commenced or continued, shall vest in every actual occupant or possessor of such land a full and complete title, saving to the persons under disabilities the rights secured by the next section. In order to constitute such title by prescription or adverse possession, the possession by the claimant or by the person under or through whom he claims must have been actual, open, public, continuous, under a claim of title exclusive of any other right and adverse to all other claimants. But failure to occupy or cultivate land solely by reason of war shall not be deemed to constitute an interruption of possession of the claimant, and his title by prescription shall be complete, if in other perfect, notwithstanding such failure to occupy or cultivate the land during the continuance of war.

SEC. 42. *Exceptions in favor of persons under disability.*—If a person entitled to bring the action mentioned in the preceding sections of this chapter, is, at the time the cause of action accrues, within the age of minority, of unsound mind or in prison, such person may, after the expiration of ten years from the time the cause of action accrues, bring such action within three years after such disability is removed.

SEC. 43. *Other civil actions; how limited.*—Civil actions other than for the recovery of real property can only be brought within the following periods after the right of action accrues:

1. Within ten years: An action upon an agreement, contract, or promise in writing, or upon the judgment or decree of a Court;

2. Within six years: An action upon a contract not in writing, whether such contract is express or implied, and an action upon a liability created by statute other than a forfeiture or penalty;

3. Within four years: An action for an injury to, or trespass upon, real estate. An action for the recovery of personal property. An action for the recovery of damages for taking, retaining, or injuring personal property. An action for injury to the person other than injuries resulting from assault, battery or false imprisonment. An action for an injury to the rights of the plaintiff, not arising on contract and not hereinafter enumerated. An action for relief on the ground of fraud, but the right of action in such case shall not be deemed to have accrued until the discovery of the fraud;

4. Within one year: An action for libel or slander, assault, battery, malicious prosecution, or false imprisonment. An action upon a statute, for a penalty or forfeiture; but where a different limitation is prescribed in the statute by which the remedy is given, the action must be brought within the period so limited.

SEC. 44. *For other relief.*—An action for relief not herein provided for can only be brought within ten years after the cause of action accrues.

SEC. 45. *Rights saved to certain persons.*—If a person entitled to bring any action mentioned in either of the two last preceding sections, is, at the time the cause of action accrues, within the age of minority, of unsound mind, or in prison, such person may bring such action, within two years after the disability is removed unless the right of action is one of those named in subdivision 4 of section 43 in which case it may be brought within one year after such disability is removed.

SEC. 46. *When action deemed commenced.*—An action shall be deemed commenced within the meaning of this chapter as to each defendant at the date of the filing of the complaint in Court, but if an additional defendant is made after the commencement of the action, the action shall be deemed commenced within the meaning of this chapter as to each defendant at the date of the summons which is served on him.

SEC. 47. *As to absent persons.*—If, when a cause of action accrues against a person, he is out of the Philippine Islands, or has absconded or concealed himself, and has not known or visible property within the Islands; the period limited for the commencement of the action shall not begin to run until he comes into the Islands or while he is so absconded or concealed, or until he has known or visible property within the Islands; and if, after the cause of action accrues, he departs from the Philippine Islands, or absconds or conceals himself, the time of his absence or concealment shall not be computed as any part of the period within which time the cause of action should be brought.

SEC. 48. *If barred at place where cause of action arose, barred here.*—If, by the laws of the state or country where the cause of action arose, the action is barred, it is also barred in the Philippine Islands.

SEC. 49. *Saving in other cases.*—If, in an action commenced, or attempted to be commenced, in due time, a judgment for the plaintiff be reversed, or if the plaintiff fail otherwise than upon the merits,

and the time limited for the commencement of such action has, at the date of such reversal or failure, expired, the plaintiff, or, if he die and the cause of action survive, his representatives, may commence a new action within one year after such date, and this provision shall apply to any claim asserted in any pleading by a defendant.

SEC. 50. *What shall renew right of action.*—When payment has been made upon any demand founded upon contract, or a written acknowledgment thereof or a promise to pay the same has been made and signed by the party sought to be charged, an action may be brought thereon within the time herein limited, after such payment, acknowledgment, or promise.

CHAPTER IV.

PROCEDURE IN COURTS OF JUSTICES OF THE PEACE.

SEC. 51. *Summoning of defendants.*—Defendants in suits before Justices of the Peace may be summoned to appear in the manner provided in articles 704, 705, 706, 707, 708 and 709 of the Code of Civil Procedure of the Philippine Islands, in force in the year 1898, before the American occupancy. They may likewise be lawfully summoned in the manner provided in chapter XV of this code.

SEC. 52. *The complaint.*—The complaint shall state the name and residence of the plaintiff and that of the defendant, the substance of the claim made, the grounds of action, the amount sought to be recovered, and the date when the claim is presented to the Court.

SEC. 53. *Non-suit.*—If the plaintiff does not appear at the time and place designated in the summons, the Justice may dismiss the action for failure to prosecute, and render judgment for the defendant to recover his lawful costs. But such dismissal without hearing shall not be a bar to a subsequent action for the same cause.

SEC. 54. *Default.*—If the defendant does not appear at the time and place designated in the summons, judgment may be rendered against him by default, and the Court shall thereupon proceed to hear the testimony of the plaintiff and his witnesses as to the amount which the plaintiff is entitled to recover, and shall render judgment for the plaintiff to recover of the defendant such sum as he finds established by the evidence to be justly due with lawful costs.

SEC. 55. *Vacating non-suits and defaults.*—Within two hours after the entry of a non-suit or default as provided in the last two preceding sections, the Court may strike off the entry of non-suit or default and allow the party non-suited or defaulted to have a trial upon the merits of the cause, if such party shall appear and make it manifest to the Court that his failure to appear at the time designated occurred by reason of fraud, accident or mistake.

SEC. 56. *Trial.*—The defendant may interpose any lawful defense, including a counterclaim or plea in offset, for any sum not exceeding the limit of a Justice of the Peace, verbally, without written pleadings. The plaintiff may make an opening statement by himself, his agent or counsel, if he so desires, explaining the character of his claim, and the defendant personally or by his agent or counsel may make a like opening statement, if he so desires, explaining the character of his defense or counterclaim. Upon the conclusion of the opening statement, the Court shall hear the testimony of the plaintiff and his witnesses; after-

wards, the testimony of the defendant and his witnesses, all under the sanction of an oath. Upon the conclusion of the testimony in behalf of the defendant, the plaintiff may offer rebutting testimony. When the testimony has been closed, the defendant or his agent or counsel shall be heard in argument, if he so desires, and upon the conclusion of his argument, the plaintiff or his agent or counsel shall be heard, if he so desires,

SEC. 57. *Assessors in Justice Courts—How chosen.*—Within the first week of January of each year, the President and Municipal Council of each municipality, shall prepare a list of residents of the municipality, best fitted by education, natural ability and reputation for probity, to sit as assessors in the trial of actions in Courts of Justice of the Peace. Such list shall contain not less than ten and not more than twenty-five names, and shall be made in duplicate, one copy to remain in the hands of the Municipal Secretary and the other in the office of the Justice of the Peace. The name of any person may be stricken from the list, at any time, upon the order of a majority of the Municipal Council, upon its being made to appear that the name ought to be stricken out, by reason of the death, permanent disability or unfitness of the person named; and in case names are so stricken out, other names shall be added in their place, to be selected as in this section provided.

SEC. 58. *Rights of parties to have assessors.*—Either party to an action may apply in writing to the Justice of Peace, who is to try the action, for assessors to sit in the trial. Upon the filing of such application, the Justice shall direct that assessors be provided. Thereupon the parties shall be notified forthwith to appear before the Justice for the purpose of selecting assessors, who shall be selected from the list provided for in the preceding section, and shall be selected in the following manner in the presence of the Justice: The plaintiff shall strike out from the list one name; then the defendant shall strike out one name, and so alternately the parties shall strike out names until but two remain on the list. The remaining two shall be the assessors to sit in the action; but, if one or more of the two remaining are disqualified by law to sit as assessors, then the Justice shall draw one or two names, as the case may be, by lot from those stricken out, and the person or persons thus drawn shall act as assessors, as the case may be.

SEC. 59. *Summoning assessors.*—The persons so selected as assessors shall, under the direction of the Justice of the Peace, be summoned to attend and serve as assessors in the action, and a summons for that purpose shall be served in the same manner as other writs or summons.

If any person summoned to act as assessor, fails, without reasonable excuse, to attend at the trial or any adjournment thereof, or to continue to serve throughout the trial, he shall be liable under a summary order of the Court to a fine not exceeding ten dollars; but the Justice may, on reasonable cause shown, excuse from attendance in any particular action, any person summoned as assessor, and may, for like cause, discharge from attendance in any action, a person who is acting as assessor, thereon. In case of any person so excused, the vacancy thus created shall be filled in the manner provided in section 58.

SEC. 60. *Compensation of assessors.*—Each assessor shall receive a compensation of two pesos per day for the actual time by him employed in the trial of the action and in advising the Justice as to the decision thereof, to be taxed as costs against the defeated party, but to be paid primarily by the party demanding assessors.

SEC. 61. *Oath of assessors.*—Before entering upon the performance of his duties in any action, each assessor shall be sworn by the Justice to the faithful and honest performance of his duties as such assessor.

SEC. 62. *Duties of assessors.*—The duties of assessors, when their aid is invoked as herein provided, shall be to sit with the Justice upon the trial of the action and to advise him in the determination of all questions of law or fact involved in the case; but the final responsibility for the decision must rest with the Justice. If the two assessors shall both be of the opinion that the finding of fact or judgment in any action is wrong, they shall certify in writing their dissent therefrom and their reasons for such dissent, and sign such certification, which shall be filed with the other papers in the action. In case such dissent is filed and the action is appealed, the dissent shall be filed with the other appeal papers in the Court of First Instance, and that Court shall give to the dissent such weight, as, in its opinion, it is entitled to.

SEC. 63. *Testimony.*—All testimony, except documentary, shall be given orally in Court, at the time of trial, unless the written testimony of witnesses shall have previously been taken in accordance with general law upon that subject, and produced at the trial in the form of depositions.

SEC. 64. *Adjournment.*—Justices of the Peace shall have power to adjourn the hearing of an action from day to day as the interests of justice may require, but shall not have power to adjourn hearings for a longer period than one week for each adjournment, nor for more than three months in all.

SEC. 65. *Power to punish for contempt of Court.*—A Justice of the Peace may summarily impose a fine not exceeding ten pesos, or sentence to imprisonment for a period not exceeding one day, or impose both of such punishments, upon a person guilty of misbehavior in the presence of or so near the Justice of the Peace as to obstruct him in the performance of his judicial duties.

SEC. 66. *Judgments.*—At the conclusion of the trial, the Justice shall render judgment for the plaintiff to recover such sum as he finds to be justly his due, with costs; or for the defendant to recover his costs, as the law and evidence may warrant. If there is a counterclaim or plea in offset the Justice shall render judgment for the sum found in arrear from either party, with costs. But he may adjourn the disposition of the case to a stated day, not exceeding one week from the time of the conclusion of the trial, for the consideration of judgment, if he require time for consideration.

SEC. 67. *Form of judgment.*—The entry of judgment need not state the facts or conclusions arrived at by the Justice, but shall be substantially in the following form only.

“Judgment for the plaintiff to recover pesos damages and costs of the action;” or

“Judgment for the defendant to recover his costs,” if he shall not be entitled to anything on a counterclaim; or, “Judgment for the defendant to recover pesos and his costs,” if he shall have established a counter-claim in excess of the demand established by the plaintiff.

SEC. 68. *Witnesses may be subpoenaed.*—At the instance of either party the Justice may at any time after the commencement of the action issue a subpoena directed to any witness whose testimony may be desired, requiring his attendance as a witness at a time and place

therein specified, which subpoena shall be served upon the witness in the same manner as has been above provided for the service of a summons to the defendant, and his lawful fees as a witness shall, if he require it, be then tendered to him. If the witness fails to appear at the time and place specified in the subpoena, the Justice may issue a warrant upon which he may be seized and brought before the Justice and compelled to testify, and the costs of such warrant and seizure of the witness shall be paid by the witness, if the Justice shall determine that his failure to answer the subpoena was wilful or without just excuse.

SEC. 69. *Dockets.*—Every Justice of the Peace shall keep a well bound book, styled, “Docket,” upon each page of which shall be the entries as to two actions, entries as to one to occupy the upper half of the page, and as to the other, the lower half. Upon it he shall enter the names of the plaintiff and defendant in any suit brought before him; the time of issuing process and when returnable; the appearance or default of the person summoned to appear; the names of the witnesses sworn; the date and amount of the judgment; the date of issuing execution, when one is issued, and a copy of the return thereon; the appeal, when and by whom demanded, and briefly all the proceedings before him touching the suit.

SEC. 70. *Entry to identify docket.*—Each Justice of the Peace shall, at the beginning and in front of all his entries in his docket, make and subscribe substantially the following entry, to wit:

“A docket of proceedings in matters civil and criminal before
 ----- Justice of the Peace, of the Municipality of -----
 in the Province of ----- in the Philippine Islands.

Witness my signature,

 Justice of the Peace.”

SEC. 71. *Final disposition of dockets.*—Every Justice of the Peace whose term of office shall expire, or who shall resign, remove from the province or otherwise go out of office, and the legal representative of every Justice of the Peace who shall die, shall, within ten days thereafter, deliver his docket, with all process and papers and books relating to his office, to the Clerk of the Court of First Instance of the Province; and if any Justice of the Peace or legal representative of any Justice of the Peace who shall die, refuse or neglect to deliver such docket, process, papers and books to said clerk as required, he shall be guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine not exceeding five hundred dollars, or by imprisonment for not more than six months, or by both. Said clerk shall keep in his office such docket, process, papers and books as public records, and shall certify copies thereof, while kept by him, whenever lawfully demanded; while such docket, process, papers and books are in the custody of the clerk, if there shall be on such docket any judgments unexecuted, the clerk may issue execution upon such judgment, and the execution so issued shall have the same effect as if issued by the Justice who rendered the judgment.

SEC. 72. *Execution.*—If no appeal from a judgment of a Justice of the Peace shall be perfected as herein provided, the Justice of the Peace shall, at the request of the successful party, issue an execution for the enforcement of the judgment, at the expiration of the time limited by law for the perfection of an appeal.

SEC. 73. *When Justice is disqualified.*—When a Justice of the Peace is disqualified from presiding, or when there is no Justice of the Peace in the municipality where the action is to be brought, or there is one and he refuses to serve, generally or in any particular case, and there is no auxiliary Justice in the municipality competent and able to sit, any Justice of the Peace of the province shall be authorized to issue all process and to preside in the particular case and in the municipality in which the action shall be brought.

SEC. 74. *Appeals.*—Either party to an action before a Justice of the Peace may appeal from the judgment of the Justice of the Peace to the next regular stated term of the Court of First Instance to be held within the province in which the judgment was rendered in the manner herein provided.

SEC. 75. *Effect of appeals.*—A perfected appeal shall operate to vacate the judgment of the Justice of the Peace, and the action when duly entered in the Court of First Instance shall stand for trial *de novo* upon its merits in accordance with the regular procedure in that Court, as though the same had never been tried and had been originally there commenced.

SEC. 76. *Appeals, how perfected.*—Within five days after the rendition of a judgment by a Justice of the Peace, the party desiring to appeal may file with the Justice a written statement that he appeals to the Court of First Instance, and shall, within said period of five days, give a bond with sufficient surety to be approved by said Justice, payable to the opposite party, in the penal sum of one hundred dollars, conditioned for the payment of all such costs in the action as finally may be awarded against him. The filing of such statement and giving of such bond shall perfect the appeal.

SEC. 77. *Copy of record to be transmitted.*—The Justice of the Peace upon the perfection of the appeal, shall prepare and certify his record to the following effect, viz:

“Copy of the record of the proceedings before a Justice of the Peace of the municipality of in the province of in the case herein set forth, to wit: (here copy the entries on the docket and certify as follows, viz:)

Philippine Islands, province of I,, a Justice of the Peace of the said province, certify that the foregoing is a copy of the record and proceedings before me in the case stated therein as appears on my docket.

Given under my hand, this day of A. D.

Justice of the Peace.”

SEC. 78. *Papers to be delivered to Clerk of Court of First Instance.*—The Justice of the Peace from whose decision an appeal shall be taken shall, on or before the first day of the next term of the Court of First Instance for the province in which the same is returnable, transmit to the Clerk of that Court a certified copy of the record of proceedings, with all the original papers and process in the case, and the original appeal bond given by the appellant, and the clerk shall docket the same in the Court of First Instance, and shall be entitled to the same fees, upon such appeals, as for similar services in suits originating in said Court. The Justice shall at all times be allowed, and, in the interest of Justice, may be required, by the Court of First Instance, to amend his return according to the facts.

SEC. 79. *Settlement of appeal cases.*—At any time after the perfection of an appeal from a judgment of a Justice of the Peace and before the papers have been transmitted to the Clerk of the Court of First Instance to which the action is appealed, the parties may adjust the controversy by agreement in writing, signed by both parties and lodged with the Justice of the Peace, who shall enter the same upon his docket, and no further proceeding shall thereafter be taken in the action. But if the appeal papers have already been transmitted to the Clerk of the Court of First Instance, then the Justice shall immediately transmit the compromise agreement to the Clerk of the Court of First Instance, who shall file the same and enter a memorandum thereof upon his docket, and no further proceedings shall thereafter be taken in the action.

SEC. 80. *Forcible entry into and detainer of land or buildings.*—Any one deprived of the possession of land, or a building, by force, intimidation, fraud, strategy, or stealth, and any landlord, vendor, vendee, or other person, against whom the possession of land or a building is unlawfully withheld, by his tenant, vendee, vendor, or other person, after the expiration of his right by contract express or implied to hold possession, and the legal representatives or assigns of him who is so deprived of possession, or from whom possession is so withheld, as against him who so obtains possession or withholds possession after the expiration of his rights, and all persons claiming to hold under him, shall, at any time within one year after such deprivation or unlawful withholding of possession be entitled to restitution of possession, and to damages, in a Court of Justice of the Peace, in the manner hereinafter prescribed. The owner of land, or of a building, occupied by a tenant, may likewise obtain restitution or possession of the premises, and recover rents due and damages, in the manner next hereinafter provided, when the tenant for thirty days after due demand for payment of rent due for the occupancy of the premises shall have refused or neglected to make payment of the same.

SEC. 81. *The complaint.*—The party turned out of possession, or held out of possession, shall institute an action before any Justice of the Peace of the municipality in which the land or building, or some part thereof, is situated, to recover possession thereof and damages. The complaint shall be substantially in the following form.

“The plaintiff (naming him) complains that the defendant (naming him) has unlawfully turned him out of possession (or unlawfully withholds from him the possession, as the case may be) of certain lands and building (here describe the premises) lying and being within said municipality, whereof he prays the possession, and he also prays for just damages and costs.

.....
 The plaintiff (naming him)”

The complaint shall be verified by the oath of the plaintiff, or his agent or attorney, and certified by the Justice of the Peace before whom the action is instituted. Process shall issue to and be served upon the defendant, as in other actions before a Justice of the Peace.

SEC. 82. *Trial.*—The action shall be tried in the same manner as other actions before a Justice of the Peace.

SEC. 83. *Continuance, and obligation therefor.*—No continuance shall be granted for a longer period than one week, unless the defendant applying therefor shall give an obligation to the adverse party,

with good and sufficient sureties to be approved by the Justice, conditioned for the payment of rent and damages that may accrue, if judgment be rendered against the defendant.

SEC. 84. *Judgment.*—If, upon trial, the Court shall find that the complaint is not true, it shall enter judgment against the plaintiff for costs. If it finds the complaint to be true, it shall render judgment against the defendant in favor of the plaintiff for restitution of the premises, and costs of suit, and for all arrears of rent, or a reasonable compensation for the use and occupation of the premises.

SEC. 85. *The execution.*—When a judgment of restitution shall be entered by the Justice, he shall, at the request of the plaintiff, his agent or Attorney, issue a writ of execution thereon, which shall be in the following form, as near as practicable:

“The Philippine Islands.

Province of.

Municipality of.

To any officer authorized to serve process in the municipality of.

Whereas, in a certain action for the forcible entry and detention (or forcible detention, as the case may be) of the following described premises, to wit: (here describe them) lately tried before me, wherein. . . . was plaintiff and. . . . was defendant, judgment was rendered on the. . . . day of. . . . A. D., that the plaintiff have restitution of the premises, and also that he recover damages to the amount of. . . . dollars; also that he recover costs in the sum of. . . . dollars. You are therefore hereby commanded to cause the defendant to forthwith remove from said premises, and that the said plaintiff have restitution of the same; also that you levy upon the goods and chattels of the said defendant and collect from him the rent, damages and costs aforesaid, and costs of this execution and service thereof, in due form of law.

Witness my hand, this . . . day of. . . . A. D. . . .

Justice of the Peace.”

But such execution shall not issue within five days from the date of the judgment, nor if an appeal to the Court of First Instance has been perfected, together with the due execution and delivery of the obligation referred to in section 88.

SEC. 86. *Service of execution.*—The officer shall, upon receiving the execution, execute the same, by restoring to the plaintiff the possession of the premises, and shall levy and collect the rent, damages and costs awarded, and make return, as upon other executions.

SEC. 87. *Such judgment not conclusive in another action.*—A judgment rendered in a suit of unlawful entry and detainer, either for the plaintiff or defendant, shall not bar an action in the Court of First Instance between the same parties respecting title to the land or building; nor shall any judgment given therein be held conclusive of the facts found in another action between the same parties.

SEC. 88. *Appeal.*—Either party may appeal from the judgment of the Justice to the Court of First Instance and the suit shall therein be conducted as appeals from Justices in other civil actions; if the plaintiff recovers possession of the premises in the Court of First Instance, he shall have judgment for the amount of rents or damages then due. If the defendant appeals from the judgment of the Justice, he shall give

security by an obligation, with sufficient securities, to be approved by the Justice, to the plaintiff to enter the action in the Court of First Instance, and to pay rent then due, and intervening rent, damages and costs, and the defendant and the sureties shall be liable upon their obligation for such rent, intervening rent, damages and costs, down to the time of the final judgment in the action. The appeal shall not be allowed until such obligation has been filed with the Justice, and the obligation shall be transmitted by the Justice with the other papers to the Clerk of the Court of First Instance to which the action is appealed.

PROCEDURE IN COURTS OF FIRST INSTANCE IN ACTIONS.

CHAPTER V.

PLEADINGS.

SEC. 89. *Pleadings*.—The only pleading allowed on the part of the plaintiff shall be:

1. The complaint;
 2. The demurrer to the answer;
- And on the part of the defendant;
1. The demurrer to the complaint;
 2. The answer.

SEC. 90. *Complaint*.—The complaint is a statement in a methodical and logical form of the circumstances which constitute the plaintiff's cause of action. The complaint must contain:

1. The name of the Court and province in which the action is brought, and the names of the parties to the action;
2. A brief statement of the facts constituting the cause of action, in ordinary and concise language. If the complaint contains more than one cause of action, each distinct cause of action must be set forth in a separate paragraph containing all the facts constituting the particular cause of action;
3. A demand for the relief which the plaintiff claims.

If the recovery of money or damages is demanded, the amount demanded must be stated. If special relief, such as an order for the specific restitution of property, or the specific enforcement of a written contract for the sale of property, or an injunction is sought, the ground of demanding such relief must be stated and the special relief prayed for. But there may be added to the statement of the specific relief demanded a general prayer for such further or other relief as shall be deemed equitable.

SEC. 91. *Demurrer to the complaint*.—The demurrer is an allegation, that, admitting the facts of the preceding pleading to be true, as stated by the party making it, he has yet shown no cause why the party demurring should be compelled by the Court to proceed further. It imports that the objecting party will not proceed, but will wait the judgment of the Court, whether he is bound so to do. The defendant may demur to the complaint, or to the statement of any distinct cause of action therein set forth, within the time fixed by general rules of Court for such pleading when it appears upon the face thereof, either:

1. That the Court has no jurisdiction of the person of the defendant, or the subject of the action; or
2. That the plaintiff has not legal capacity to sue; or

3. That there is another action pending between the same parties for the same cause; or

4. That there is a defect or misjoinder of parties, plaintiff or defendant; or

5. That the complaint does not state facts sufficient to constitute a cause of action; or

6. That the complaint is ambiguous, unintelligible or uncertain.

The demurrer must distinctly specify the grounds upon which any of the objections to the complaint, or to any of the causes of action therein stated, are taken.

SEC. 92.—*Matters not apparent of record.*—When any of the matters enumerated in section 91 do not appear upon the face of the complaint, the objection can only be taken by answer.

SEC. 93. *Effect of failure to object.*—If no objection be taken to the complaint, either by demurrer or answer, the defendant shall be deemed to have waived all objections, excepting only the objection to the jurisdiction of the Court over the subject matter, and that the complaint does not state facts sufficient to constitute a cause of action.

SEC. 94. *The answer.*—The answer is a defense in writing, made by a defendant to the charges contained in a complaint filed by the plaintiff against him. The answer of the defendant shall contain:

1. A general or specific denial of the material allegations of the complaint, controverted by the defendant. A general denial only puts in issue the material allegations of the complaint;

2. A statement of any new matter constituting a defense or counterclaim. A material allegation of the complaint which is neither generally nor specifically denied in the answer, shall be deemed to have been admitted.

SEC. 95. *Defendant having counterclaim.*—The defendant may set forth by answer as many defenses and counterclaims as he may have, whatever their nature. They must be separately stated, and the several defenses must refer to the cause of action which they are intended to answer, in a manner by which they may be intelligibly distinguished. The defendant may also answer one or more of the several causes of action stated in the complaint, and demur to the residue.

SEC. 96. *Character of counterclaim.*—A counterclaim, to be available as a defense in an answer, must be one in favor of all the substantial defendants and against all the substantial plaintiffs in the action.

SEC. 97. *Effect of omission to set up counterclaim.*—If the right out of which the counterclaim arises exists at the time of the commencement of the action and arises out of the transaction set forth in the complaint as the foundation of the plaintiff's claim, or is necessarily connected with the subject of the action, neither the defendant nor his assignee can afterwards maintain an action against the plaintiff therefor, if the defendant omits to set up a counterclaim for the same. But if the counterclaim arises out of transactions distinct from those set forth in the complaint as the foundation of the plaintiff's claim and not connected with the subject of the action, the defendant shall not be barred from any subsequent action upon such counterclaim by reason of his failure to set it up in his answer to the pending action.

SEC. 98. *Cross-complaint.*—Whenever the defendant seeks affirmative relief aside from the payment of money against any party, he may, in addition to his answer, file at the same time, or by permission of the Court subsequently, a cross-complaint. The defendants to the

cross-complaint may demur or answer thereto as they would to an original complaint.

SEC. 99. *Demurrer to answer.*—The plaintiff may, within a period to be fixed by general rules of Court, demur to the answer of the defendant or to one or more of the several defenses or counterclaims set up in the answer, so as thus to test the legal sufficiency of the answer.

SEC. 100. *Grounds of demurrer to answer.*—The demurrer may be taken upon one or more of the following grounds:

1. That the answer does not state facts sufficient to constitute a defense or counterclaim;

2. That the answer is ambiguous, unintelligible, or uncertain.

The demurrer must distinctly specify the grounds upon which any of the objections to the answer are taken.

SEC. 101. *Proceedings on demurrer.*—When a demurrer to any pleading is sustained, the party whose pleading is thus adjudged defective may amend his pleading within a time, to be fixed by the Court, with or without terms, as to the Court shall seem just; but if the party fails to amend his pleading within the time limited or elects not to amend, the Court shall render such judgment upon the subject matter involved in the pleading and demurrer as the law and the facts of the case as set forth in the pleadings warrant. If the demurrer is overruled, the Court shall proceed, if no answer is filed, to render such judgment as the law and the facts duly pleaded warrant. But after the overruling of a demurrer to a complaint, the defendant may answer within a time to be fixed by general rules of Court; and after the overruling of a demurrer to an answer the plaintiff may amend his complaint, if necessary, to meet new facts or counterclaims set forth in the answer.

SEC. 102. *Authentication of pleadings.*—Every pleading must be subscribed by the party or his attorney and a copy thereof must be forthwith furnished to the adverse party or his attorney.

SEC. 103. *Actions and defenses based upon written instruments.*—When an action is brought upon a written instrument, and the complaint contains or has annexed a copy of such instrument the genuineness and due execution of the instrument, shall be deemed admitted, unless specifically denied under oath in the answer; and when the defense to an action, or a counterclaim stated in an answer is founded upon a written instrument and the copy thereof is contained in or annexed to the answer, the genuineness and due execution of such instrument shall be deemed admitted, unless specifically denied under oath by the plaintiff in his pleadings.

SEC. 104. *Plaintiff's reply to new matter contained in answer.*—The plaintiff may reply to any new matter or special defense set up in the defendant's answer by an amendment to his complaint, which may be filed as a matter of course and without terms, within a period to be fixed by general rules of Court. If the plaintiff does not amend his complaint, as provided in this section, he shall be deemed to have controverted every material statement of the answer.

SEC. 105. *Supplemental complaint or answer.*—The plaintiff and defendant, respectively, may be allowed, on motion, to make a supplemental complaint or answer, alleging facts material to the case occurring after the filing of the original complaint or answer.

SEC. 106. *Pleadings to be liberally construed.*—In the construction of a pleading, for the purpose of determining its effects, its allegations shall be liberally construed, with a view to substantial justice between the parties.

SEC. 107. *Sham or irrelevant pleadings.*—Sham and irrelevant answers, and irrelevant, redundant, or indecent matter inserted in a pleading, may be stricken out, upon such terms as the Court may, in its discretion, impose.

SEC. 108. *Specifications.*—The Court may, in its discretion, at any time, upon motion, order either party to make his pleading more definite, or to file specifications of his items of account or other claims involved in the pleading, so as to furnish the adverse party with complete information as to the claim which he is required to meet.

SEC. 109. *Variance.*—An immaterial variance between the allegation in a pleading and the proof shall be disregarded, and the facts found according to the evidence, and the pleading shall be forthwith amended in accordance with the facts found, unless it has actually misled the adverse party to his prejudice in maintaining his action or defense upon the merits. Whenever it appears that a variance is material and that a party has been misled, Courts shall not dismiss the action by reason of the variance, but shall, upon such terms as may be just, order the pleadings to be forthwith amended in accordance with the facts, and determine the action upon the actual facts as established. The amendments provided in this section may be made either in the Court of First Instance or in the Supreme Court, at any stage of the action.

SEC. 110. *Amendments in general.*—The Court shall, in furtherance of justice, and on such terms, if any, as may be proper, allow a party to amend any pleading or proceeding and at any stage of the action, in either the Court of First Instance or the Supreme Court, by adding or striking out the name of any party, either plaintiff or defendant, or by correcting a mistake in the name of a party, or a mistaken or inadequate allegation or description in any other respect, so that the actual merits of the controversy may speedily be determined, without regard to technicalities, and in the most expeditious and inexpensive manner. The Court may also, upon like terms, allow an answer or other pleading to be made after the time limited by the rules of the Court for filing the same. Orders of the Court upon the matters provided in this section shall be made upon motion filed in Court, and after notice to the adverse party, and an opportunity to be heard.

SEC. 111. *When name of defendant is unknown.*—When the plaintiff is ignorant of the name of a defendant, he must state that fact in the complaint, and such defendant may be designated in any complaint or proceeding by any name. When his true name is discovered, the pleading or proceeding must be amended accordingly.

SEC. 112. *Proceedings in cases of appeal from Justice Courts.*—When a perfected appeal from a judgment of a Justice of the Peace has been duly entered in the Court of First Instance, new pleading shall be filed in the action in that Court, and the pleadings in such action shall be in all respects governed by the same rule as though the action had been originally commenced in the Court of First Instance. But the plaintiff may, if he so elects, rely upon his complaint as originally filed before the Justice of the Peace, instead of filing a new one.

SEC. 113. *Relief from effect of judgments and orders.*—Upon such terms as may be just, the Court may relieve a party or his legal representative from a judgment, order, or other proceeding taken against him through his mistake, inadvertence, surprise or excusable neglect;

provided that application therefor be made within a reasonable time, but in no case exceeding six months after such judgment, order or proceeding was taken.

CHAPTER VI.

PARTIES TO ACTIONS.

SEC. 114. *Parties to actions.*—Every action must be prosecuted in the name of the real party in interest. But in the case of an assignment of a right of action, an action by the assignee shall be without prejudice to any set off or other defense existing at the time of, or before, notice of the assignment; but this last provision shall not apply to a negotiable promissory note, or a draft or a bill of exchange, transferred in good faith and upon good consideration before maturity. And an executor or administrator or legal representative of a deceased person, or a trustee of an express trust, or a person expressly authorized by law so to do, or a lawfully appointed guardian of a person of unsound mind, or of a minor, may sue or be sued without joining with him the person for whose benefit the action is prosecuted or defended.

Otherwise than as provided in this section, all persons having an interest in the subject of the action and in obtaining the relief demanded shall be joined as plaintiffs.

Any person should be made a defendant who has or claims an interest in the controversy or the subject matter thereof adverse to the plaintiff, or who is a necessary party to a complete determination or settlement of the questions involved therein.

If any person having an interest in the subject of the action, and in obtaining the relief demanded refuses to join as plaintiff with those having a like interest, he may be made a defendant, the fact of his interest and refusal to join being stated in the complaint.

SEC. 115. *Married woman as a party.*—When a married woman is a party, her husband must be joined with her, except:

1. When the action concerns her property, in which her husband can have no interest or right;
2. When the action is between herself and her husband;
3. When for just cause she is living separate and apart from her husband or by reason of an agreement in writing entered into between them:

In either of which cases she may sue or be sued alone.

SEC. 116. *Infants spendthrifts and person of unsound mind.*—When an infant or a person of unsound mind or a person judicially decreed to be a spendthrift is a party to an action, he must appear either by his general guardian or by a guardian *ad litem* appointed by the Court in which the action is pending. A guardian *ad litem* may be appointed in any case when it is deemed by the Court in which the action or proceeding is prosecuted expedient to represent the infant, spendthrift or person of unsound mind in the action or proceeding.

SEC. 117. *Guardian ad litem.*—Such guardian *ad litem* may be appointed by the Court of its own motion, and shall be appointed upon the application of a relative or friend of the infant, spendthrift or person of unsound mind. The Court may, in its discretion, allow to a guardian *ad litem* a reasonable compensation for his services as such guardian, to be paid out of the estate of the ward.

SEC. 118. *Numerous parties.*—When the subject matter of the controversy is one of common or general interest to many persons, and the parties are so numerous, that it is impracticable to bring them all before the Court, one or more may sue or defend for the benefit of all. But in such case any party in interest shall have a right to intervene in protection of his individual interest, and the Court shall make sure that the parties actually before it are sufficiently numerous and representative so that all interests concerned are fully protected.

SEC. 119. *Death of party.*—In case a party to an action dies while the action is pending, the action shall not abate by reason thereof, but the Court on motion, may allow the action or proceeding to be continued by or against his executor, administrator or other legal representative, and the judgment, if it be for the payment of costs and against the executor, administrator or other legal representative, shall be that he pay in due course of administration.

Provided, nevertheless, that if the action is for the recovery of money, debt or damages against the deceased, it shall be discontinued, and the claim thereafter be prosecuted as provided in section 686.

SEC. 120. *Interpleading.*—Whenever conflicting claims are or may be made upon a person for or relating to personal property, or the performance of an obligation or any portion thereof, so that he may be made subject to several actions by different persons, unless the Court intervenes, such person may bring an action against the conflicting claimants, disclaiming personal interest in the controversy, to compel them to interplead and litigate their several claims among themselves, and the Court may order the conflicting claimants to interplead with one another and thereupon proceed to determine the right of the several parties to the interpleading to the personal property or the performance of the obligation in controversy and shall determine the rights of all parties in interest.

SEC. 121. *Intervention.*—A person may, at any period of a trial, upon motion, be permitted by the Court to intervene in an action or proceeding, if he has legal interest in the matter in litigation, or in the success of either of the parties, or an interest against both. Such intervening party may be permitted to join the plaintiff in claiming what is sought by the claimant, or to unite with the defendant in resisting the claims of the plaintiff, or to demand anything adverse to both the plaintiff and defendant. Such intervention, if permitted by the Court, shall be made by complaint in regular form, filed in Court, and may be answered or demurred to as if it were an original complaint. Notice of motion for such intervention shall be given to all parties to the action and notice may be given by publication accordance with the provisions of this Code relating to publication, in cases where other notice is impracticable.

SEC. 122. *Necessary parties.*—The Court may determine any controversy between parties before it, if it can be done without prejudice to the rights of others, or by preserving their rights for future action; but when a complete determination of the controversy cannot be had without the presence of other parties, the court must order them be brought in, and to that end may order amended or supplemental pleadings, or a cross complaint, to be filed, and summons therein to be duly issued and served.

CHAPTER VII.

VARIOUS PROCEEDINGS IN COURTS OF FIRST INSTANCE.

SEC. 123. *Interlocutory and incidental orders.*—No interlocutory or incidental ruling, order or judgment of the Court of First Instance shall stay the progress of an action or proceeding therein pending, but only such ruling, order or judgment as finally determines the action or proceeding; nor shall any ruling, order or judgment be the subject of appeal to the Supreme Court until final judgment is rendered for one party or the other.

SEC. 124. *Judgment in case of several plaintiffs of defendants.*—Judgment may be given for or against one or more of several plaintiffs, and for or against one or more of several defendants, and the Court may, when the justice of the case requires it, conclusively determine the ultimate rights of the parties on each side, as between themselves, and may require such parties to file adversary pleadings as between themselves.

SEC. 125. *Several judgments.*—In an action against several defendants, the Court may, in its discretion, render judgment against one or more of them, upon default or confession or otherwise, leaving the action to proceed against the others, whenever a several judgment is proper.

The Court may, in its discretion, order execution to issue upon such several judgment.

SEC. 126. *Kind of relief to be granted.*—The relief granted to the plaintiff, if there be no answer, cannot exceed that which he shall have demanded in his complaint; but in any other case, the Court may grant him any relief consistent with the case made by the complaint and supported by the evidence and embraced within the issue, requiring the necessary amendments.

SEC. 127. *Dismissal of action.*—An action may be dismissed, with costs to the defendant, in the following cases:

1. By the plaintiff himself, by written request to the Clerk filed among the papers in the case, at any time before trial, upon payment of the costs; provided a counterclaim has not been made, or affirmative relief sought by the cross-complaint or answer of the defendant, or provided the Judge shall not decide that the defendant has made such preparation for trial that it would be unjust to permit a dismissal without a trial on the merits;

2. By the Court, when the plaintiff fails to appear at the time of trial, and the defendant appears and asks for the dismissal;

3. By the Court, when the plaintiff fails, for an unreasonable length of time, to prosecute his action.

In either of these three cases a dismissal of the action shall not be a bar to another action for the same cause;

4. The Court may also, in its discretion, allow a plaintiff to dismiss the action on payment of the costs after the trial has begun and at any time before final judgment, if the interests of justice so require, and in this case the dismissal shall not be a bar to another action for the same cause. The dismissal shall be entered on the docket of the Court and shall be effective when so entered, to end the action.

SEC. 128. *Default.*—In case a defendant fails to appear at the time

required in the summons, or to answer at the time provided by the rules of Court, the Court shall, upon motion of the plaintiff, order judgment for the plaintiff by default which shall be entered upon the docket; and the Court shall thereupon proceed to hear the plaintiff and his witnesses and assess the damages or determine the other relief to which the plaintiff may be entitled, including the costs of the action, and render final judgment for the plaintiff to recover such sum or to receive such other relief as the pleadings and the facts warrant. If the taking of a long account be involved in determining the amount to which the plaintiff shall be entitled, the Court may, in its discretion, order a reference to some suitable person to take the account and report to the Court, and upon the coming in of such report, such final judgment shall be rendered as the facts require.

SEC. 129. *Default on cross-complaint.*—If the plaintiff fails to answer a cross-complaint within the time limited by the rules of Court, judgment by default may be entered against him upon that cross-complaint and the same proceedings shall be had upon such default as though the cross-complaint had been the original complaint.

SEC. 130. *Postponement.*—The Court may, in its discretion, for cause, and with or without terms, postpone a trial from day to day, or to a stated time during the term of the Court, or to the next succeeding term.

SEC. 131. *Adjournments.*—Court may adjourn from day to day, and to any stated time, as the expeditious and convenient transaction of business may require.

SEC. 132. *Order of trial.*—The trial must proceed in the following order, unless the judge, for special reasons, otherwise directs:

1. The plaintiff, after stating the issue and his case, must produce the evidence on his part; but he may read the complaint as his statement of the case, if the judge so directs;

2. The defendant shall then state his defense and offer his evidence in support thereof; but he may read his answer as his statement of defense, if the judge so directs;

3. The parties may then respectively offer rebutting evidence only, unless the Court, for good reason, in the furtherance of justice, permits them to offer evidence upon their original case;

4. When the evidence is concluded, unless the parties on either side or both sides agree to submit it without argument, the plaintiff or his counsel may make the opening argument, the defendant or his counsel may follow, and the plaintiff or his counsel may conclude the argument. Two counsel may, if desired, be heard upon each side, but in the order herein prescribed;

5. If several defendants, having separate defenses, appear by different counsel, the Court must determine their relative order in the evidence and argument, but in any event the plaintiff is entitled to the opening and closing argument.

SEC. 133. *Findings of facts.*—Upon the trial of a question of fact, the decision of the Court must be given in writing and filed with the clerk; but the statement of facts must contain only those facts which are essential to a clear understanding of the issues presented and of the facts involved.

SEC. 134. *Agreed statement of facts.*—The parties may, in any action or special proceeding, agree, in writing, upon the facts involved in the litigation, and require the judgment of the Court upon the questions

of law arising from such agreed statement of facts, without the introduction of testimony. The ruling and judgment of the Court upon such agreed statement of facts shall be subject to exception, like all other rulings of the Court. When an agreed statement of facts is entered into by the parties, no other finding of facts need be made by the Court.

SEC. 135. *Reference.*—By written consent of both parties, filed with the clerk, the Court may order an action to be referred to one or more referees, to be agreed upon by the parties or to be appointed by the Court.

SEC. 136. *Commission to referees.*—In such case, the clerk shall issue, under the seal of the Court, a commission to the referees named, directing them to proceed with the trial of the action and to report the findings, of law and fact to the Court, at or before a time named in the commission.

SEC. 137. *Oath of referees.*—Referees, before commencing the performance of their duty, shall be sworn to a faithful and honest performance thereof, and the fact that they have taken such oath shall be certified to on the commission by the authority administering the oath. The oath may be administered by the Judge or Clerk of the Court or by any Justice of the Peace or Notary Public in the Province.

SEC. 138. *Trial before referee.*—Trial may occur at any convenient place within the province, and the time and place for trial shall be fixed by the referee and reasonable notice thereof shall be given by him to the parties. The referee is hereby authorized to administer oaths to witnesses and the trial before him shall proceed in all respects as though the same had been had before the Court.

SEC. 139. *Report of referee.*—Upon the completion of the trial, the referee shall report, in writing, to the Court the facts found by him, and all such of his rulings as the parties shall request him to report.

SEC. 140. *Hearing upon report.*—Upon the filing of the report or as soon as conveniently may be thereafter, the Court shall render judgment in accordance with the report, as though the facts had been found by the judge himself, unless the Court shall, for cause shown, set aside the report, or order it to be recommitted to the referee for further findings.

SEC. 141. *Exceptions.*—An exception is an objection upon a matter of law to a decision made by a Court, Tribunal, Judge, or other judicial officer in an action or proceeding. Rulings of the Court upon minor matters, such as adjournments, postponements of trials, the extension of time for filing pleadings or motions, and other matters addressed to the discretion of the court in the performance of its duty, shall not be subject to exception. But exception may be taken to any other ruling, order or judgment of the Court made during the pendency of the action in the Court of First Instance.

SEC. 142. *Manner of taking exceptions.*—The party excepting to the ruling, order or judgment shall forthwith inform the Court that he excepts to the ruling, order or judgment, and the Judge shall thereupon minute the fact that the party has so excepted; but the trial shall not be delayed thereby. The exception shall also be recorded by the stenographer, if one is officially connected with the Court.

SEC. 143. *Perfecting bill of exceptions.*—Upon the rendition of final judgment disposing of the action, either party shall have the right to perfect a bill of exceptions for a review by the Supreme Court of all

rulings, orders and judgments made in the action, to which the party has duly excepted at the time of making such ruling, order or judgment. The party desiring to prosecute the bill of exceptions shall so inform the Court at the time of the rendition of final judgment, or as soon thereafter as may be practicable and before the ending of the term of Court at which final judgment is rendered, and the Judge shall enter a memorandum to that effect upon his minutes and order a like memorandum to be made by the Clerk upon the docket of the Court among the other entries relating to the action. Within ten days after the entry of the memorandum aforesaid, the excepting party shall cause to be presented to the Judge a brief statement of the facts of the case sufficient to show the bearing of the rulings, orders or judgments excepted to, and a specific statement of each ruling, order or judgment that has been excepted to, for allowance by the Judge. The Judge shall thereupon, after reasonable notice to both parties and within five days from the presentation of the bill of exceptions to him, restate the facts if need be, and the exceptions, so that the questions of law therein involved, and their relevancy shall all be made clear, and when the bill of exceptions has been perfected and allowed by the Judge, he shall certify that it has been so allowed and the bill of exceptions shall be filed with the other papers in the action, and the same shall thereupon be transferred to the Supreme Court for determination of the questions of law involved. A bill of exceptions may likewise be made to consist of the Judge's findings of fact in his final judgment and a statement of all the exceptions reserved by the party desiring to prosecute the bill of exceptions, which shall be allowed and filed by the Judge as above in this section provided.

Immediately upon the allowance of a bill of exceptions by the Judge, it shall be the duty of the Clerk to transmit to the Clerk of the Supreme Court a certified copy of the bill of exceptions, and of all documents which by the bill of exceptions are made a part of it. The cause shall be heard in the Supreme Court upon the certified copy of the bill of exceptions so transmitted.

SEC. 144. *Stay of execution.*—Except by special order of the Court, no execution shall issue upon a final judgment rendered in a Court of First Instance until after the period for perfecting a bill of exceptions has expired. But the filing of a bill of exceptions shall of itself stay execution until the final determination of the action, unless for special reasons stated in the bill of exceptions, the Court shall order that execution be not stayed, in which event execution may at once issue. But the Court may require as a condition of a stay of execution that a bond shall be given reasonably sufficient to secure the performance of the judgment appealed from in case it be affirmed in part or wholly.

SEC. 145. *New trial.*—At any time during the term at which an action has been tried in a Court of First Instance, the Judge thereof may set aside the judgment and grant a new trial, upon such terms as may be just, on the application of the party aggrieved, and after due notice to the adverse party and hearing, for any of the following causes, materiallly affecting the substantial rights of such party:

1. Accident or surprise which ordinary prudence could not have guarded against, and by reason of which the party applying has probably been impaired in his rights;
2. Newly discovered evidence, material to the party making the application, which he could not, with reasonable diligence, have discovered and produced at the trial;

3. Because the Judge has become satisfied that excessive damages have been awarded, or that the evidence was insufficient to justify the decision, or that it is against the law.

SEC. 146. *Method of procedure in applications for new trial.*—The application shall be made by motion in writing, stating the ground therefor, of which the adverse party shall have such reasonable notice as the Judge may direct. When the application is made for a cause mentioned in the first or second subdivisions of the last section, it must be made upon affidavits, and counter affidavits from the adverse party may likewise be received; but the overruling or granting of a motion for a new trial shall not be a ground of exception, but shall be deemed to have been an act of discretion on the part of the Judge, within the meaning of the second sentence of section 141.

SEC. 147. *Effect of granting a motion for a new trial.*—If a new trial shall be granted in accordance with the provisions of the two last preceding sections, the original judgment shall be vacated, and the action shall stand for trial *de novo*; but the recorded evidence taken upon the former trial, so far as the same is admissible and competent to establish the issues, shall be used upon the new trial without retaking the same.

SEC. 148. *Relief from judgments of subordinate tribunals, obtained by fraud, accident or mistake.*—When a judgment has been rendered by a Justice of the Peace or any other subordinate tribunal, and any party to the action has been unjustly deprived of his day in Court and an opportunity to be heard thereon, by fraud, accident, mistake, or excusable negligence, or has been prevented from entering an appeal from such judgment by fraud, accident, mistake, or excusable negligence, the Court of First Instance may, in its discretion, and on reasonable terms, reverse and set aside the judgment so rendered, and hear and determine the action and make the necessary orders therein, as if the same had been brought to the Court of First Instance by appeal, provided the party so aggrieved shall make application, as hereinafter provided, to the Court of First Instance, and within sixty days after he first knows that such judgment has been rendered against him. This section shall be liberally construed so as to prevent injustice.

SEC. 149. *Procedure to vacate such judgment.*—The person aggrieved by a judgment obtained in the manner stated in the preceding section may, within the time therein limited, file his complaint in the Court of First Instance of the province in which the original judgment was rendered, stating the fact of the rendition of such judgment and the circumstances constituting the fraud, accident, mistake, or excusable negligence relied upon as ground for relief, and praying that such judgment may be reversed and set aside and the cause be determined upon its merits. The party against whom the complaint is made shall be served with notice as in other actions pending in the Court of First Instance, and the trial shall proceed as in other actions in that Court. If the Court shall find that the facts set forth in the complaint are true and that the complainant is entitled to relief, the judgment complained of shall be reversed and set aside, and shall thereafter be of no validity, and the Court shall proceed to hear and determine the action upon its merits, and make the necessary orders therein, as if the same had been regularly brought to said Court by appeal.

SEC. 150. *Temporary injunction in such cases.*—At the time of filing

such complaint, or at any time thereafter before final hearing, the Judge of the Court of First Instance in which the action is pending, may grant an injunction restraining the party in whose favor such judgment has been rendered, his agents and attorney and the Justice of the Peace or other inferior tribunal rendering the judgment, from any further proceedings to enforce the same until the further order of the Court in the premises, which injunction shall be served in the manner provided by law for serving process; but the Judge issuing such injunction shall, before issuing it, take from the party, upon whose application the same is granted, an obligation to the other party, with sufficient sureties, to be approved by the Judge, conditioned that if the complainant fails to prosecute his complaint to effect, or finally to recover in such action he will pay the adverse party the intervening damages and cost accruing to him by reason of the issue of such injunction, together with the amount of the original judgment, but such injunction shall not operate to discharge or release bail nor extinguish any lien which the party enjoined has acquired upon the property of the plaintiff by attachment or levy of execution. The damages, if any, accruing under this section shall be assessed by the Judge and included in his final judgment in the action.

SEC. 151. *Final judgment in such proceedings.*—If the plaintiff shall prevail in such action, the original judgment shall be reversed and vacated, and the defendant therein and the Justice of the Peace or other inferior tribunal that rendered the judgment shall be perpetually enjoined from any further steps to enforce the same. The costs of such proceedings shall be awarded in the discretion of the Court, in such manner as Justice requires.

SEC. 152. *Attendance of the justice.*—Upon the trial of an action instituted in pursuance of the four preceding sections, the Justice of the Peace or other subordinate magistrate or official who rendered the judgment complained of, shall attend and produce before the Court all the papers in the original action, if required to do so by the Judge.

CHAPTER VIII.

ASSESSORS IN COURTS OF FIRST INSTANCE.

SEC. 153. *Preparing list of assessors.*—The Judge, with the assistance of the governor of the province and the Clerk of the Court, shall prepare a list of the residents of the province best fitted by education, natural ability, and reputation for probity, to sit as assessors in the trial of actions. Such lists shall contain not less than ten and not more than twenty-five names, and shall be retained in the office of the Clerk. The name of any person may be stricken from the list, at any time, upon the order of the Judge, upon his becoming satisfied that the name ought to be stricken out by reason of the death, permanent disability, or unfitness of the person named, and in case names are so stricken out, other names shall be added in their place, to be selected as in this section provided.

SEC. 154. *Rights of parties to have assessors, and manner of selecting them.*—Either party to an action may apply in writing to the Judge for assessors to sit in the trial. Upon the filing of such application, the Judge shall direct that assessors be provided, and that the parties forthwith appear before him, for the selection of the assessors.

The assessors shall be selected from the list provided for in the preceding section, and shall be selected in the following manner, in the presence of the Judge or Clerk: The plaintiff shall strike out from the list one name; then the defendant may strike out one name, and so, alternately, the parties shall strike out the names, until but two remain on the list. The remaining two shall be the assessors to sit in the action; but if one or more of the two remaining are disqualified by law to sit as assessors, then the Judge or Clerk shall draw one name or more, as the case may be, by lot, from those stricken out, and the person or persons thus drawn shall act as assessors, unless disqualified by law, in which case the vacancy shall be filled by lot, as above provided.

SEC. 155. *Summoning assessors.*—The persons so selected as assessors shall under the seal of the Court, be summoned to attend and serve as assessors in the action, and the summons for that purpose shall be served in the same manner as other writs of summons.

SEC. 156. *Failure of assessors to attend.*—If any person, summoned to act as assessor, fails, without lawful excuse, to attend at the trial, or at any adjournment thereof, or to continue to serve throughout the trial, he shall be liable, under a summary order of the Court, to a fine not exceeding one hundred dollars.

SEC. 157. *Excusing assessors.*—The Court may, on reasonable cause shown, excuse from attendance generally, or in any particular case, any person summoned, or liable to be summoned, as assessor, and may, for like cause, discharge from attendance, in any particular case, any person who is acting as assessor thereon.

SEC. 158. *Compensation of assessors.*—Each assessor shall receive a compensation of five pesos per day for the actual time by him employed in the trial of the action and in advising the judge as to the decision thereof, to be paid out of the provincial funds but to be taxed as costs against the defeated party.

SEC. 159. *Oath of assessors.*—Before entering upon the performance of his duty, in any action, each assessor shall be sworn by the Judge, or by the Clerk of the Court, to the faithful and honest performance as his duties as such assessor.

SEC. 160. *Duties of assessors.*—The duties of assessors, when their aid is invoked as herein provided, shall be to sit with the Judge upon the trial of an action and to advise him in the determination of all questions of fact involved therein; but the final responsibility for the decision must rest with the Judge.

SEC. 161. *Effect of dissent of assessors.*—If the two assessors shall both be of the opinion that the finding of facts and judgment in the action are wrong, they shall certify, in writing, their dissent therefrom and their reasons for such dissent, and sign such certification, which shall be filed with the other papers in the action. In case such dissent is filed, the Supreme Court, on appeal, may review the facts upon the evidence adduced in the Court of First Instance, and shall give to the dissent aforesaid such weight as in the opinion of the Judges of the Supreme Court it is entitled to; and upon such review, shall render such judgment as they find just.

CHAPTER IX.

SPECIAL REMEDIES.

Injunctions.
 Receivers.
 Partition of real estate.
 Usurpation of office or franchise, etc.
 Certiorari proceedings.
 Mandate.

Prohibition.
 Contempt.
 Eminent domain.
 Foreclosure.
 Manual delivery of personal property.

INJUNCTIONS.

SEC. 162. *Injunction defined.*—An injunction is a writ or order requiring a person to refrain from a particular act. It may be of two kinds:

1. A preliminary injunction is one granted at any stage of an action prior to final judgment;

2. A final injunction is one granted in the final judgment as the relief, or a part of the relief, granted as the result of the action.

SEC. 163. *Who may grant an injunction.*—A preliminary injunction may be granted by any Judge of the Supreme Court in any action pending in the Supreme Court or in a Court of the First Instance of any province in the islands. It may also be granted by a Judge of a Court of First Instance in an action pending in the district in which he has original jurisdiction.

SEC. 164. *Circumstances under which a preliminary injunction may be granted.*—A preliminary injunction may be granted when it is established, in the manner hereinafter provided, to the satisfaction of the Judge granting it:

1. That the plaintiff is entitled to the relief demanded and such relief, or any part thereof, consists in restraining the commission or continuance of the acts complained of either for a limited period or perpetually;

2. That the commission or continuance of some act complained of during the litigation would probably work injustice to the plaintiff;

3. That the defendant is doing or threatens or is about to do, or is procuring or suffering to be done, some act probably in violation of the plaintiff's rights, respecting the subject of the action, and tending to render the judgment ineffectual.

SEC. 165. *Time of granting preliminary injunction.*—A preliminary injunction may be granted at any time after the commencement of the action and before final judgment.

SEC. 166. *Method of obtaining preliminary injunction.*—A preliminary injunction may be granted only when the following conditions are complied with:

1. The complaint must show facts entitling the plaintiff to the relief demanded;

2. The complaint must be verified by the oath of the plaintiff or by that of some other person by him duly authorized and who can testify to the truth of the facts set forth in the complaint;

3. The plaintiff must file with the Clerk of the Court in which the action is pending a written obligation on the part of the plaintiff, with sufficient sureties, to the effect that the plaintiff will pay to the party

enjoined all such damages as such party may sustain by reason of the injunction, if the Court should finally decide that the plaintiff was not entitled thereto. The sufficiency of the obligation must be approved in writing by the Judge granting the injunction, and before approval he shall require such proof as is necessary in regard to the sufficiency of the sureties. The sureties, by executing the obligation, become quasi parties to the proceeding, so that a judgment may be rendered against them without further notice.

SEC. 167. *Proceedings in case of insufficiency of sureties.*—If it shall be made to appear at any time during the progress of the action that the sureties on the obligation provided in the last section are insufficient, the Judge of the Court in which the action is pending may, upon motion, order new sureties to be provided, and that, if no sureties are provided within a time fixed by the order of the Court for that purpose, the injunction shall be dissolved.

SEC. 168. *Notice to defendant of preliminary injunction.*—The injunction hereinbefore provided may be granted *ex parte* on the application of the plaintiff, on the conditions before stated, but if the Judge to whom application is made for the granting of the injunction deems it just that the defendant should be heard before granting the injunction, an order may be made requiring cause to be shown, at a specified time and place, why the injunction should not be granted, and the defendant may then and there be heard and the injunction may be granted or refused as justice shall require. If upon such hearing it should be made to appear to the satisfaction of the Court that the plaintiff is entitled to the injunction, but that the issuance thereof pending the litigation would entail great damage upon the defendant and that the plaintiff could be fully compensated for such damages as he might suffer, the Judge may refuse the injunction, upon the defendant giving an obligation with sureties to be approved by the Judge in such amount as may be fixed by the Judge, conditioned that the defendant will pay all damages which the plaintiff may suffer by reason of the continuance during the litigation of the acts complained of.

SEC. 169. *Dissolution of temporary injunction.*—If a temporary injunction be granted without notice, the defendant, at any time before the trial, may apply, upon reasonable notice to the adverse party, to the Judge who granted the injunction or to the Judge of the Court in which the action was brought, to dissolve or modify the same. The application may be based upon the insufficiency of the complaint on which the injunction was granted or upon affidavit on the part of the defendant, with or without an answer. If the application be made upon affidavits upon the part of the defendant, but not otherwise, the plaintiff may oppose the same by affidavits or other evidence to substantiate the facts set forth in the complaint, and the Judge shall, after hearing, dissolve or modify or continue the injunction as justice may require. If it be made to appear to the Judge that great damage will be suffered by the defendant in case the injunction is continued and that the plaintiff can be fully compensated for any damages he may suffer by reason of the continuance of the acts of the defendant during the pendency of the litigation, the Judge in his discretion, may dissolve or modify the injunction, upon the defendant giving an obligation, with sureties to be approved by the Judge, that the defendant will pay all damages which the plaintiff may suffer by reason of the continuance during the litigation of the acts complained of.

SEC. 170. *Damages pending a preliminary injunction.*—Upon final trial the amount of damages to be awarded to the plaintiff or to the defendant upon the obligations provided in sections 166, 167, 168 and 169 shall be ascertained by the Court trying the action, and judgment for the same shall be included in the final judgment and the judgment shall be both against the plaintiff and against the sureties upon any obligation given under the provisions of either of the last four sections.

SEC. 171. *Final injunctions.*—If upon the final trial of the action it shall appear that the plaintiff is entitled to an injunction perpetually restraining the commission or continuance of the act complained of, the Court shall grant a final injunction perpetually restraining the defendant from continuing the act.

SEC. 172. *Method of enforcing injunctions.*—A person violating an injunction shall be treated as in contempt of court and dealt with as hereinafter provided under the head of "Contempt."

RECEIVERS.

SEC. 173. *Receivers, who may appoint.*—A Judge of the Supreme Court, or a Judge of the Court of First Instance in which the action is pending, may appoint one or more receivers of the property, real, personal, or mixed, which is the subject of the action, in the manner and under the conditions hereinafter provided.

SEC. 174. *When a receiver may be appointed.*—A receiver may be appointed in the following cases:

1. When a corporation has been dissolved, or is insolvent, or is in imminent danger of insolvency, or has forfeited its corporate rights;

2. Where it is made to appear by the complaint or answer, and by such other proof as the Judge may require, that the party making the application for the appointment of receiver has an interest in the property or fund which is the subject of the action and it is shown that the property or fund is in danger of being lost, removed or materially injured unless a receiver shall be appointed to guard and preserve it;

3. In an action by the mortgagee for the foreclosure of a mortgage, where it appears that the property is in danger of being wasted or materially injured, and that its value is probably insufficient to discharge the mortgage debt;

4. Whenever in other cases it shall be made to appear to the Court that the appointment of a receiver is the most convenient and feasible means of preserving and administering the property which is the subject of litigation during the pendency of the action.

SEC. 175. *General powers of a receiver.*—The receiver shall have, under the control of the Court in which the action is pending, power to bring and defend actions in his own name, as receiver; to take and keep possession of the property in controversy; to receive rent, to collect debts due to himself as receiver, or to the fund, property, estate, person or corporation of which he is receiver; to compound for and compromise the same; to make transfers; and generally to do such acts respecting the property as the Court may authorize.

SEC. 176. *Receivers of a corporation.*—When a corporation has been dissolved, or is insolvent, or is in imminent danger of insolvency, or has forfeited its corporate rights, the Court of First Instance of the province where the corporation has its principal place of business may,

on complaint of a creditor of the corporation, or a stockholder or member thereof, appoint a receiver to take charge of its estate and effects, and to collect the debts and property due and belonging to the corporation, and to pay the outstanding debts thereof, and to divide the money and other properties that shall remain over, among the stockholders or members.

SEC. 177. *Obligations for damages on appointment of receiver.*—If a receiver be appointed upon an *ex parte* application, the Court, before making the order, may require from the plaintiff or person filing the application for such appointment an obligation with sufficient sureties, to be approved by the Court, in an amount to be fixed by the Court, to the effect that the applicant will pay to the defendant in the application all damages he may sustain by reason of the appointment of such receiver and the entry by him upon his duties, in case the applicant shall have procured such appointment without sufficient cause; and the Court may, in its discretion, at any time after the appointment, require an additional obligation as further security for such damages. The damages, if any, shall be ascertained by the Court and, in its final judgment in the action, shall be decreed against the plaintiff and the sureties on the obligation.

SEC. 178. *Oath and obligation of receivers.*—Before entering upon his duties, the receiver must be sworn to perform them faithfully, and with one or more sureties approved by the Court or Judge, execute an obligation to such person, and in such sum, as the Court or Judge may direct, to the effect that he will faithfully discharge the duties of receiver in the action and obey the orders of the Court therein.

SEC. 179. *Funds in the hands of receiver.*—Funds in the hands of a receiver may be invested upon interest by order of the Court; but no such order shall be made, except upon the written consent of all the parties to the action.

SEC. 180. *Termination of Receivership.*—Whenever the Court, of its own motion, or on that of either party, shall determine, after due notice and hearing, that the necessity for a receiver no longer exists, it shall, on notice and hearing, settle the accounts of the receiver, direct the payment of the funds in his hands, and the delivery of the property by him held, to such persons as shall be adjudged entitled to receive them, and order his discharge from further duties as receiver.

PARTITION OF REAL ESTATE.

SEC. 181. *Partition of real estate.*—A person having or holding real estate with others, in any form of joint tenancy, or tenancy in common, may compel partition thereof in the manner hereinafter prescribed.

SEC. 182. *Where action for partition must be brought.*—An action to enforce partition shall be brought in the province wherein the estate sought to be divided is situated. If the estate is situated in two or more provinces, the action for partition of the whole may be instituted and maintained in any province wherein a part of such estate is situated.

SEC. 183. *The complaint.*—The complaint in an action for partition shall set forth the nature and extent of the plaintiff's title and contain an adequate description of the real estate of which partition is demanded, and name each tenant in common, coparcener or other person interested therein, as defendants.

SEC. 184. *The order of partition.*—If, upon trial, the Court finds that the plaintiff has a legal right to any part of such estate, it shall order partition thereof in favor of the plaintiff, among all parties in interest. Thereupon the parties may, if they are able to agree, make partition among themselves, by proper instruments of conveyance and the Court shall confirm the partition so agreed upon by all the parties, and the amicable partition so made, together with the order of the Court confirming the same, shall be recorded in the registry of deeds for the province where the land is situated, and shall be valid and binding between the parties thereto. But if the parties are unable to agree upon a partition, the Court shall appoint three judicious and disinterested landowners of the province in which the land to be divided, or some portion of the same, is situated, to be Commissioners to make the partition, and shall order a writ of partition to issue to the Commissioners commanding them to make partition of the estate and to set off to the plaintiff and to each party in interest such part and proportion of the estate as the Court shall order.

SEC. 185. *Duty of Commissioners in making partition.*—Before making such partition, the Commissioners shall take and subscribe an oath before the Judge or Clerk, or any Justice of the Peace of the province, that they will faithfully perform their duties as Commissioners, which oath shall be filed in Court with the other proceedings in the case. In making such partition, the Commissioners shall view and examine the estate, after due notice to the parties to attend at such view and examination, and shall hear the parties as to their preference in the portions of the estate to be set apart to them and the comparative value thereof, and shall set apart the estate to the several parties in such lots or parcels as will be most advantageous and equitable, having due regard to the improvements, situation, and quality of the different parts thereof.

SEC. 186. *When partition of more than one tract is demanded.*—When partition of more than one tract is demanded, the Commissioners shall set off to each plaintiff or party in interest, his proper proportion in each of the several tracts, unless the several tracts are owned by the same proprietors and in the same proportion in each tract, in which case the whole share of any proprietor, in all of the several tracts, may be set off to such proprietor according to the best discretion of the Commissioners.

SEC. 187. *Assignment or sale of the estate.*—When it is made to appear to the Commissioners that the estate, or a portion thereof, cannot be divided without great inconvenience to the parties interested, the Court may order it assigned to one of the parties, provided he pays to the other party such sum of money, as the Commissioners Judge equitable. But if no one of the parties interested will take such assignment and pay such sum, the Court shall order the Commissioners to sell such estate at public or private sale. In that case the Commissioners shall sell the estate agreeably to such order; but the sale shall not be valid to pass the title to the property until confirmed by the Court, unless the order of sale itself shall otherwise provide.

SEC. 188. *Report of Commissioners.*—The Commissioners shall make full and accurate report to the Court of all their proceedings as to partition, or assignment of the estate to one of the parties, or sale of the same. But none of their proceedings shall be effectual to bind the property or the parties until the Court shall have accepted their report and rendered judgment in accordance with its recommendations.

SEC. 189. *Action of the Court upon Commissioners' report.*—Upon the filing of such report in Court, the Court shall, upon hearing, accept the same and render judgment in accordance therewith; or for cause shown it may recommit the report to the Commissioners for further report of facts; or it may set aside the report and appoint new Commissioners; or it may accept the report in part and reject it in part, and may make such final order and judgment as shall effectuate a fair and just partition of the estate, or of its value, if sold or assigned as above provided, between the several owners thereof.

SEC. 190. *Distribution of proceeds of sale.*—The money or securities arising from a sale, or an election to take the estate in accordance with the provisions of section 187 shall be distributed and paid, by order of the Court to the parties entitled thereto, in lieu of their respective parts and proportions of the estate, according to their just rights therein.

SEC. 191. *Accounting for rent and profits in action for partition.*—In an action for partition in accordance with the last nine preceding sections, one tenant in common, or joint tenant, or coparcener, may recover from another his just share of rents and profits received by such other tenant in common, joint tenant, or coparcener from the estate, according to the justice and equity of the case, and the final judgment shall include an allowance for such rents and profits as are found to be justly recoverable.

SEC. 192. *Costs and expenses to be equitably taxed.*—The Court shall tax and apportion between the parties the cost and expenses which accrue in the action, having regard to the interests of the parties, and the benefit that each party may derive from a partition, and according to equity. An execution may issue therefor as in other cases.

SEC. 193. *Fees of Commissioners.*—The Commissioners appointed to make partition of real estate, in accordance with the preceding sections, shall receive a compensation of four pesos per day each, for the time actually and necessarily employed in the performance of their duties and in making their report to the Court, which fees shall be taxed as a part of the cost of the proceedings and apportioned as provided in the last preceding section.

SEC. 194. *Final judgment, its Record and effect.*—The record of the final judgment in such action shall state definitely by metes and bounds and adequate description, the particular portion of the estate that is assigned to each party to the action, if partition is made; if the whole estate is assigned to one of the parties upon his paying to the other party the sum ordered by the Court, the record shall state the fact of such payment, and of the assignment of the estate to the party making such payment. If the estate is sold, and the sale is confirmed by the Court, the record shall state the name of the purchaser or purchasers and a definite description of the parcels of the estate sold to each purchaser. A certified copy of the record of the judgment in either of the cases named in this section shall be recorded in the office of the register of deeds, of the province in which the estate is situated. The expense of such record shall be taxed as a part of the costs of the action. If actual partition of the land is made, the effect of the judgment shall be to vest in each party to the action in severalty the portion of the estate assigned to him. If the whole estate is assigned to one of the parties upon his payment to the other party or parties of the sum ordered by the Court, the effect of the judgment, upon such payment being made, shall be to

vest in the party making the payment, in accordance with the order of the Court, the fee of the whole estate free from any interest on the part of the other joint tenants, tenants in common or coparceners. If the estate is sold, and the sale confirmed by the Court, the effect of the record shall be, upon payment for the same being made, to vest in the purchaser or purchasers the fee of the estate free from claims of any of the parties to the action. The record of the judgment shall constitute an instrument of evidence in all questions as to the title to the lands or the estate which may be the subject of the judgment, in all Courts and shall be conclusive as to the rights of all parties to the suit. But the right of appeal to the Supreme Court shall appertain to actions for partition in the same manner and to the same extent as to other actions.

SEC. 195. *Power of guardian in partition proceedings.*—The guardian, or guardian *ad litem*, of a minor, or person of unsound mind, may, on behalf of his ward, and with the approval of the Court do and perform any act, matter or thing, respecting the partition of an estate which such minor or person of unsound mind could do in partition proceedings, if he were of age and of sound mind.

SEC. 196. *Paramount rights and amicable partition not affected.*—Nothing herein contained shall be construed so as to injure, prejudice, defeat, or destroy the estate, right or title of any person claiming a tract of land, or any part thereof, by title under any other person, or by title paramount to the title of the joint tenants, tenants in common, or coparceners, by whom partition may have been made. Nothing herein contained shall be construed as restricting or preventing joint tenants, tenants in common, or coparceners from making an amicable partition of their common estate by agreement, and by suitable instruments of conveyance, without recourse to an action for that purpose.

USURPATION OF OFFICE OR FRANCHISE, ETC.

SEC. 197. *Usurpation of an office or franchise.*—A civil action may be brought in the name of the government of the Philippine Islands:

1. Against a person who usurps, intrudes into, or unlawfully holds or exercises a public civil office, or a franchise within the Philippine Islands, or an office in a corporation created by the authority of the government of the Philippine Islands;

2. Against a public civil officers, who does or suffers an act, which by the provisions of law, works a forfeiture of his office;

3. Against an association of persons who act as a corporation within the Philippine Islands, without being legally incorporated, or without lawful authority so to act.

SEC. 198. *Like actions against a corporation.*—A like action may be brought against a corporation;

1. When it has offended against a provision of an act for its creation or renewal, or any act altering or amending such act;

2. When it has forfeited its privileges and franchises by non-user;

3. When it has committed or omitted an act which amounts to a surrender of its corporate rights, privileges or franchises;

4. When it has misused a franchise, privilege or right conferred upon it by law, or when it has exercised a franchise, privilege or right in contravention of law.

SEC. 199. *Who must commence such an action.*—The Attorney Gen-

eral of the Islands, or the Fiscal of any province, when directed by the Chief Executive of the islands, must commence any such action; and when upon complaint or otherwise he has good reason to believe that any case specified in the two preceding sections can be established by proof, he must commence such action.

SEC. 200. *Who may commence such an action.*—The Attorney General of the Islands or the Fiscal for a province, may, at his own instance, bring such an action, or he may, on leave of the Court in which the action is to be commenced, or a Judge thereof in vocation, bring the action upon the relation of and at the request of another person; but, if the action is brought at the request of and upon the relation of another person, the officer bringing it may require an indemnity for expenses and costs of the action to be given to him by the party at whose request and upon whose relation the same is brought, before commencing it.

SEC. 201. *An individual may commence such action.*—A person claiming to be entitled to a public office, unlawfully held and exercised by another, may bring an action therefor.

SEC. 202. *What the complaint must set forth in such action; judgment therein.*—When the action is against a person for usurping an office, the complaint shall set forth the name of the person who claims to be entitled thereto, with an averment of his right to the same; and that the defendant is unlawfully in possession of the same; and judgment may be rendered upon the right of the defendant, and also upon the right of the person so averred to be entitled, or only upon the right of the defendant, as justice requires.

SEC. 203. *Who may be made defendants.*—All persons who claim to be entitled to the same office or franchise may be made defendants in the same action, to try their respective rights to such office or franchise.

SEC. 204. *Where such actions may be brought.*—An action under the last preceding seven sections can be brought only in the Supreme Court, or in the Court of First Instance of the province in which the defendant, or one of the defendants, resides, or, when the defendant is a corporation, in the province in which it is situated, or has a place of business; but when the Attorney General of the Islands commences the action, it may be brought in a Court of First Instance in the City of Manila or in the Supreme Court.

SEC. 205. *Application for leave to commence action, and notice to defendant.*—Upon application for leave to commence such action, in accordance with section 200 the Court or Judge may, in its or his discretion, direct notice thereof to be given to the defendant previous to granting such leave, and may hear the defendant in opposition thereto; and if leave be granted, entry thereof shall be made on the docket, or the fact shall be endorsed by the Judge on the complaint, which shall then be filed.

SEC. 206. *Expediting proceedings.*—An order may be made by the Court, or by the Judge, shortening the time for filing pleadings and for all other proceedings, in such cases as fixed by general rules, so as to secure the most expeditious determination of the matters involved in the litigation consistent with the rights of the parties. Such action shall have precedence of any civil business pending in the Court.

SEC. 207. *Judgment where office, franchise, etc. found to have been usurped.*—When the defendant is found guilty of usurping, intruding into, or unlawfully holding or exercising an office, franchise, or priv-

ilege, judgment shall be rendered that such defendant be ousted and altogether excluded therefrom, and that the relator or plaintiff, as the case may be, recover his costs; such further judgment may be rendered as is provided in section 202.

SEC. 208. *Judgment where director of a corporation found to have been illegally elected.*—When the action is brought against a director of a corporation and the Court finds that at his election, either illegal votes were received or legal votes were rejected, or both, sufficient to change the result, judgment may be rendered that the defendant be ousted, and of induction in favor of the person who was entitled to have been declared elected at such election. Or, in such case, the Court may, in its discretion, order a new election to be held, at a time and place, and by Judges of election, appointed by the Court; notice of such election, and naming of the judges, shall be given for the time and in the manner provided by law for notice of elections of directors of such corporations; the order of the Court shall become obligatory upon the corporation and its officers when a duly certified copy thereof is served upon its secretary personally, or left at its principal office; and the Court may enforce its order by attachment, or in any other manner it deems necessary.

SEC. 209. *Rights of person adjudged to be entitled to office.*—If judgment be rendered in favor of the person averred to be entitled to the office, he may, after taking the oath of office, and executing any official bond required by law, take upon himself the execution of the office; and he shall immediately thereafter demand of the defendant all the books and papers in his custody or within his power, appertaining to the office from which he has been ousted.

SEC. 210. *How judgment of Court enforced.*—If such defendant refuse or neglect to deliver over any such book or paper pursuant to demand, he shall be deemed guilty of a contempt of Court, and shall be fined in any sum not exceeding five thousand pesos, and imprisoned until he complies with the order of the Court, or is otherwise discharged by due course of law.

SEC. 211. *Action for damages against person ousted.*—Such person may, at any time within one year after date of such judgment, bring an action against the party ousted, and recover the damages sustained by reason of his usurpation.

SEC. 232. *Judgment when corporation has forfeited its rights.*—When, in any such action, it is found and adjudged that a corporation has, by an act done or omitted, surrendered or forfeited its corporate rights, privileges and franchise, or has not used the same during the term of five years, judgment shall be entered that it be ousted and excluded therefrom, and that it be dissolved; but when it is found and adjudged that a corporation has offended in any matter or manner which does not by law work as a surrender or forfeiture, or has misused a franchise, or exercised a power not conferred by law, but not of such a character as to work a surrender or forfeiture of its franchise, judgment shall be rendered that it be ousted from the continuance of such offense or the exercise of such power.

SEC. 213. *Appointment of receiver when corporation dissolved.*—The Court rendering a judgment dissolving a corporation shall appoint a receiver of all its assets, agreeably to section 174, who shall proceed to administer the same in accordance with the provisions of sections 175 to 179, inclusive.

SEC. 214. *How receiver placed in possession.*—An officer of such corporation who refuses or neglects, upon demand, to deliver over to the receiver all money, property, books, deeds, notes, bills, obligations, and papers of every description and within his power or control, belonging to the corporation, or in any wise necessary for the settlement of its affairs, or the discharge of its debts and liabilities, shall be deemed guilty of a contempt of Court, and shall be fined not exceeding five thousand pesos, and imprisoned until he complies with the order of the Court, or is otherwise discharged by due course of law; and he shall be liable to the receiver for the value of all money or other things, so refused or neglected to be surrendered, together with all damages that may have been sustained by the stockholders and creditors of the corporation, or any of them, in consequence of such neglect or refusal.

SEC. 215. *Judgment for costs.*—If judgment be rendered in such action against a corporation or against a person claiming to be a corporation, the Court may render judgment for the costs against the directors or other officers of the corporation, or against the person claiming to be the corporation. If judgment be rendered for the defendant, he shall recover his costs from the plaintiff, if the plaintiff be not the Government.

SEC. 216. *Limitations.*—Nothing herein contained shall authorize an action against a corporation for forfeiture of charter, unless the same be commenced within five years after the act complained of was done or committed; nor shall an action be brought against an officer to be ousted from his office unless within one year after the cause of such ouster, or the right to hold the office, arose.

CERTIORARI PROCEEDINGS.

SEC. 217. *Certiorari Proceedings.*—When the ground of the complaint in an action in a Court of First Instance is that an inferior tribunal, board, or officer exercising judicial functions, has exceeded the jurisdiction of such tribunal, board or officer, and there is no appeal, nor any plain, speedy and adequate remedy, and the Court, on trial, finds the allegations of the complaint to be true, it shall render a judgment ordering such inferior tribunal, board, or officer, or other person having the custody of the record or proceedings, at a specified time and place, to certify to the Court a transcript of the record and the proceedings, (describing or referring to them with convenient certainty) that the same may be reviewed by the Court; and requiring the party, in the meantime, to desist from further proceedings in the matter to be reviewed, if, in the judgment of the Court, a stay ought to be granted.

SEC. 218. *Service of order.*—A certified copy of the judgment and order of the Court, as provided in the preceding section, shall be served upon such inferior tribunal, board, or officer, in such manner as the Court may direct.

SEC. 219. *Enforcement of order.*—If such order is not obeyed, the Court may enforce it by attachment and by fine and imprisonment as for contempt.

SEC. 220. *Final proceedings in certiorari.*—When the proceedings complained of have been fully certified, the Court shall hear the parties and determine whether the inferior tribunal, board or officer has regu-

larly pursued its authority; and if it finds that such inferior tribunal, board or officer has not regularly pursued its authority, it shall thereupon give final judgment, either affirming, or annulling, or modifying, the proceedings below, as the law requires.

SEC. 221. *Certifying judgment to inferior tribunal.*—A copy of the final judgment, signed by the Clerk, shall be transmitted to the inferior tribunal, board or officer having the custody of the record or proceedings certified up.

MANDATE.

SEC. 222. *Mandate.*—When the complaint in an action in a Court of First Instance alleges that any inferior tribunal, corporation, board or person unlawfully neglects the performance of an act which the law specially enjoins as a duty resulting from an office, trust or station, or unlawfully excludes the plaintiff from the use and enjoyment of a right or office to which he is entitled and from which he is unlawfully precluded by such inferior tribunal, corporation, board or person, and the Court, on trial, finds the allegations of the complaint to be true, it may, if there is no other plain, speedy and adequate remedy in the ordinary Courts of law, render a judgment granting a peremptory order against the defendant, commanding him, immediately after the receipt of such order, or at some other specified time, to do the act required to be done to protect the rights of the plaintiff.

SEC. 223. *Damages in such action.*—If judgment be given for the plaintiff, he may recover in the same action the damages which he has sustained, as determined by the Court, by reason of the wrongful acts of the defendant, together with costs.

SEC. 224. *Service of the order.*—A certified copy of the judgment and order of mandate shall be served upon the defendant in such manner as the Court may direct.

SEC. 225. *Enforcement of order of mandate.*—When a peremptory mandate has been issued to and served upon any inferior tribunal, corporation, board or person, as provided in the preceding section, if it be made to appear to the Court that any member of such tribunal, corporation or board, or such person, upon whom the order has been personally served, has, without just excuse, refused or neglected to obey the same, the Court may, upon motion and notice to the defendant, and hearing, impose a fine not exceeding one thousand pesos upon the person offending.

In case of persistence in a refusal of obedience, the Court may order the party to be imprisoned until the order is obeyed, and may make any orders necessary and proper for the complete enforcement of the mandate.

PROHIBITION.

SEC. 226. *Prohibition.*—When the complaint in any action pending in any Court of First Instance alleges that the proceedings of any inferior tribunal, corporation, board or person, whether exercising functions judicial or ministerial, were without or in excess of the jurisdiction such tribunal, corporation, board, or person, and the Court, on trial, shall find that the allegations of the complaint are true, and that the plaintiff has no other plain, speedy and adequate remedy in the ordinary course of law, it shall render a judgment in favor of the plaintiff, including an order commanding the defendant absolutely to

desist or refrain from further proceedings in the action or matter specified therein.

SEC. 227. *Service of judgment and order.*—A certified copy of the judgment and order of prohibition shall be served upon the defendant in such manner as the Court shall direct.

SEC. 228. *Enforcement order of prohibition.*—An order of prohibition may be enforced in the same manner as is provided for the enforcement of an order of mandate in section 225.

SEC. 229. *Preliminary injunctions in certiorari, mandate and prohibition proceedings.*—A preliminary injunction in certiorari, mandate, and prohibition proceedings may be granted by the Judge, if, in his judgment, such injunction is necessary for the preservation of the rights of the parties, pending litigation.

SEC. 230. *Expediting such proceedings.*—The Court may, in its discretion make such orders as it deems necessary for expediting proceedings in actions praying for certiorari, mandate or prohibition, and the Judge may make such orders in vacation, as well as in term time.

CONTEMPT.

SEC. 231. *What contempts of Court may be punished summarily.*—A Court of First Instance or a Judge of such Court at chambers, may punish summarily, by fine not exceeding two hundred pesos, or by imprisonment not exceeding ten days, or both, a person guilty of misbehavior in the presence of or so near the Court or Judge as to obstruct the administration of justice including the refusal of a person present in Court to be sworn as a witness or to answer as a witness when lawfully required.

SEC. 232. *What other acts are contempts of Court.*—A person guilty of any of the following acts may be punished as for contempt:

1. Disobedience of, or resistance to, a lawful writ, process, order, judgment or command of a Court, or injunction granted by a Court or Judge;

2. Misbehavior of an officer of the Court in the performance of his official duties, or in his official transactions;

3. A failure to obey a subpoena duly served;

4. The rescue, or attempted rescue, of a person or property in the custody of an officer by virtue of an order or process of the Court held by him.

SEC. 233. *When accused entitled to be heard.*—In cases under the last section, a charge in writing shall be filed with the Clerk, an entry thereof made upon the docket, and an opportunity given to the accused to be heard, by himself or counsel; but this section shall not be so construed as to prevent the Court from issuing process to bring the accused party into Court, or from holding him in custody, pending such proceedings.

SEC. 234. *Right of accused to bail.*—In proceedings under section 232, if the hearing is not ordered to be held forthwith, the Court may fix the amount of an obligation to be given by the accused, with surety to the satisfaction of the Court, for the appearance of the accused to answer the charge; and upon the approval of such obligation the accused shall be released from custody.

SEC. 235. *Trial of the charge.*—Upon the day fixed for the trial the Court shall proceed to investigate the charge, and shall hear any answer or testimony which the accused may make or offer.

SEC. 236. *Punishment if found guilty.*—The Court shall then determine whether the accused is guilty of the contempt charged; and, if it be adjudged that he is guilty, he may be fined not exceeding one thousand pesos, or imprisoned not more than six months, or both. If the contempt consists in the violation of an injunction the person guilty of such contempt may also be ordered to make complete restitution to the party injured by such violation.

SEC. 237. *Imprisonment until order obeyed.*—When the contempt consists of the omission to do an act, which is yet in the power of the accused to perform, he may be imprisoned until he performs it.

SEC. 238. *Proceedings when party released on bail fails to appear.*—If the party released on bail fail to appear upon the day named, the Court may issue another order of arrest, or may order the obligation for his appearance to be prosecuted, or both; and, if the obligation be prosecuted, the measure of damages shall be the extent of the loss or injury sustained by the aggrieved party by reason of the misconduct for which the contempt was prosecuted and the costs of the proceedings, and such recovery shall be for the benefit of the party injured.

SEC. 239. *Right of Court who committed prisoner to release him.*—When a person has been imprisoned for contempt, the Court or judge who made the order may discharge him from imprisonment, when it shall be made to appear to the Court or judge that the public interests will not suffer thereby.

SEC. 240. *Final Judgment.*—The judgment and orders of a Court of First Instance, made in cases of contempt, except in cases arising under section 231, may be reviewed by the Supreme Court; but execution of the judgment and orders shall not be suspended until there is filed by the person in contempt, in the Court rendering the judgment, or making the order, an obligation with sureties to the acceptance of the Judge, in an amount to be by him fixed, and conditioned that if judgment be against him, he will abide and perform the order or judgment. But such review shall be had only after final judgment in the action in the Court of First Instance, and when the cause has regularly passed to the Supreme Court by bill of exceptions, as in this act provided.

EMINENT DOMAIN.

SEC. 241. *How the right of Eminent Domain may be exercised.*—The Government of the Philippine Islands, or of any province or department thereof, or of any municipality, and any person, or public or private corporation having by law the right to condemn private property for public use, shall exercise that right in the manner herein-after prescribed.

SEC. 242. *The Complaint.*—The complaint in condemnation proceedings shall state with certainty the right of condemnation, and describe the property sought to be condemned, showing the interest of each defendant separately.

SEC. 243. *Appointment of Commissioners.*—If the defendant concede that the right of condemnation exists on the part of the plaintiff, or if, upon trial the Court finds that such right exists, the Court shall appoint three judicious and disinterested landowners of the province in which the land to be condemned, or some portion of the same, is situated, to be Commissioners to hear the parties, and view the premises, and assess damages to be paid for the condemnation, and to report

their proceedings in full to the Court, and shall issue a commission under the seal of the Court to the Commissioners authorizing the performance of the duties herein prescribed.

SEC. 244. *Duty of Commissioners.*—Before entering upon the performance of their duties, the Commissioners shall take and subscribe an oath before the Judge, or Clerk, or any Justice of the Peace for the province, that they will faithfully perform their duties as Commissioners, which oath shall be filed in Court with the other proceedings in the case. Evidence under oath may be introduced by either party before the Commissioners, who are hereby authorized to administer oaths on hearings before them, and the Commissioners shall, unless the parties consent to the contrary, go to the premises together and view the property sought to be condemned, and its surroundings, and may examine and measure the same, after which either party may, by himself, or counsel, or both, argue the cause. The commissioners shall assess the value of the property taken and used, and shall also assess the consequential damages to the property not taken and deduct from such consequential damages the consequential benefits to be derived by the owners from the public use of the land taken, or from the operation of its franchise by the corporation, or by the carrying on of the business of the corporation, or person taking the property: provided, the consequential benefits assessed shall in no case exceed the consequential damage assessed; provided, further, that nothing in this section shall be so construed as to deprive the owner of the actual value of his property so taken or used.

SEC. 245. *Report of Commissioners.*—The Commissioners shall make full and accurate report to the Court of all their proceedings under their commission; but none of their proceedings shall be effectual to bind the property or the parties until the Court shall have accepted their report and rendered judgment in accordance with its recommendations.

SEC. 246. *Action of Court upon Commissioners' report.*—Upon the filing of such report in Court, the Court shall, upon hearing, accept the same and render judgment in accordance therewith; or for cause shown, it may recommit the report to the Commissioners for further report of facts, or it may set aside the report and appoint new Commissioners; or it may accept the report in part and reject it in part, and may make such final order and judgment as shall secure to the plaintiff the property essential to the exercise of his rights under the law, and to the defendant just compensation for the land so taken, and the judgment shall require payment of the sum awarded as provided in the next section, before the plaintiff can enter upon the ground and appropriate it to the public use.

SEC. 247. *Rights of plaintiff after the judgment.*—Upon payment by the plaintiff to the defendant of compensation as fixed by the judgment, or after tender to him of the amount so fixed, and payment of the costs, the plaintiff shall have the right to enter in and upon the land so condemned, to appropriate the same to the public use defined in the judgment; in case the defendant and his attorney absent themselves from the Court, or decline to receive the same, payment may be made to the Clerk of the Court for him, and such officer shall be responsible on his bond therefor, and shall be compelled to receive it.

SEC. 248. *Effect of exceptions.*—The allowance of a bill of exceptions in condemnation proceedings shall not operate as a supersedeas, nor

shall the right of the plaintiff to enter upon the land of the defendant and appropriate the same to public use be delayed by appeal to the Supreme Court. But if the Supreme Court shall determine that no right of appropriation on the part of the plaintiff existed, the case shall be remanded to the Court of First Instance with mandate that the defendant be replaced in possession of the property and that he recover the damages sustained by reason of the possession taken by the plaintiff.

SEC. 249. *Costs.*—The costs in all cases under this chapter relating to Eminent Domain shall be paid by the plaintiff; but in case the action is carried to the Supreme Court by the owner, the costs in the Supreme Court shall be paid by the owner if the judgment is affirmed.

SEC. 250. *Fees of Commissioners.*—The Commissioners appointed to condemn land for public uses in accordance with the preceding sections, shall receive a compensation of four pesos per day each for the time actually and necessarily employed in the performance of their duties and in making their report to the Court, which fees shall be taxed as a part of the costs of the proceedings and paid as provided in the preceding section.

SEC. 251. *Final judgment, its record and effect.*—The record of the final judgment in such action shall state definitely by metes and bounds and adequate description, the particular land or interest in land condemned to the public use, and the nature of the public use. A certified copy of the record of the judgment shall be recorded in the office of the registrar of deeds for the province in which the estate is situated, and its effect shall be to vest in the plaintiff for the public use stated the land and estate so described.

SEC. 252. *Power of guardian in condemnation proceedings.*—The guardian or guardian *ad litem* of a minor or person of unsound mind, may, on behalf of his ward, by approval of the Court do and perform any act, matter or thing respecting the condemnation for public uses of the land belonging to such minor or person of unsound mind, which such minor or person of unsound mind could do in such proceedings if he were of age or of sound mind.

SEC. 253. *Persons not notified not affected by such proceedings.*—Nothing herein contained shall be construed so as to injure, prejudice, defeat or destroy the estate, right or title of any person claiming land or any part thereof, or any interest therein, who was not made a party defendant to the condemnation proceedings and did not have actual or constructive notice of the proceedings in such manner as the law requires.

FORECLOSURE OF MORTGAGE.

SEC. 254. *Where action for foreclosure of real estate mortgage must be instituted.*—An action for the foreclosure of a mortgage, or other incumbrance, upon real estate, or an interest therein, must be brought in the Court of First Instance for the province in which the land, or some part, thereof lies.

SEC. 255. *The complaint in an action for foreclosure of a real estate mortgage.*—In an action for foreclosure of a real estate mortgage, or other incumbrance upon real estate, the complaint shall set forth the date, and due execution of the mortgage, its assignments, if any, the names and residences of the mortgagor and mortgagee, a description of the mortgaged premises, a statement of the date of the note or other obligation secured by the mortgage, and the amount

claimed to be unpaid thereon, and the names and residences of all persons having or claiming an interest in the premises subordinate in right to that of the holder of the mortgage, all of whom shall be made defendants in the action.

SEC. 256. *Trial and judgment in foreclosure suit.*—If upon trial in such action, the Court shall find the facts set forth in the complaint to be true, it shall ascertain the amount due to the plaintiff upon the mortgage debt or obligation, including interest, and costs, shall render judgment for the sum so found due, and order that the same be paid into Court, on or before the first day of the next term of the Court immediately succeeding the one at which such order was made, and that in default of such payment, the land shall be sold to realize the mortgage debt and costs.

SEC. 257. *Sale of the mortgaged property.*—When the defendant, after being directed to do so, as provided in the last preceding section, failed to pay the principal, interest and costs, at the time directed in the order the Court shall order the property to be sold in the manner and under the regulations that govern sales of real estate under execution; but such sale shall not affect the rights of persons holding prior incumbrances upon the same estate, or a part thereof. The sale, when confirmed by decree of the Court, shall operate to divest the rights of all the parties to the action, and to vest their rights in purchaser. Should the Court decline to confirm the sale, for good cause shown, and should set it aside, it shall order a re-sale in accordance with law.

SEC. 258. *Disposition of proceeds.*—The money arising from the sale of mortgaged property, under the regulations hereinbefore prescribed, shall after deduction of costs of sale, be paid to the person foreclosing the mortgage, and when there shall be any surplus, after paying off such mortgage, or other incumbrance, the same shall be paid to junior incumbrances in the order of their priority, to be ascertained by the Court, or if there be no such incumbrances, or there be a surplus after payment of such incumbrances, then to the mortgagor, or his agent or to the person entitled to it.

SEC. 259. *Disposition of proceeds in case the debt is not all due.*—If the debt for which the mortgage or incumbrance was held, is not all due, so soon as sufficient of the property has been sold to pay the amount due, with costs, the sale must cease; and afterwards, as often as more becomes due for principal or interest, the Court may, on motion, order more to be sold. But if the property cannot be sold in portions without injury to the parties, the whole shall be ordered to be sold in the first instance, and the entire debt and costs paid, there being a rebate of interest where such rebate is proper.

SEC. 260. *Judgment for balance after sale of property.*—Upon the sale of any real property, under a decree for a sale to satisfy a mortgage or other incumbrance thereon, if there be a balance due to the complainant, after applying the proceeds of the sale, the Court, upon motion, shall give a decree against the defendant for any such balance for which, by the record of the case, he may be personally liable to the plaintiff upon which execution may issue immediately if the balance is all due at the time of the rendition of the decree, otherwise the plaintiff shall be entitled to execution at such time as the balance remaining would have become due by the terms of the original contract which time shall be stated in the decree.

SEC. 261. *Final record.*—The final record in the action shall set

forth in brief, the petition and other pleadings, judgment, orders, the proceedings under the order of sale, and the decree confirming the same, and the name of the purchaser, with a description of the estate by him purchased. A certified copy of such record shall be recorded in the office of the registrar of deeds for the province in which the estate is situated.

MANUAL DELIVERY OF PERSONAL PROPERTY.

SEC. 262. *Delivery of litigated personal property to plaintiff.*—Whenever the complaint in an action shall pray for the recovery of the possession of personal property, the plaintiff may, at the time of instituting the action, or at any time before answer, file a notice claiming the delivery of such property to him, in the manner hereinafter provided.

SEC. 263. *Affidavit and obligation to be filed by plaintiff.*—Where a delivery is claimed, an affidavit must be made by the plaintiff, or by some one in his behalf, showing:

1. That the plaintiff is the owner of the property claimed (particularly describing it) or is entitled to the possession thereof;
2. That the property is wrongfully detained by the defendant;
3. The alleged cause of detention thereof according to his best knowledge, information and belief;
4. That it has not been taken for a tax assessment or fine pursuant to a statute, or seized under an execution, or an attachment, against the property of the plaintiff, or if so seized, that it is by statute exempt from such seizure;
5. The actual value of the property.

The plaintiff shall also at the same time file with the Clerk a written obligation of the plaintiff, executed by two or more sureties approved by the Court, to the effect that they are bound to the defendant in double the value of the property, as stated in the affidavit for the prosecution of the action, for the return of the property to the defendant, if the return thereof be adjudged, and for the payment to him of such sum as may in the cause be recovered against the plaintiff. The affidavit and obligation shall be filed with the Clerk of the Court in which the action is pending.

SEC. 264. *Warrant of seizure.*—Upon the filing of such affidavit and obligation, it shall be the duty of the Clerk, at the request of the plaintiff or his attorney, to issue under the seal of the Court, a warrant requiring the officer of the Court forthwith to take into his custody the personal property alleged to be wrongfully detained.

SEC. 265. *Service of warrant.*—Upon receiving the warrant named in the last section, the officer must forthwith take the property described in the warrant, if it be in the possession of the defendant or his agent, and retain it in his custody. If the property, or any part thereof be concealed in a building or inclosure, the officer must publicly demand its delivery; if it be not delivered, he must cause the building or enclosure to be broken open and take the property into his possession. When the officer has taken property as herein provided, he must keep it in a secure place and ultimately deliver it to the party entitled thereto, upon receiving his fees for taking, and his necessary expenses for keeping the same. He must, without delay, serve on the defendant a copy of the notice, undertaking and warrant, in the manner provided by law, for service of process.

SEC. 266. *Proceedings when objection is made to the sufficiency of the obligation.*—The defendant may, within two days after the service of a copy of the affidavit and undertaking and warrant, give notice to the Clerk that he excepts to the sufficiency of the obligation or of the sureties. If he fails to do so, he is deemed to have waived all objections to them. When the defendant excepts, the Clerk, on notice to both parties, and on hearing, shall investigate the sufficiency of the sureties as to their financial responsibility. If the Clerk finds the obligation to be insufficient in amount, he shall require a new obligation with sufficient sureties to be executed in double the value of the property as he shall ascertain it to be. If he shall find that the sureties are insufficient, he shall require new and sufficient sureties forthwith. In either case, if the plaintiff does not forthwith furnish a sufficient obligation with sufficient sureties, the Clerk shall make an order for the return of the property to the defendant, and it shall be returned. If the defendant except to the obligation or to the sureties, he cannot reclaim the property as provided in the next section.

SEC. 267. *Delivery of property to the defendant.*—At any time before the delivery of the property to the plaintiff, as in this section provided, the defendant may, if he do not except to the obligation or sureties of the plaintiff, require the return thereof, upon delivering to the Clerk a written obligation to the plaintiff executed by him, with two or more sufficient sureties, to the effect that they are bound in double the value of the property as stated in the affidavit of the plaintiff, for the delivery thereof to the plaintiff, if such delivery be adjudged, and for the payment of such sum to him as may be recovered against the defendant. If a return of the property be not so required within five days after the taking, and service of notice to the defendant, it must be delivered to the plaintiff, except as provided in section 270.

SEC. 268. *Defendant's obligation and sureties.*—The defendant's sureties, upon notice to the plaintiff, not less than two nor more than five days must justify before the Clerk, as provided in section 266 and upon such justification the officer must deliver the property to the defendant. If the defendant's sureties, or others in their place, fail to justify at the time and place appointed, the officer must deliver the property to the plaintiff.

SEC. 269. *Responsibility of officer and Clerk.*—The officer will be responsible for the property until the same is delivered to the plaintiff or defendant as herein provided. The Clerk will be responsible for the sufficiency of the sureties at the time he shall approve them but not for their sufficiency at a subsequent date, should their financial standing be thereafter changed.

SEC. 270. *If property claimed by third person.*—If the property taken be claimed by any other person than the defendant or his agent, and such person make an affidavit of his title thereto or right to the possession thereof, stating the grounds of such right or title, and serve the same upon the officer while he has possession of the property, the officer is not bound to keep the property, or deliver it to the plaintiff, unless the plaintiff on demand of him or of his agent, indemnify the officer against such claim by an obligation with two sufficient sureties; and no claim to such property or damage for its seizure, by any other person than the defendant or his agent shall be valid against the officer, unless so made. But nothing herein contained shall prevent such third person from vindicating his claim to the property by any proper action.

SEC. 271. *Return of papers.*—The officer must file the warrant with his proceedings endorsed thereon, with the Clerk of the Court, within twenty days after taking the property mentioned therein.

SEC. 272. *Final judgment.*—On trial, the Court shall adjudge the property to the plaintiff or to the defendant, as the law and facts warrant, together with such damages and costs as either party establishes a right to recover.

CHAPTER X.

RULES OF EVIDENCE—AFFIDAVITS AND DEPOSITIONS—PERPETUATION OF TESTIMONY.

RULES OF EVIDENCE.

SEC. 273. *Preponderance of evidence, how determined.*—In determining where the preponderance or superior weight of evidence on the issues involved lies, the Court may consider all the facts and circumstances of the case, the witnesses' manner of testifying, their intelligence, their means and opportunity of knowing the facts to which they are testifying, the nature of the facts to which they testify, the probability or improbability of their testimony, their interest or want of interest, and also their personal credibility so far as the same may legitimately appear upon the trial. The Court may also consider the number of the witnesses, though the preponderance is not necessarily with the greatest number.

SEC. 274. *The same rules in all cases in all Courts of the Islands.*—The rules of evidence shall be the same in all Courts of the Islands, and upon every trial, unless otherwise expressly provided by statute.

SEC. 275. *Matters judicially recognized.*—The existence and territorial extent of states, and of the several islands forming the Philippine Archipelago, their forms of government and symbols of nationality, the laws of nations, the admiralty and maritime Courts of the world and their seals, the political constitution and history of the United States and of the Philippine Islands, the seals of the several departments of the government of the United States, and of the States of the Union, and of the Philippine Islands, public and private, and official acts of the legislative, executive and judicial departments of the United States and of the Philippine Islands, the laws of nature, and the measure of time, the geographical divisions and political history of the world, and all similar matters of public knowledge shall be judicially recognized by the Court without the introduction of proof; but the Court may receive evidence upon any of the subjects in this section stated, when it shall find it necessary for its own information, and may resort for its aid to appropriate books, documents or evidence.

SEC. 276. *Personal knowledge and hearsay evidence.*—A witness can testify to those facts only which he knows of his own knowledge; that is, which are derived from his own perception, except in those few express cases in which his opinions or inferences from the declarations of others, as hereinafter stated, are admissible.

SEC. 277. *Rights of party not prejudiced by act, declaration or omission of another.*—The rights of a party cannot be prejudiced by the declaration, act or omission of another, except by virtue of a particular relation between them, as hereinafter stated; therefore, proceedings against one cannot affect another.

SEC. 278. *Exceptions where one derives title to real property from another.*—Where, however, one derives title to real property from another, the declaration, act or omission of the latter, while holding the title, in relation to the property, is evidence against the former.

SEC. 279. *Exception where declaration, act or omission forms part of the transaction.*—Where, also, the declaration, act or omission forms part of a transaction, which is itself a fact in dispute, or evidence of that fact, such declaration, act or omission, is evidence as part of the transaction. Such evidence may be termed admissible as constituting a part of the *res gestae*.

SEC. 280. *Where dispute relates to obligation or duty of third person, prima facie evidence.*—Where the question in dispute between the parties is the obligation or duty of a third person, whatever would be the evidence for or against such person is *prima facie* evidence between the parties; *prima facie* evidence being that which suffices for the proof of a particular fact, until contradicted and overcome by other evidence.

SEC. 281. *Hearsay evidence of questions of pedigree.*—The declaration, act, or omission of a member of a family who is not living, or is outside the jurisdiction of the Philippine Islands, is admissible as evidence of pedigree or relationship, or family genealogy in cases where pedigree relationship or family genealogy are questions at issue.

SEC. 282. *Declaration, act, or omission of deceased person against his interests.*—The declaration, act, or omission of a deceased person, having sufficient knowledge of the subject, against his pecuniary interest, is admissible as evidence to that extent against his successor in interest.

SEC. 283. *When part of acts, declaration, or writing given in evidence, the remainder available to opposite party.*—When part of an act, declaration, conversation, or writing is given in evidence by one party, the whole of the same subject may be inquired into by the other, and when a detached act, declaration, conversation or writing is given in evidence, any other act, declaration, conversation or writing which is necessary to make it understood may also be given in evidence.

SEC. 284. *Original writing must ordinarily be produced.*—There can be no evidence of the contents of a writing, other than the writing itself, except in the following cases:

1. When the original has been lost or destroyed, in which case proof of the loss or destruction must first be made;

2. When the original is in possession of the party against whom the evidence is offered, and who fails to produce it after reasonable notice;

3. When the original is a record or other document in the custody of a public officer;

4. When the original has been recorded and a certified copy of the record is made evidence by the Code or other statute;

5. When the original consist of numerous accounts or other documents, which cannot be examined in Court without great loss of time and the facts sought to be established from them is only the general result of the whole.

SEC. 285. *Written agreement presumed to contain all the terms of the agreement.*—When the terms of an agreement have been reduced to writing by the parties, it is to be considered as containing all those terms and therefore there can be between the parties and their representatives or successors in interest no evidence of the terms of agreement other than the contents of the writing, except in the following cases:

1. Where a mistake or imperfection of the writing, or its failure to express the true intent and agreement of the parties, is put in issue by the pleadings;

2. Where the validity of the agreement is the fact in dispute. But this section does not exclude other evidence of the circumstances under which the agreement was made, or to which it relates, or to explain an intrinsic ambiguity, or to establish its illegality or fraud. The term agreement includes deeds and instruments conveying real estate and wills as well as contracts between parties.

SEC. 286. *Writing to be interpreted according to legal meaning.*—The language of a writing is to be interpreted according to the legal meaning it bears in the place of its execution, unless the parties have reference to a different place.

SEC. 287. *Construction of statute or instrument containing several provisions.*—In the construction of a statute or instrument where there are several provisions or particulars, such a construction is, if possible, to be adopted as will give effect to all.

SEC. 288. *General rule for construction of statute or instrument.*—In the construction of a statute, the intention of the legislature, and in the construction of an instrument, the intention of the parties, is to be pursued; and when a general and particular provision are inconsistent, the latter is paramount to the former. So a particular intent will control a general one that is inconsistent with it.

SEC. 289. *For construction of an instrument circumstances may be shown.*—For the proper construction of an instrument, the circumstances under which it is made, including the situation of the subject of the instrument and the parties to it, may also be shown, so that the Judge may be placed in the position of those whose language he is to interpret.

SEC. 290. *Terms of a writing presumed to be in their ordinary sense.*—The terms of a writing are presumed to have been used in their primary and general acceptance, but evidence is nevertheless admissible that they have a local, technical or otherwise peculiar signification, and were so used and understood in the particular instance, in which case the agreement must be construed accordingly.

SEC. 291. *Instrument partly written and partly printed.*—When an instrument consists partly of written words and partly of a printed form and the two are inconsistent, the former controls the latter.

SEC. 292. *Experts and interpreters to be used in explaining certain writings.*—When the characters in which an instrument is written are difficult to be deciphered, or the language is not understood by the Court, the evidence of persons skilled in deciphering the characters, or who understand the language, is admissible to declare the characters or meaning of the language.

SEC. 293. *Where intention of different parties to instrument not the same.*—When the terms of an agreement have been intended in a different sense by the different parties to it, that sense is to prevail against either party in which he supposed the other understood it; and when different constructions of a provision are otherwise equally proper, that is to be taken which is the most favorable to the party in whose favor the provision was made.

SEC. 294. *Construction in favor of natural right.*—When a statute or instrument is equally susceptible of two interpretations, one in favor of natural right and the other against in the former is to be adopted.

SEC. 295. *Material allegations only need be proved.*—No allegation contained in the complaint or answer immaterial to the issues need be proved.

SEC. 296. *Evidence must be relevant.*—Evidence must correspond with the substance of the material allegations and be relevant to the question in dispute. Collateral questions must therefore be avoided. It is, however, within the discretion of the Court to permit the inquiry into a collateral fact when such fact is directly connected with the question in dispute, and is essential to its proper determination, or when it affects the credibility of a witness.

SEC. 297. *Party must prove his affirmative allegations.*—Each party must prove his own affirmative allegations. Evidence need not be given in support of a negative allegation except when such negative allegation is an essential part of the statement of the right or title on which the cause of action or defense is founded, nor even in such case when the allegation is a denial of the existence of a document, the custody of which belongs to the opposite party.

SEC. 298. *To what facts evidence may be given.*—In conformity with the preceding provisions, evidence may be given upon a trial of the following facts:

1. The precise fact in dispute;
2. The act, declaration, or omission of a party, as evidence against such party;
3. An act or declaration of another in the presence and within the observation of a party, and his conduct in relation thereto, where the act or declaration is such as naturally to call for action or comment by such party;
4. The act or declaration, verbal or written, of a deceased person, or a person not in the Philippine Islands, in respect to the relationship, birth, marriage, or death of any person related by blood or marriage to such deceased person or person not in the Philippine Islands; the act or declaration of a deceased person done or made against his interests in respect to his real property;
5. After proof of a partnership or agency, the act or declaration of a partner or agent of the party within the scope of the partnership or agency during its existence. The same rule applies to the act or declaration of a joint owner, or joint debtor, or other person jointly interested with the party;
6. After proof of a conspiracy, the act or declaration of a conspirator relating to the conspiracy;
7. The act, declaration, or omission forming part of a transaction;
8. The testimony of a witness deceased, or out of the jurisdiction, or unable to testify, given in a former action between the same parties, relating to the same matter;
9. The opinion of a witness respecting the identity or handwriting of a person, when he has knowledge of the person or handwriting; his opinion on a question of science, art or trade, when he is skilled therein;
10. The opinion of a subscribing witness to a writing, the validity of which is in dispute, respecting the mental sanity of the signer; and the opinion of an intimate acquaintance respecting the matter of sanity of a person, the reason for the opinion being given;
11. Common reputation existing previous to the controversy, respecting facts of a public or general interest more than thirty years old, and in cases of pedigree and boundary;

12. Usage, to explain the true character of an act, contract, or instrument, where such true character is not otherwise plain; but usage is never admissible, except as an instrument of interpretation;

13. Monument and inscription in public places, as evidence of common reputation; and entries in family bibles, or other family books or charts; engravings on rings, family portraits and the like, as evidence of pedigree;

14. The contents of a writing, when oral evidence thereof is admissible;

15. Any other facts from which the facts in issue are presumed, or are logically inferable;

16. Such facts as serve to show the credibility of a witness, by affecting his reputation for truth, and by showing his motives, and by evidence of contradictory statements made by him as to the subject matter of his evidence.

SEC. 299. *Public writings.*—The written acts or record of the acts of the sovereign authority, of official bodies and tribunals and of public officers, legislative, judicial and executive, of the Philippine Islands, or of the United States, or of any States of the United States or of a foreign country; and public records kept in the Philippine Islands of private writings, are public writings. A copy of a public writing, duly certified to be a true copy thereof, is admissible evidence in like cases, and in like effect as the original writing.

SEC. 300. *Printed laws of the State or Country.*—Books printed or published under the authority of the United States, or one of the States of the United States, or a foreign country, and purporting to contain statutes, codes, or other written law of such State or country, or proved to be commonly admitted in the tribunals of such State or country as evidence of the written law thereof, are admissible in the Philippine Islands as evidence of such law.

SEC. 301. *Attested copy of foreign law.*—A copy of the written law, or other public writing of any State or country, attested by the certificate of the officer having charge of the original, under the seal of the State or country, is admissible as evidence of such law or writing.

SEC. 302. *Oral proof of United States or foreign unwritten law.*—The oral testimony of witnesses, skilled therein, is admissible as evidence of the unwritten law of the United States or of any State of the United States, or foreign country, as are also printed and published books of reports of decisions of the Courts of the United States or of such State or country, or proved to be commonly admitted in such Courts.

SEC. 303. *Proof of Domestic Judicial records.*—A judicial record of the proceedings in a Court of justice, or of official acts of a judicial officer in an action or special proceedings, within the United States or any State or Territory thereof, or within the Philippine Islands, may be proved by the production of the original, or by a copy thereof, certified by the Clerk or other person having the legal custody thereof, with the seal of the Court annexed, together with a certificate of the chief Judge or presiding magistrate, that the attestation is in due form.

SEC. 304. *Proof of foreign judicial records.*—A judicial record of a foreign country may be proved by the attestation of the Clerk, with the seal of the Court annexed, if there be a Clerk and seal, or of the the legal keeper of the record, with the seal of his office annexed, if there be a seal, together with a certificate of the Chief Judge, or pre-

siding magistrate, that the person making the attestation is the Clerk of the Court, or legal keeper of the record, and in either case, that the signature of such person is genuine, and that the attestation is in due form. The signature of the Chief Judge or presiding magistrate, must be authenticated by the certificate of a Minister or Ambassador, or a consul, vice-consul or consular agent of the United States in such foreign country.

SEC. 305. *Proof of foreign judicial record by examined copy.*—A copy of the judicial record of a foreign country is also admissible in evidence, upon proof:

1. If the copy has been compared by the witness with the original, and is an exact transcription of the whole;

2. That such original was in the custody of the Clerk of the Court, or other legal keeper of the same;

3. That the copy is duly attested with the seal, if there prove to be a seal of the Court where the record remains, if it be the record of the Court; or if there be no such seal, or if it be not the record of the Court, by the signature of the legal keeper of the original.

SEC. 306. *Effect of judgment.*—The effect of a judgment or final order in an action or special proceeding before a Court or Judge of the Philippine Islands or of the United States, or of any State or Territory of the United States, having jurisdiction to pronounce the judgment or order, may be as follows:

1. In case of a judgment or order against a specific thing, or in respect to the probate of a will, or the administration of the estate of a deceased person, or in respect to the personal, political, or legal condition or relation of a particular person, the judgment or order is conclusive upon the title of the thing, the will, or administration, or the condition or relation of the person; provided that the probate of a will or granting of letters of administration shall only be *prima facie* evidence of the death of the testator or intestate;

2. In other cases, the judgment so ordered is, in respect to the matter directly adjudged conclusive between the parties, and their successors in interest by title subsequent to commencement of the action or special proceeding, litigating for the same thing and under the same title, and in the same capacity.

SEC. 307. *What is deemed to have been adjudged in a former judgment.*—That only is deemed to have been adjudged in a former judgment which appears upon its face to have been so adjudged, or which was actually and necessarily included therein or necessary thereto.

SEC. 308. *When principal bound by judgment against surety.*—When the party is bound by a record, and such party stands in the relation of surety for another, the latter is also bound from the time that he has notice of the action or proceeding, and an opportunity at the surety's request to join in the defense.

SEC. 309. *Effect of judicial record of a Court in the United States.*—The effect of a judicial record of a Court of the United States, or of a Court of one of the States or Territories of the United States, is the same in the Philippine Islands as in the United States, or in the State or Territory where it was made, except that it can only be enforced here by an action or special proceeding, and except, also, that the authority of a guardian, or executor, or administrator does not extend beyond the jurisdiction of the Government under which he was invested with his authority.

SEC. 310. *Effect of judicial record of a Court of Admiralty for a foreign country.*—The effect of a judicial record of a Court of Admiralty of a foreign country is the same as if it were the record of a Court of admiralty within the Philippine Islands.

SEC. 311. *Effect of other foreign judgment.*—The effect of a judgment of any other tribunal of a foreign country, having jurisdiction to pronounce the judgment, is as follows:

1. In case of a judgment against a specific thing, the judgment is conclusive upon the title to the thing;

2. In case of a judgment against a person, the judgment is presumptive evidence of a right as between the parties and their successors in interest by a subsequent title; but the judgment may be repelled by evidence of a want of jurisdiction, want of notice to the party, collusion, fraud, or clear mistake of law or fact.

SEC. 312. *How judicial record may be impeached.*—Any judicial record may be impeached by evidence of a want of jurisdiction in the Court or judicial officer, of collusion between the parties, or of fraud in the party offering the record, in respect to the proceedings.

SEC. 313. *Proof of other official documents.*—Official documents may be proved, as follows:

1. Acts of the chief executive of the Philippine Islands, by the record of his office, certified by his secretary under the seal thereof, if there be one; acts of the executive of the United States, by the records of the Departments of the United States Government, wherein are contained the records of such acts, certified by the heads of such departments. They may also be proved by public documents, printed by the order of the chief executive of the Philippine Islands, or the President of the United States, or by order of Congress, or either house thereof, or by the order of the Philippine Commission, or by the order of any legislative assembly which may be provided for the Philippine Islands. Acts of the executive of the Philippine Islands under Spanish administration may be proved by the records thereof in the custody of the United States officials, or officials of the government of the Philippine Islands, certified by the legal keeper of the records. They may also be proved by public documents printed by the order of the chief executive of the Philippine Islands. Acts of the chief executive of Spain may be proved by the records of any department of that executive, certified by the head of the department in which the record is;

2. The proceedings of the United States Philippine Commission, or of any legislative body that may be provided for the Philippine Islands, or of Congress, by the journals of those bodies, or of either house thereof, or by published statutes or resolutions, or by copies certified by the Clerk or secretary, or printed by their order. The proceedings of the legislative branch of the Government of Spain prior to the eighteenth day of August, 1898, may be proved by public documents, or statutes or resolutions, printed by the order of the executive or legislative departments of the government of Spain, or commonly received in that country as such, or by copy certified under the seal of either the executive or the legislative branch of the government of Spain, or by a recognition thereof in some public act of the executive of the United States;

3. The acts of the executive or the proceedings of the legislature, of any State or Territory of the United States, in the same manner as provided in paragraphs one and two;

4. The acts of the executive or the proceedings of the legislature of a foreign country, by journals published by their authority, or commonly received in that country as such, or by a copy certified under the seal of the country or sovereign, or by recognition thereof in some public act of the executive of the United States;

5. The acts of a municipal corporation of the Philippine Islands, or of a board or department thereof, by a copy certified by the legal keeper thereof, or by a printed book published by the authority of such corporation;

6. Official documents of any other class in the Philippine Islands, by the original, or by copy certified by the legal keeper thereof;

7. Official documents of any other class in the United States, or in any State or Territory thereof, by the original, or by a copy, certified by the legal keeper thereof, together with the certificate of the Secretary of State, Judge of the Supreme, Superior, or Country Court, or a mayor of a city of the United States, or of such State or territory, that the copy is duly certified by the officer having the legal custody of the original;

8. Official documents of any other class of a foreign country, by the original, or by a copy, certified by the legal keeper thereof, with a certificate, under the seal of the country or sovereign that the document is a valid and subsisting document of such country, and that the copy is duly certified by the officer having the legal custody of the original;

9. Official documents in Departments of the United States Government, by the certificate of the legal custodian thereof.

SEC. 314. *Proof of public record of private writing.*—An authorized public record of a private writing may be proved by the original record, or by a copy thereof, certified by the legal keeper of the record.

SEC. 315. *Entries in official book.*—Entries in public, or other official books or records, made in the performance of his duty by a public officer of the Philippine Islands; or by another person in these Islands in the performance of a duty specially, enjoined by law, are *prima facie* evidence of the facts therein stated.

SEC. 316. *Proof of judgment of Justice of the Peace.*—A transcript from the record or docket of a Justice of the Peace within the United States, or any State or Territory thereof, or within the Philippine Islands, of a judgment rendered by him, of the proceedings in the action before the judgment, of the execution and return, if any, subscribed by the Justice and verified in the manner prescribed in the next section, is admissible evidence of the facts stated therein.

SEC. 317. *Certificate attached to transcript of justice record.*—There must be attached to the transcript a certificate of the Justice that the transcript is in all respects correct, and that he had jurisdiction of the action, and also a further certificate of the Clerk of the county, if within the United States, or a State or Territory thereof, or of the Clerk of the Court of First Instance of the province, if within the Philippine Islands, in which the Justice resided at the time of rendering the judgment, under the seal of the county, or of the Court of Common Pleas, or County Court, or Court of First Instance thereof, certifying that the person subscribing the transcript was at the date of the judgment a Justice of the Peace in the county or province, and that the signature is genuine. Such judgment, proceedings and jurisdiction may also be proved by the Justice himself, on the produc-

tion of his docket, or by a copy of the judgment and his oral examination as a witness.

SEC. 318. *What certificate of copy of writing must state.*—Whenever a copy of a writing is certified for the purpose of evidence, the certificate must state in substance that the copy is a correct copy of the original, or a specific part thereof, as the case may be. The certificate must be under the official seal of the certifying officer, if there be any, or if he be the clerk of a Court having a seal, under the seal of such Court.

SEC. 319. *Effect of a seal.*—A seal or particular sign, made to attest in the most formal manner, the execution of an instrument, does not effect its validity. There shall be no difference in legal effect between sealed and unsealed private writings.

SEC. 320. *Historical works, books of science, and maps.*—Historical works, books of science, or art, published maps or charts, when made by persons indifferent between the parties, are *prima facie* evidence of facts of general notoriety and interest.

SEC. 321. *Secondary evidence of the contents of a lost writing.*—An original writing must be produced and proved, except as otherwise provided in this act. If it has been lost, proof of the loss must first be made, before evidence can be given of its contents. Upon such proof being made, together with proof of the due execution of the writing, its contents may be proved by a copy or by a recital of its contents in some authentic document, or by the recollection of a witness.

SEC. 322. *Secondary evidence of writing in custody of adverse party.*—If the writing be in the custody of the adverse party, he must have reasonable notice to produce it. If he then fail to do so, the contents of the writing may be proved as in the case of its loss. But the notice to produce it is not necessary where the writing is itself a notice, or where it has been wrongfully obtained or withheld by the adverse party.

SEC. 323. *Party calling for writing not bound to offer it as evidence.*—Though a writing called for by one party is produced by the other, and is thereupon inspected by the party calling for it, he is not obliged to produce it as evidence in the case.

SEC. 324. *Proof of writing.*—Any writing may be proved, either:

1. By any one who saw the writing executed; or
2. By evidence of the genuineness of the handwriting of the maker; or
3. By a subscribing witness.

SEC. 325. *Denial of execution by subscribing witness.*—If the subscribing witness denies, or does not recollect the execution of the writing, its execution may still be proved by other evidence.

SEC. 326. *When other evidence of the execution of writing need not be produced.*—Where a writing is more than thirty years old, and evidence is given that the party against whom the writing is offered has at any time admitted its execution, or where the writing is one produced from the custody of the adverse party, and has been acted upon by him as genuine, no other evidence of the execution need be given.

SEC. 327. *Proof of handwriting.*—The handwriting of a person may be proved by anyone who believes it to be his, and has seen him write, or has seen writing purporting to be his, upon which he has acted, or been charged, and he has thus acquired knowledge of his handwriting. Evidence respecting the handwriting may also be given by comparison, made by the Court, with writings admitted or treated as genuine by

the party against whom the evidence is offered, or proved to be genuine to the satisfaction of the judge. Where the writing is more than thirty years old, the comparisons may be made with writings purporting to be genuine, and generally respected and acted upon as such by persons having an interest and knowing the fact.

SEC. 328. *Writings of a deceased person.*—The entries and other writings of a deceased person, made at or near the time of the transaction, and in a position to know the facts stated therein, may be read as *prima facie* evidence of the facts therein stated, in the following cases:

1. When the entry was made against the interests of the person making it;
2. When it was made in a professional capacity, and in the ordinary course of professional conduct;
3. When it was made in the performance of a duty specially enjoined by law, or in the course of the ordinary and regular duties of the person making the entry.

SEC. 329. *What are original entries.*—When an entry is repeated in the regular course of business, one being copied from another at or near the time of the transaction, all the entries are equally regarded as originals.

SEC. 330. *Original records not to be removed from office.*—The record of a conveyance of real property, or any other record, transcript of which is admissible in evidence, must not be removed from the office at which it is kept, except upon order of a Court, in cases where the inspection of the record is shown to be essential to the just determination of the cause or action or proceeding pending, or where the Court is held in the same building with such office.

SEC. 331. *Proof of real estate titles.*—Every instrument conveying or affecting real property situated in the Philippine Islands, acknowledged or proved and certified as provided by law prevailing in the Philippine Islands, may, together with the certificate of the acknowledgment or proof, be read in evidence in an action or proceeding without further proof; also the original record of such conveyance or instrument thus acknowledged or proved, or a certified copy of the record of such conveyance or instrument thus acknowledged or proved, may be read in evidence with the like effect as the original instrument, without further proof.

SEC. 332. *View of an object by the court.*—Whenever an object has such a relation to the fact in dispute as to afford reasonable grounds of belief respecting it, such object may be exhibited to the Court, or its existence situation or character proved by witnesses, as the Court in its discretion may determine.

SEC. 333. *Conclusive presumptions.*—The following presumptions or deductions, which the law expressly directs to be made from particular facts, are deemed conclusive:

1. Whenever a party has, by his own declaration, act, or omission, intentionally and deliberately led another to believe a particular thing true, and to act upon such belief, he cannot, in any litigation arising out of such declaration, act or omission, be permitted to falsify it;
2. The tenant is not permitted to deny the title of his landlord at the time of the commencement of the relation of landlord and tenant between them;
3. The issue of a wife cohabiting with her husband, who is not im-

tent, is indisputably presumed to be legitimate, if not born within the one hundred and eighty days immediately succeeding the marriage, or after the expiration of three hundred days following its dissolution.

4. The judgment or order of a Court, when declared by the Court to be conclusive.

SEC. 334. *Disputable presumptions.*—The following presumptions are satisfactory, if uncontradicted, but they are disputable and may be contradicted by other evidence:

1. That a person is innocent of crime or wrong;
2. That an unlawful act was done with an unlawful intent;
3. That a person intends the ordinary consequence of his voluntary act;
4. That a person takes ordinary care of his own concerns;
5. That evidence wilfully suppressed would be adverse if produced;
6. That money paid by one to another was due to the latter;
7. That a thing delivered by one to another belonged to the latter;
8. That an obligation delivered up to the debtor has been paid;
9. That former rent or installments had been paid when a receipt for the later ones is produced;
10. That things which a person possesses are owned by him;
11. That a person is the owner of property from exercising acts of ownership over it, or from common reputation of his ownership;
12. That a person in possession of an order on himself for payment of money, or the delivery of anything, has paid the money or delivered the thing accordingly;
13. That a person acting in a public office, was regularly appointed or elected to it;
14. That official duty has been regularly performed;
15. That a Court or Judge acting as such, whether in the Philippine Islands or elsewhere, was acting in the lawful exercise of his jurisdiction;
16. That all the matters within an issue in an action, were laid before the Court and passed upon by it; and in like manner that all matters within a submission to arbitration were laid before the arbitrators and passed upon by them;
17. That private transactions have been fair and regular;
18. That the ordinary course of business has been followed;
19. That a promissory note or bill of exchange was given or endorsed for a sufficient consideration;
20. That an endorsement of a negotiable promissory note or bill of exchange was made after the time and at the place of making the note or bill;
21. That a writing is duly dated;
22. That a letter duly directed and mailed was received in the regular course of the mail;
23. Identity of person from identity of name;
24. That a person not heard from in seven years is dead;
25. That acquiescence resulted from a belief that the thing acquiesced in was conformable to the law or fact;
26. That things have happened according to the ordinary course of nature and the ordinary habits of life;
27. That persons acting as copartners have entered into a contract of copartnership;
28. That a man and woman deporting themselves as husband and wife, have entered into a lawful contract of marriage;

29. That a child born in lawful wedlock, there being no divorce, absolute or from bed and board, is legitimate;

30. That a thing once proved to exist continues as long as is usual with things of that nature;

31. That the law has been obeyed;

32. That a document or writing more than thirty years old is genuine, when the same has since been generally acted upon as genuine by persons having an interest in the question, and its custody has been satisfactorily explained;

33. That a printed or published book, purporting to be printed or published by public authority, was so printed or published;

34. That a printed or published book, purporting to contain reports of cases adjudged in tribunals of the State or country where the book is published, contained correct reports of such cases;

35. That a trustee or other person whose duty it was to convey real property to a particular person, has actually conveyed to him when such presumption is necessary to perfect the title of such person or his successor in interest;

36. That there was a good and sufficient consideration for a written contract;

37. When two persons perish in the same calamity, such as wreck, battle, or conflagration, and it is not shown who died first, and there are no particular circumstances from which it can be inferred, the survivorship is presumed from the probabilities resulting from the strength, and age of the sexes, according to the following rules:

First. If both those who have perished were under the age of fifteen years, the older is presumed to have survived;

Second. If both were above the age of sixty, the younger is presumed to have survived;

Third. If one be under fifteen and the other above sixty, the former is presumed to have survived;

Fourth. If both be over fifteen and under sixty, and the sexes be different, the male is presumed to have survived. If the sexes be the same, then the older;

Fifth. If one be under fifteen or over sixty, and the other between those ages, the latter is presumed to have survived.

SEC. 335. *Agreements invalid unless made in writing.*—In the following cases an agreement hereafter made shall be unenforceable by action unless the same, or some note or memorandum thereof, be in writing, and subscribed by the party charged, or by his agent; evidence, therefore, of the agreement can not be received without the writing, or secondary evidence of its contents:

1. An agreement that by its terms is not to be performed within a year from the making thereof;

2. A special promise to answer for the debt, default, or miscarriage of another;

3. An agreement made upon the consideration of marriage, other than a mutual promise to marry;

4. An agreement for the sale of goods, chattels or things in action, at a price not less than one hundred pesos, unless the buyer accept and receive part of such goods and chattels, or the evidences, or some of them, of such things in action, or pay at the time some part of the purchase money; but when a sale is made by auction and entry is made by the auctioneer in his sales book at the time of the sale, of the

amount of property sold, terms of sale, price, names of the purchasers, and person on whose account the sale is made, it is a sufficient memorandum;

5. An agreement for the leasing for a longer period than one year, or for the sale of real property, or of an interest therein, and such agreement, if made by the agent of the party sought to be charged, is invalid unless the authority of the agent be in writing and subscribed by the party sought to be charged;

6. No evidence is admissible to charge a person upon a representation as to the credit of a third person, unless such representation, or some memorandum thereof, be in writing, and either subscribed by, or in the handwriting of, the party to be charged.

SEC. 336. *Alteration in writing.*—The party producing a writing as genuine which has been altered, and appears to have been altered after its execution, in a part material to the question in dispute, must account for the appearance of the alteration. He may show that the alteration was made by another, without his concurrence, or was made with the consent of parties affected by it or otherwise properly or innocently made, or that the alteration did not change the meaning or language of the instrument. If he do that, he may give the writing in evidence, but not otherwise.

SEC. 337. *Leading questions.*—A question which suggests to the witness the answer which the examining party desires, is a leading question. On a direct examination, leading questions are not allowed, except in the sound discretion of the Court under special circumstances making it appear that the interests of justice require it.

SEC. 338. *Witness may refer to memorandum.*—A witness may be allowed to refresh his memory respecting a fact, by anything written by himself or under his direction at the time when the fact occurred, or immediately thereafter, or at any other time when the fact was fresh in his memory and he knew that the same was correctly stated in the writing; but in such case the writing must be produced and may be seen by the adverse party, who may, if he choose, cross-examine the witness upon it, and may read it in evidence.

So, also, a witness may testify from such a writing, though he retain no recollection of the particular facts, if he is able to swear that the writing correctly stated the transaction when made; but such evidence must be received with caution.

SEC. 339. *Leading questions on cross-examination.*—The opposite party may cross-examine a witness to any facts stated in his direct examination, or connected therewith, and in so doing he may put leading questions. But, if he examine him as to other matters, such examination is to be subject to the same rules as a direct examination.

SEC. 340. *Party may not impeach his own witness.*—The party producing a witness is not allowed to impeach his credit by evidence of bad character, but may contradict him by other evidence, and in the discretion of the Court, in order to show that the witness has misled him into calling him to the stand, may also show that he has made at other times statements inconsistent with present testimony.

SEC. 341. *Recalling witness.*—After the examination of a witness by both sides has been concluded, the witness cannot be recalled without leave of the Court. The Court will grant or withhold leave in its discretion, as the interests of justice may require.

SEC. 342. *Impeaching witness.*—A witness may be impeached by the

party against whom he was called, by contradictory evidence, or by evidence that his general reputation for truth, honesty or integrity is bad; but not by evidence, of particular wrongful acts except that it may be shown by the examination of the witness, or the record of the judgment, that he has been convicted of a high crime.

SEC. 343. *Impeachment of witness by inconsistent statements.*—A witness may also be impeached by evidence that he has made at other times statements inconsistent with his present testimony; but before this can be done, the statement must be related to him, with the circumstances of the times and places, and the persons present, and he must be asked whether he made such statements, and, if so, allowed to explain them. If the statements be in writing, they must be shown to the witness before any question is put to him concerning them.

SEC. 344. *Evidence of good character of the witness.*—Evidence of the good character of a party or witness is not admissible in a civil action, until the character of such party or witness has been impeached, or unless the issue involved is character.

SEC. 345. *Right of opposite party to inspect writing shown to a witness.*—Whenever a writing shown to a witness, it may be inspected by the opposite party.

SEC. 346. *Offer of compromise.*—An offer of compromise is not an admission that anything is due, and is not admissible in evidence.

SEC. 347. *Unaccepted offer in writing equivalent to tender.*—An offer in writing to pay a particular sum of money or to deliver a written instrument, or specific personal property, is, if rejected, equivalent to the actual production and tender of the money, instrument, or property.

AFFIDAVITS AND DEPOSITIONS.

SEC. 348. *Use of affidavit.*—An affidavit, which is a written declaration under oath, made without notice to the adverse party, may be used to verify the pleading or paper in a special proceeding to prove the service of a summons, notice or other paper in an action or special proceeding to obtain a provisional remedy; examination of witnesses, or stay of proceedings, or upon a motion, and in any other case specially permitted by some other provision of this code. Evidence of the publication of a document, or notice required by law, or by an order of a Court, or Judge, to be published in a newspaper, may be given by the affidavit of the printer of the newspaper, or his foreman, or principal clerk, annexed to a copy of the document or notice specifying the times when and the paper in which the publication was made. If such affidavit be made in an action or special proceeding pending in a Court, it may be filed with the Court, or the Clerk thereof. In such case the original affidavit, or a copy thereof, certified by the Judge of the Court, or the Clerk having it in custody, is *prima facie* evidence of the facts stated therein.

SEC. 349. *Who may administer oath for affidavit to be used in the Islands.*—An affidavit to be used before any Court, Judge, or officer of the Philippine Islands, may be taken before any Judge or Clerk of any Court, or any Justice of the Peace, or any Notary Public in the Islands.

SEC. 350. *Who may administer oath for affidavit taken in the United States.*—An affidavit taken in the United States, or in any State or Territory thereof, to be used in the Philippine Islands, may be taken before

a Commissioner, appointed by the Chief Executive of the Philippine Islands, to take affidavits and depositions in the United States, or in such State or Territory, or before any Notary Public in the United States, or in such State or Territory, or before any Judge, or Clerk of a Court of record having a seal.

SEC. 351. *Affidavit taken in a foreign country.*—An affidavit taken in a foreign country, to be used in the Philippine Islands, may be taken before an ambassador, minister, consul, or vice-consul, or consular agent of the United States, or before any Judge of a Court of record having a seal, in said foreign country.

SEC. 352. *Certification of affidavit taken in the United States or a foreign country.*—When an affidavit is taken before a Judge or a Court in the United States, or in any State or Territory thereof, or in a foreign country, the genuineness of the signature of the Judge, the existence of the Court, and the fact that such Judge is a member thereof, must be certified by the Clerk of the Court, under the seal thereof.

DEPOSITIONS.

SEC. 353. *Depositions may be used.*—In all cases other than those expressly provided in this code, where a written declaration under oath is used, it must be a deposition, as prescribed by this code.

SEC. 354. *Testimony of a witness out of the Islands may be taken by deposition.*—Testimony of a witness out of the Philippine Islands may be taken by deposition, in an action, at any time after the service of a summons, or the appearance of the defendant; and in a special proceeding, at any time, after a question of fact has arisen therein.

SEC. 355. *Depositions of a witness within the Philippine Islands.*—The testimony of a witness in the Philippine Islands may be taken by deposition, in an action, any time after the service of the summons, or the appearance of the defendant, and in a special proceeding, after the question of fact has arisen therein, in the following cases:

1. When the witness is a party to the action or proceeding, or an officer, or a member of a corporation which is a party to the action or proceeding, or a person for whose immediate benefit the action or proceeding is prosecuted or defended;
2. When the witness resides out of the province in which his testimony is to be used;
3. When the witness is about to leave the province where the action is to be tried and will probably continue absent when the testimony is required;
4. When the witness otherwise liable to attend the trial is nevertheless too ill or infirm to attend;
5. When the testimony is required upon a motion, or in any other case, when the oral examination of a witness is not required;
6. When the witness is the only one who can establish facts or a fact material to the issue; provided, the deposition of such witness shall not be used if his presence can be procured at the time of the trial of the cause.

SEC. 356. *How deposition of a witness out of the Philippine Islands may be taken.*—The deposition of a witness out of the Philippine Islands may be taken upon a commission issued from the Court in which the action or proceeding is pending, under the seal of the Court, upon an order of the Court, or a Judge or Justice thereof, on the application

of either party, upon five days previous notice to the other. If the Court be that of a Justice of the Peace, the commission shall have attached to it a certificate under seal, by the Clerk of the Court of First Instance of the province in which the Court is held, to the effect that the person issuing the same was an acting Justice of the Peace at the date of the commission. If issued to any place within the United States, or any State or Territory thereof, it may be directed to a person agreed upon by the parties, or if they do not agree, to any Justice of the Peace, or to any Federal or State judge, or to any Commissioner authorized by the laws of the United States to administer oaths and write depositions. If issued to any country out of the United States, or the territories thereof, it may be directed to a minister, ambassador, consul, vice-consul, or consular agent of the United States, in such country, or to any person agreed upon by the parties.

SEC. 357. *Interrogatories may be annexed to the commission.*—Such proper interrogatories, direct and cross, as the respective parties may prepare, to be settled, if the parties disagree as to their form, by the Judge or Officer granting the order for the commission, at a day fixed in the order, may be annexed to the commission; or when the parties agree to that mode, the examination may be oral and without written interrogatories.

SEC. 358. *Duties of official taking the deposition.*—The commission must authorize the Commissioner to administer an oath to the witness, and to take his deposition in answer to the interrogatories, or, when the examination is to be without interrogatories, in answer to oral questions, in respect to the question in dispute, and to certify the deposition to the Court, in a sealed envelope directed to the Clerk or other person designated or agreed upon, and forwarded to him by mail or other channel of conveyance.

SEC. 359. *Trial not necessarily delayed pending taking of deposition.*—A trial or other proceeding must not be postponed by reason of a commission not returned, except upon evidence satisfactory to the Court that the testimony of the witness is necessary, and that proper diligence has been used to obtain it.

SEC. 360. *Such deposition may be used by either party.*—The deposition mentioned in the four preceding sections may be used by either party on the trial or other proceeding against any other party giving or receiving a notice, subject to all just exceptions.

SEC. 361. *Taking depositions within the Philippine Island.*—Either party may have the deposition taken of a witness in the Philippine Islands, in either of the cases mentioned in section 355 before any Judge, Justice of the Peace or Notary Public, on serving on the adverse party previous notice of the time and place of examination, together with a copy of an affidavit showing that the case is within section 355. Such notice must be served at least two days before the time is fixed for taking the deposition, and must in all cases give the party reasonable time after notice to be present at the taking thereof, and without a notice of such reasonable length of time, the deposition shall not be admissible in evidence. The Court shall determine, if the deposition is offered in evidence, whether a reasonable notice of taking has been given.

SEC. 362. *Manner of taking, certifying and transmitting depositions.*—Either party may attend the examination and put such questions, direct and cross, as may be proper. The deposition, when

completed, must be carefully read to the witness, and corrected by him in any particular, if desired; it must then be subscribed by the witness, certified by the Judge or Officer taking the deposition, enclosed in an envelope or wrapper, sealed, and directed to the Clerk of the Court in which the action is pending, or to such person as the parties in writing may agree upon, and either delivered by the Judge or Officer to the Clerk or such person, or transmitted through the mail, or by some other private conveyance, and thereupon such deposition may be used by either party upon the trial or other proceedings against any party giving or receiving a notice subject to all legal exceptions; but if the parties attend the examination, no objection to the form of an interrogatory can be made at the trial unless the same was stated and recorded by the magistrate at the time of the examination. The deposition thus taken may be also read in case of the death of the witness; but the deposition may be excluded if the Court finds that the taking was in any respect unfair or fraudulent.

SEC. 363. *A stenographer may be employed in taking deposition.*—The deposition shall be written by the Judge or officer taking it or by some disinterested person in the presence and under the direction of the Judge or officer. Such disinterested person may be a stenographer and may take the deposition in shorthand, but must forthwith reproduce it in longhand, and then it shall be carefully read to or by the deponent, and shall then be subscribed by him and certified, enclosed and forwarded as in the last preceding section provided.

SEC. 364. *Deposition may be read at any stage of action.*—When a deposition has been once taken, it may be read by either party in any stage of the same action or proceeding where the reception of evidence is proper, or in any other action between the same parties upon the same subject matter, and is then deemed the evidence of the party reading it.

SEC. 365. *Deposition to be used outside the Philippine Islands.*—Any party to an action or special proceeding in a Court, or before a Judge of the United States, or any State or Territory thereof, or of any foreign country, may obtain the testimony of a witness residing in the Philippine Islands, to be used in such action or proceeding, in the cases mentioned in the next two sections.

SEC. 366. *Summoning witnesses to appear before commissioner.*—If a commission to take such testimony has been issued from the Court, or a Judge thereof, before which such action or proceeding is pending, on producing the commission to a Judge or a Justice of the Peace in the Philippine Islands, with an affidavit satisfactory to him of the materiality of the testimony, he may issue a subpoena to the witness, requiring him to appear and testify before the Commissioner named in the commission, at a specified time and place.

SEC. 367. *When commission has not been issued.*—If a commission has not been issued, and it is made to appear to any Judge or Justice of the Peace, by an affidavit satisfactory to him:

1. That the testimony of the witness is material to either party;
2. That a commission to take the testimony of such witness has not been issued;
3. That according to the law of the state or country where the action or special proceeding is pending, the deposition of a witness taken under such circumstances and before such Judge or Justice, will be received in the action or proceeding; he must issue his subpoena

requiring the witness to appear and testify before him, at a specified time and place.

SEC. 368. *Taking the deposition.*—Upon the appearance of the witness, the Judge or Justice of the Peace, or Commissioner, as the case may be, must cause his testimony to be taken in writing, and must certify and transmit the same to the Court or Judge before whom the action or proceeding is pending, in such manner as the law of that State or country requires.

SEC. 369. *Oath of witness giving deposition.*—Every witness giving a deposition shall take an oath that the deposition by him subscribed contains the truth, the whole truth, and nothing but the truth, and the authority taking the deposition shall certify that such oath has been administered.

PERPETUATION OF TESTIMONY.

SEC. 370. *Perpetuation of testimony.*—The testimony of any witness may be taken for perpetual preservation, when the party desiring to take it shall present to any Judge of the Supreme Court, or of a Court of First Instance, a petition, verified by oath of the applicant, stating:

1. That the applicant expects to be a party to an action in a Court in the Philippine Islands, and the names of the persons whom he expects will be adverse parties; or

2. That the proof of some fact is necessary to perfect the title of property in which he is interested, or to establish marriage, descent, heirship, or any other matter which may hereafter become material to establish, though no action may at the time be anticipated, or, if anticipated, he may not know the parties to such action; and

3. The name of the witness to be examined, his place of residence, and the general outline of facts expected to be proved.

SEC. 371. *Order of judge for perpetuation of testimony.*—The Judge to whom such petition is presented, shall make an order allowing the examination, before himself, and prescribing the time and place for taking the testimony, and the notice to be given, which notice, if the parties expectant are known to reside within the Philippine Islands, must be personally served; and, if unknown, must be served on the Clerk of the Court of First Instance where the property to be affected by such evidence is situated, and by publication thereof in some newspaper of general circulation in the province where the property is situated to be designated by the Judge, for three successive weeks prior to the time of taking the testimony.

SEC. 372. *Taking the testimony.*—At the time and place designated in the notice provided in the last preceding section, the Judge shall require proof that the order of notice has been complied with, and certify that fact, and shall thereupon proceed to take the deposition named in the order of the Judge; or, if more than one witness is thus named, such of them as appear before him at the time designated, and the taking of the same may be continued from time to time.

SEC. 373. *Manner of conducting examination.*—The examination must be by question and answer. The deposition when completed, must be carefully read to, and subscribed by the witness, and certified by the Judge taking the same, who shall also certify that the witness was duly sworn, and the deposition shall then, together with the petition and order of the Judge for taking the testimony, be sealed up and

delivered or transmitted to the Clerk of the Court of First Instance of the province in which the applicant resides. The Clerk shall endorse on the deposition the date when the same with its accompanying papers, was filed in his office, and shall securely retain the same, for the use hereinafter provided.

Any party having a legal interest in the subject matter of the deposition, shall be entitled to receive from the Clerk of the Court having the lawful custody thereof, a certified copy of the deposition, upon payment of lawful fees for making and certifying such copy.

SEC. 374. *Papers filed prima facie evidence of regularity.*—The petition and order, and certificate of service, and papers filed by the judge as provided in the last preceding section, are *prima facie* evidence of the facts stated therein, to show compliance with the provisions of the four preceding sections.

SEC. 375. *Use of such deposition.*—If a trial be had between the parties named in the petition as parties expectant, or their successors in interest, or between any parties wherein it may be material to establish the facts which such deposition proves, or tends to prove, whose interest was unknown to the party taking the deposition at the time of taking, upon proof of the death or insanity of the witnesses, or that they cannot be found, or are unable, by reason of age or other infirmity, to give their testimony in Court, the depositions, or certified copies thereof, may be used by either party, subject to all legal objections; but, if the parties attended at the examination, no objections to the form of an interrogatory can be made at the trial, unless the same were stated at the examination.

SEC. 376. *Effect of testimony so taken.*—The deposition so taken and read in evidence shall have the same effect as the oral testimony of the witness, and no other, and every objection to the witness or to the relevancy of any question put to him, or of any answer given by him, may be made in the same manner as if he were examined orally at the trial.

CHAPTER XI.

VENUE OF ACTIONS.

SEC. 377. *Venue of actions.*—Actions to confirm title to real estate, or to secure a partition of real estate, or to cancel clouds or remove doubts from the title to real estate, or to obtain possession of real estate, or to recover damages for injuries to real estate, or to establish any interest, right or title in or to real estate, or actions for the condemnation of real estate for public use shall be brought in the province where the land, or some part thereof, is situated; actions against executors, administrators and guardians, touching the performance of their official duties, and actions for account and settlement by them, and actions for the distribution of the estates of deceased persons among the heirs and distributees, and actions for the payment of legacies, shall be brought in the province in which the will was admitted to probate, or letters of administration were granted or the guardian was appointed. And all actions not herein otherwise provided for may be brought in any province where the defendant or any necessary party defendant may reside or be found, or in any province where the plaintiff or one of the plaintiffs resides, at the election of the plaintiff, except in cases where other special provision is made in this Code.

In case neither the plaintiff nor the defendant resides within the Philippine Islands and the action is brought to seize or obtain title to property of the defendant within the Philippine Islands, the action shall be brought in the province where the property which the plaintiff seeks to seize or to obtain title to is situated or is found; provided, that in an action for the foreclosure of a mortgage upon real estate, when the service upon the defendant is not personal, but is by publication, in accordance with law, the action must be brought in the province where the land lies. And in all cases process may issue from the Court in which an action or special proceeding is pending to be enforced in any province to bring in defendants and to enforce all orders and decrees of the Court. The failure of a defendant to object to the venue of the action at the time of entering his appearance in the action, shall be deemed a waiver on his part of all objections to the place or tribunal in which the action is brought, except in the actions referred to in the first sixteen lines of this section relating to real estate, and actions against executors, administrators and guardians, and for the distribution of estates and payment of legacies.

CHAPTER XII.

PROCEEDINGS WHEN JUDGE IS DISQUALIFIED OR DISABLED.

SEC. 378. *Special Judge by agreement of parties when Judge disqualified.*—If the Judge of a Court of First Instance should be disqualified, as in this Code provided, to sit in any action, the parties may, in writing, to be filed with the Clerk, select some member of the bar as a Special Judge, and thereupon the Judge shall retire from the bench for the time, after directing an entry of the substitution upon the docket, and the Special Judge so selected shall take his place and hear and determine the action, and make all necessary orders, decrees and judgments therein, as if he had been the regular Judge, and the records, minutes and proceedings shall be, and appear in all respects, as if the cause had been heard and determined before the Judge.

SEC. 379. *Proceedings when Judge disqualified and special Judge not agreed upon.*—Whenever a Judge in a Court of First Instance is disqualified, under the provisions of this Code, to sit in any action, and the parties do not select a Special Judge as provided in the preceding section, the Judge shall immediately notify the chief Justice of the Supreme Court of his disqualification, and of the fact that no Special Judge has been agreed upon, and thereupon the Judges of the Supreme Court shall designate one of their own number, or some other Judge of a Court of First Instance, to hold such a term of Court, or such part thereof as may be necessary where such action may be pending, and to preside at the trial thereof, and the Judge so designated shall in all respects have the same power in the action as though he had been the regular Judge whose duty it was to preside in the Court. But if the Judges of the Supreme Court shall certify to the Chief Executive that it is inconvenient to assign any other Judge to hold a term, or to try the action, the Chief Executive shall thereupon commission some person learned in the law, to attend and hold said Court, with the same power as though he had been the regular Judge thereof. Any Special Judge ordered under the provisions of this section, or the preceding one, shall receive a compensation of twenty dollars, United States money, per day, and necessary expenses for the time actually employed.

SEC. 380. *Proceeding where Judge is physically disabled.*—When a Judge of a Court of First Instance is unable, from sickness or other physical disability, to attend and hold any Court, at the time and place required by law, temporary provision for a Judge to hold the term of Court shall be made, as provided in the last two preceding sections.

CHAPTER XIII.

WITNESSES.

SEC. 381. *Witnesses.*—The testimony of all witnesses, except such as has been taken in writing in the form of depositions as otherwise provided by law, shall be given on oath in open Court orally, and each witness may be orally cross-examined by the adverse party or his counsel with sufficient fulness and freedom to test his accuracy and truthfulness and freedom from interest or bids, or the reverse, and to elicit all important facts bearing upon the issue. The Courts shall be liberal in allowing cross-examinations, but shall have the power to restrict them so as to confine them to the purposes last above specified and to prevent irrelevant or insulting interrogatories.

SEC. 382. *Qualification of witness.*—All persons, without exception, otherwise than as specified in the next section, who, having organs of sense, can perceive, and perceiving, can make known their perceptions to others, may be witnesses. Neither the parties nor other persons, who have an interest in the event of an action or proceeding shall be excluded; nor shall those who have been convicted of crime, nor shall any person be excluded on account of his opinion on matters of religious belief. But in every case the credibility of the witness may be drawn in question by competent evidence, and the court in weighing the testimony of any witness shall make due allowance for the interest or credibility of the witness as the facts disclosed may require.

SEC. 383. *Incompetency of witnesses.*—The following persons cannot be witnesses:

1. Those who are of unsound mind at the time of their production for examination, to such a degree as to be incapable of perceiving, and making known their perceptions to others;

2. Children who appear to the court to be of such tender age and inferior capacity as to be incapable of receiving the just impressions of the facts respecting which they are examined, or of relating them truly;

3. A husband cannot be examined for or against his wife without her consent; nor a wife for or against her husband without his consent; nor can either, during the marriage or afterwards, be, without the consent of the other, examined as to any communication made by one to the other during the marriage; but this exception does not apply to a civil action or proceeding by one against the other, or to a criminal action or proceeding for a crime committed by one against the other;

4. An attorney cannot, without the consent of his client, be examined as to any communication made by the client to him, or his advice given thereon in the course of professional employment; nor can an attorney's secretary, stenographer or clerk be examined, without the consent of client and his employer, concerning any fact, the knowledge of which has been acquired in such capacity;

5. A clergyman or priest cannot, without the consent of the person making the confession, be examined as to any confession made to him in his professional character in the course of discipline enjoined by the church to which he belongs;

6. A public officer cannot be examined during his term of office or afterwards as to communications made to him in official confidence, when the Court finds that the public interests would suffer by the disclosure;

7. Parties or assignors of parties to an action or proceeding, or persons in whose behalf an action or proceeding is prosecuted, against an executor or administrator or other representative of a deceased person, or against a person of unsound mind, upon a claim or demand against the estate of such deceased person or against such person of unsound mind, cannot testify as to any matter of fact occurring before the death of such deceased person or before such person became of unsound mind.

CHAPTER XIV.

DUTIES OF THE CLERK OF COURT OF FIRST INSTANCE.

SEC. 384. *General duties of the Clerk.*—The Clerk shall be the recording officer of all the proceedings of the court. He or his deputy may, at any time, receive and file all complaints, answers, motions, reports, injunctions, orders, judgments, decrees, or other papers affecting an action, or special proceeding, offered for that purpose; and shall endorse upon all such papers the time when, and the party by whom, they were respectively filed; and may issue, under the seal of the court, all process authorized by law to be issued by him and proper in any action or proceeding pending in the court of which he is clerk. He may administer oaths in all cases where oaths are proper to be administered. He shall preserve and keep all records, files, papers, and books belonging to his office. He shall in person or by deputy attend all sessions of the court, and shall keep minute books, in which he shall record, under the direction of the judge, all the proceedings of the court. He may issue certified copies of all papers and records within his office, under the seal of the court. His acts shall at all times be under the direction of the judge.

SEC. 385. *The docket.*—The minute book prescribed in the preceding section shall be called a docket, and each page thereof shall be properly prepared for receiving all the entries appertaining to a single action. It shall contain the names of the plaintiff and defendant, the date when the complaint, answer, demurrer, bill of exceptions, execution, and all motions, and all other papers in the action have been filed or issued, and a brief statement of all orders, judgments and other proceedings therein, so that by a reference to a single page, the whole history of the action may be briefly outlined. The docket shall be duly indexed, both direct and indirect, in the alphabetical order of the names of the parties, and of each of them, so that the page of the docket containing the entries in each case may be readily found.

SEC. 386. *New dockets.*—A new docket shall be prepared by the clerk before the commencement of each term of the Court, omitting therefrom all actions standing upon the old docket and which have been finally disposed of before the preparation of the new docket. Upon the new docket, action shall be entered in the same order in

which they stood upon the last former docket, and upon the page devoted to each action shall be copied all the entries pertaining to that action contained in the former docket. The new docket shall be indexed as provided in the preceding section.

SEC. 387. *Book of final records.*—Immediately after the final termination of an action in which no further proceedings appellate or otherwise can be had except the enforcement of the judgments, the clerk shall record the complaint, service of process, demurrer or answer, and final judgment, including the finding of facts by the Court, in a book to be kept for that purpose, and styled, "The Book of Final Records," but he shall not record the evidence which has been taken in the action, nor any part of the arguments of counsel; nor shall he record other proceedings in the action, except so far as such record may be necessary to show the important steps taken in the litigation, and the judge may give special directions to that end, in any case where he shall consider it expedient so to do.

SEC. 388. *Custody of moneys paid into Court.*—Whenever moneys are paid into or deposited in court, the same shall be delivered to the clerk in person, or to such of his deputies as shall be specially authorized by his appointment in writing to receive the same. He must, unless otherwise directed by law, deposit it with the Provincial Treasurer, to be held by him subject to the order of the court. The treasurer shall keep each fund distinct, and open an account with each.

CHAPTER XV.

PROCESS.

PRELIMINARY PROCESS.

SEC. 389. *Commencement of actions.*—Civil actions must be commenced by filing a complaint with the clerk of the court in which the action is to be instituted. The date of the filing of the complaint upon which process is issued and duly served shall be deemed to be the true time of the commencement of the action.

SEC. 390. *Proceedings of clerk on filing complaint.*—The clerk must endorse on the complaint the day, month and year that it is filed; and shall forthwith issue one summons or more for calling the defendants into court.

SEC. 391. *Defendants residing in different provinces.*—If the defendants reside in different provinces, one summons shall issue for all the defendants living in one province, and another for all the defendants living in another province, and in the same way until a summons has been issued for all defendants.

SEC. 392. *The summons.*—The summons must be directed to the defendant, signed by the clerk, and issued under the seal of the court, and must contain:

1. The names of the parties to the action, the court in which it is brought, and the province in which the complaint is filed;

2. The direction that the defendant appear within twenty days, if the summons is served within the province in which the action is brought; within forty days, if served elsewhere; and answer the complaint within the time fixed by the rules of court;

3. A notice that, unless the defendant so appears and answers, plaintiff will take judgment by default, and demand from the court the relief applied for in the complaint;

4. A copy of the complaint.

SEC. 393. *Summons lost or not served.*—If a summons is returned without being served on any or all of the defendants, or if it has been lost, the clerk, upon demand of the plaintiff, may issue other summons, as occasion may require, in the same form as the original.

SEC. 394. *Service of summons.*—The summons may be served by the governor of the province, where the defendant is found, or in which the service is made, or by his authorized deputy. A copy of the summons and complaint must be served upon each of the defendants. When service of the summons has been completed by the governor or his deputy, it must be returned with a certificate of its service to the office of the clerk from which it is issued. The certificate of service must state in full the time, place and manner of making service.

SEC. 395. *Service by indifferent person.*—When neither the governor nor his deputy is conveniently available for the service of a summons, the Judge or clerk of court may, by writing endorsed upon the summons, appoint some disinterested person to serve the summons. When the service has been completed by such disinterested person, it shall be returned to the office of the clerk from which it issued, with a certificate of the time, place and manner of its service, signed by the party making the service, together with an affidavit of such person that the facts stated in his certificate are true.

SEC. 396. *Manner of serving summons.*—The summons must be served by delivering a copy thereof, as follows:

1. If the suit is against a corporation formed under the laws of the Philippine Islands, to the president or other head of the corporation, secretary, cashier, or managing agent thereof;

2. If the suit is against a foreign corporation, or a non-resident joint stock company, or association doing business in, and having a managing or business agent, cashier, or secretary, within the Philippine Islands, to such agent, cashier, or secretary;

3. If against a minor under the age of thirteen years, residing within the Philippine Islands, to such minor, personally, and also to his father, mother, or guardian; or, if there be none within the Islands, then to any person having the care or control of such minor, or with whom he resides, or in whose service he is employed.

4. If against a person residing within the Islands, who has been judicially declared of unsound mind, or incapable of conducting his own affairs, and for whom a guardian has been appointed, to such person and also to his guardian;

5. If against a province, city, municipality or pueblo, to the mayor or president, or other head of the legislative department thereof, or to the Clerk or secretary thereof;

6. In all other cases, to the defendant personally, or by leaving a copy at his usual place of residence, in the hands of some person resident therein, of sufficient discretion to receive the same. But service upon a corporation as provided in subsections one and two may be made by leaving the copy at the office of the proper officer thereof if such officer cannot be found.

SEC. 397. *What equivalent to service.*—An acknowledgment on the back of the summons by the defendant, or his voluntary appearance in the action shall be equivalent to service.

SEC. 398. *Service upon absent or unknown defendants.*—Where the person on whom service is to be made resides out of the Philippine Islands, or has departed therefrom, or cannot, after due diligence, be found within the Islands or conceals himself to avoid the service of

summons, or is a foreign corporation having no managing or business agent, cashier or secretary within the Islands, and the fact appears by affidavit to the satisfaction of the judge of the Court where the action is pending, and it also appears by such affidavit that a cause of action exists against the defendant in respect to whom the service is to be made, or that he is a necessary or proper party to the action; and when it appears by such affidavit, or by the complaint on file that it is an action which relates to, or the subject of which is, real or personal property within the Islands, in which such person defendant or foreign corporation defendant, has or claims a lien or interest, actual or contingent, or in which the relief demanded consists wholly or in part in excluding such person or foreign corporation from any interest therein, such judge may make an order that the service may be made by publication of the order which shall fix the date on which the defendant is required to appear.

SEC. 399. *Order for service by publication.*—The order must direct the publication to be made in such newspaper or newspapers, to be designated by the judge, as is, or are most likely to give notice to the person to be served, and for such length of time as may be deemed reasonable, at least once a week for three consecutive weeks; but the last publication against a defendant residing out of the Islands, or absent therefrom, must not be less than two months before the day on which the defendant is required to appear. In case of publication, where the residence of a nonresident, or absent defendant is known, the judge must direct a copy of the summons and complaint to be forthwith deposited by the clerk in the post office, postage prepaid, directed to the person to be served, at his place of residence. When publication is ordered, personal service of a copy of the summons and complaint outside of the Islands, is equivalent to publication and deposit in the post office, and in either case the service of the summons is complete at the expiration of the time prescribed by the order of publication.

SEC. 400. *Proof of the service.*—Proof of the service of summons and complaint must be made, as follows:

1. If served by the Governor or his deputy, by his certificate thereof on the summons;
2. If by any other person, by his affidavit thereof; or
3. In case of publication, by the affidavit of the printer, or his foreman, or principal clerk, to which affidavit a copy of the publication shall be attached; and an affidavit showing the deposit of a copy of the summons, in the post office, that the same has been deposited; or
4. The written admission of the defendant.

The certificate or affidavit must state the time and place of service.

SEC. 401. *Service in actions affecting the title to land.*—In an action affecting the title or the right of possession of real property, the plaintiff, at the time of filing the complaint, and the defendant, at the time of filing his answer, when affirmative relief is claimed in such answer, or at any time afterwards, may record in the office of the registrar of land titles of the province in which the property is situated, a notice of the pendency of the action, containing the names of the parties, and the object of the action, or defense, and a description of the property in that province affected thereby. From the time only of filing such notice for record shall a purchaser, or incumbrancer of the property affected thereby, be deemed to have constructive notice of the pendency of the action, but only of its pendency against parties designated by their real names.

CHAPTER XVI.

SUBPOENAS, AND COMPELLING ATTENDANCE OF WITNESSES.

SEC. 402. *Subpoena or process to procure the attendance of witness.*—The process by which the attendance of a witness is required is called a subpoena. It is a writ directed to a person and requiring his attendance at a particular time and place to testify as a witness. It may also require him to bring with him any books, documents, or other things under his control, which he is bound by law to produce in evidence, in which case it is called a subpoena *duces tecum*.

SEC. 403. *Issuing the subpoena.*—The subpoena shall be issued as follows:

1. To require the attendance before a Court or at the trial of an issue therein, it shall be issued under the seal of the Court before which the attendance is required, and in which the issue is pending, and shall be signed by the judge or clerk of the Court;

2. To require attendance out of the court, before a Judge, Justice, or other officer authorized to administer oaths, or to take testimony in any matter under the laws of the Philippine Islands, it shall be issued by the Judge, Justice or other officer before whom the attendance is required;

3. To require attendance before a commissioner appointed to take testimony by a Court of a foreign country, or of the United States, or of any one of the States of the United States, or before any officer or officers empowered by the laws of the Philippine Island to take depositions or testimony, it may be issued by any Judge of the Supreme Court, or by any Judge or Justice of the Peace in places within their respective jurisdiction; with like power to enforce attendance, and, upon certificate of contumacy to said Court, to punish contempt of their process, as such Judge or Justice could exercise if the subpoena directed the attendance of the witness before their Courts in a matter pending therein.

SEC. 404. *Service of the subpoena.*—The service of a subpoena shall be made by delivering a copy thereof, attested by the officer making the service, to be a true copy, to the witness personally, giving or offering to him at the same time, if demanded by him, the fees to which he is entitled for travel to the place designated, and one day's attendance there. The service must be made so as to allow the witness a reasonable time for preparation and travel to the place of attendance. Such service may be made by the governor of the province, or his deputy, or for want thereof, by any person specially authorized, in writing upon the subpoena, by the authority issuing the same, to make service thereof.

SEC. 405. *Service where witness is concealed.*—If a witness is concealed in a building, or vessel, so as to prevent the service of a subpoena upon him, any court, or Judge, or any officer issuing a subpoena, may upon proof by affidavit of the concealment, and of the materiality of the witness, make an order that the governor, or his deputy, shall forthwith serve the same, and the officer must serve it accordingly, and for that purpose may break into the building or vessel where the witness is concealed.

SEC. 406. *Witness not obliged to go outside his province to testify.*—A witness is not obliged to attend as a witness in a civil action before any court, Judge, Justice, or other officer out of the province in which

he resides, unless the distance be less than thirty miles from his place of residence to the place of trial by the usual course of travel, but his testimony may be taken in such case in the form of a deposition.

SEC. 407. *Person present in Court.*—A person present in court, before a judicial officer, may be required to testify in the same manner as if he were in attendance upon a subpoena issued by such court or officer.

SEC. 408. *Disobedience to a subpoena or refusal to testify.*—Disobedience to a subpoena, or a refusal to be sworn, or to answer as a witness, or to subscribe an affidavit or deposition when required, may be punished as a contempt by the court or officer issuing the subpoena, or requiring the witness to be sworn, and, if the witness be a party, his complaint or answer may be stricken out.

SEC. 409. *Civil liability of witness disobeying subpoena.*—A witness, wilfully and without cause, disobeying a subpoena, shall be liable for all damages which may be sustained by reason of the failure of the witness to attend, which damages may be recovered in a civil action.

SEC. 410. *Compelling attendance of witness.*—In case of failure of a witness to attend, the Court or officer issuing the subpoena, upon proof of the service thereof, and of the failure of the witness, may issue a warrant to the Governor of the province, or his deputy, to arrest the witness and bring him before the Court, or officer where his attendance is required, and the costs of such warrant and seizure of such witness shall be paid by the witness, if the authority issuing it shall determine that his failure to answer the subpoena was wilful and without just excuse.

SEC. 411. *If witness imprisoned.*—If the witness be a prisoner, confined in a jail or prison within the Islands, an order for his examination in the jail or prison, upon deposition, or for his temporary removal and production before a Court or officer, for the purpose of being orally examined, may be made, as follows:

1. By the Court itself in which the action or special proceeding is pending, unless it be a Justice Court;

2. By a judge of the supreme Court or a judge of the Court of First Instance of the province where the action or proceeding is pending, if pending before a Court of a Justice of the peace, or before a judge, or other person out of Court.

Such order can only be made upon the motion of a party, upon affidavit showing the nature of the action or proceeding, testimony expected from the witness, and its materiality. If the witness be imprisoned in the province where the action or proceeding is pending, his production may be required. In all other cases, his examination, when allowed, must be taken upon deposition.

CHAPTER XVII.

ARREST OF DEFENDANT.

SEC. 412. *Arrest.*—A defendant may be arrested in the following cases:

1. In an action for the recovery of money or damages on a cause of action arising upon contract express or implied, when the defendant is about to depart from the Philippine Islands, with intent to defraud his creditors;

2. In an action for money or property embezzled or fraudulently misapplied or converted to his own use by a public officer, or an officer

of a corporation, or an attorney, factor, broker, agent or clerk, in the course of his employment as such, or by any other person in a fiduciary capacity; or for a wilful violation of duty;

3. In an action to recover the possession of personal property unjustly detained, when the property, or any part thereof, has been concealed, removed or disposed of, to prevent its being found or taken by the officer;

4. When the defendant has been guilty of a fraud in contracting the debt or incurring the obligation upon which the action is brought; or in concealing or disposing of the property, for the taking, detention or conversion of which the action is brought;

5. When the defendant has removed or disposed of his property, or is about to do so, with intent to defraud his creditors.

SEC. 413. *Who may grant order for arrest.*—An order for the arrest of the defendant must be obtained from the Judge or Justice of the Peace of the court in which the action is brought, or from a Judge of the Supreme Court. Without such order the defendant cannot be arrested.

SEC. 414. *Granting order of arrest.*—A Judge or Justice of the Peace shall grant an order of arrest when it is made to appear to him by the affidavit of the plaintiff, or of some other person who knows the facts, that a sufficient cause of action exists, and that the cause is one of those mentioned in section 412. If the order for arrest is made, the affidavit must be filed with the clerk of the court or the Justice of the Peace, as the case may be.

SEC. 415. *Obligation for damages in case of arrest.*—Before making the order, the party applying for it or some person on his behalf must execute to the defendant an obligation in an amount to be fixed by the Judge or Justice of the Peace and with sufficient surety, to be approved by him, which obligation must be at least five hundred dollars, that the plaintiff will pay all costs which may be adjudged to the defendant, and all damages which he may sustain by reason of the arrest, if the same shall finally be adjudged to have been wrongful or without sufficient cause.

SEC. 416. *Executing order of arrest.*—The officer making the arrest must deliver to the defendant a copy of the affidavit and of the order of arrest, and keep the defendant in custody until discharged by law.

SEC. 417. *Discharge of defendant.*—The defendant, at any time before execution, may be discharged from arrest, either upon depositing with the clerk or Justice of the Peace of the court in which the action is pending the amount mentioned in the order of arrest, or upon giving bail as provided in the next section.

SEC. 418. *Giving bail.*—The defendant may give bail by causing an obligation to be executed to the plaintiff, with two or more sufficient sureties to be approved by the Judge or Justice of the Peace who granted the order of arrest, that the defendant will at all times render himself amenable to the process of the court, during the pendency of the action and to such as may be issued to enforce the judgment therein, or that they will pay to the plaintiff the amount of any judgment which may be recovered in the action.

SEC. 419. *Exoneration of bail.*—At any time before the issuance of execution, the sureties may surrender the defendant to the officer of the court, who shall thereafter retain him in custody, until he is otherwise discharged by law; and for that purpose the sureties may themselves arrest, or by written authority endorsed on a certified copy of the obligation, may empower the officer of the court to arrest the

defendant. If the bail do not surrender the defendant or cause him to be surrendered before the issuing of execution on the judgment, they shall be finally charged on their obligation and bound to pay upon demand the amount of the judgment, which may be collected from them after notice and summary hearing in the same action except in the cases hereinafter provided.

SEC. 420. *Death or imprisonment of defendant.*—Bail shall be exonerated by the death of the defendant, or his imprisonment in a public penitentiary, or by his legal discharge from the obligation.

SEC. 421. *Filing order of arrest and bond.*—The officer serving the order of arrest shall immediately after perfecting the arrest file the order with his return thereon, together with the obligation, in the office of the clerk of the court in which the action is pending.

SEC. 422. *Disposition of money deposited.*—Where money has been deposited in lieu of bail, it shall be applied under the direction of the court to the satisfaction of such judgment, if any, as may have been rendered in favor of the plaintiff, and after satisfying the judgment the balance shall be refunded to the defendant or his assignee. If the judgment is in favor of the defendant, the whole sum deposited must be refunded to him, or his assignee.

SEC. 423. *Application by defendant for reduction of bail or vacating order of arrest.*—A defendant arrested may at any time before the trial of the action, apply to the Judge or Justice of the Peace who made the order or to the court in which the action is pending, upon reasonable notice, to vacate the order of arrest, or to reduce the amount of bail. Upon such application the Judge or Justice of the Peace or court shall grant immediate hearing, after notice to the parties, and upon hearing, make such orders as appear to be just as to continuing the order of arrest, or vacating the same, or reducing the amount of bail required.

CHAPTER XVIII.

ATTACHMENT OF DEFENDANT'S PROPERTY.

SEC. 424. *Attachment.*—A plaintiff may, at the commencement of his action, or at any time afterwards, have the property of the defendant attached as security for the satisfaction of any judgment that may be recovered, unless the defendant gives security to pay such judgment, in the manner hereinafter provided, in the following cases:

1. In all the cases mentioned in section 412 providing for the arrest of a defendant. But the plaintiff must make an election as to whether he will ask for an order of arrest or an order of attachment; he shall not be entitled to both orders;

2. In an action against a defendant not residing in the Philippine Islands.

SEC. 425. *Who may issue order of attachment.*—An order for attachment may be granted by a Judge of the Supreme Court or by a Judge of the Court of First Instance for the province in which the action is pending, or by a Justice of the Peace in an action properly brought before his court.

SEC. 426. *Granting order of attachment.*—A Judge or Justice of the Peace shall grant an order of attachment when it is made to appear to the Judge, or Justice of the Peace the affidavit of the plaintiff, or some other person who knows the facts, that a sufficient cause of action exists, and that the case is one of those mentioned in section 424 and that there is no other sufficient security for the claim sought to be

enforced by the action and that the amount due to the plaintiff above all legal setoffs or counterclaims is as much as the sum for which the order is granted.

SEC. 427. *Obligation for damages in case of attachment.*—Before the order is made, the party applying for it or some person on his behalf must execute to the defendant an obligation in an amount to be fixed by the Judge, or Justice of the Peace and with sufficient surety to be approved by him, which obligation shall be for a sum not less than two hundred dollars, and not exceeding the amount claimed by the plaintiff, that the plaintiff will pay all the costs which may be adjudged to the defendant, and all damages which he may sustain by reason of the attachment, if the same shall finally be adjudged to have been wrongful or without sufficient cause.

SEC. 428. *Executing order of attachment as to moveables.*—The order of attachment shall be served by the officer of the court by attaching, and safely keeping all the moveable property of the defendant in the Philippine Islands, or so much thereof as may be sufficient to satisfy the plaintiff's demands, unless the defendant gives security by obligation to the plaintiff, with sufficient surety to be approved by the judge who granted the order of attachment, in an amount sufficient to satisfy such demands besides costs, or in an amount equal to the value of the property which has been or is about to be attached. The property so attached shall be held to await final judgment in execution, unless released as provided in this section or in section 440.

SEC. 429. *Executing order of attachment as to real property.*—Real property, standing upon the records in the name of the defendant or not appearing at all upon the record shall be attached by filing with the registrar of titles of land, for the province in which the land is situated, a copy of the order of attachment, together with a description of the property attached, and a notice that it is attached, and by leaving a similar copy of the order, description, and notice with an occupant of the property, if there is one.

Real property or an interest therein, belonging to the defendant and held by any other person, or standing on the records, in the name of any other person, shall be attached by filing with the registrar of land titles in the province in which the land is situated, a copy of the order of attachment, together with a description of the property, and a notice, that such real property, and any interest of the defendant therein, held by or standing in the name of such other person (naming him) are attached; and by leaving with the occupant, if any, and with such other person, or his agent, if known and within the province, a copy of the order, description and notice. The registrar must index attachments filed under the first paragraph of this section, in the names, both of the plaintiff and of the defendant, and must index attachments filed under the second paragraph of this section, in the names of the plaintiff and of the defendant and of the person by whom the property is held or in whose name it stands on the records.

SEC. 430. *Executing order of attachment as to stocks or shares.*—Stocks or shares, or an interest in stocks or shares, of any corporation or company shall be attached by leaving with the president, or other head of the same, or the secretary, cashier, or other managing agent thereof, a copy of the order of attachment and a notice stating that the stock or interest of the defendant is attached, in pursuance of such order.

SEC. 431. *Executing order of attachment as to debts and credits.*—Debts and credits, and other personal property not capable of manual

delivery, shall be attached by leaving with the person owing such debts or having in his possession, or under his control such credits and other personal property, a copy of the order of attachment, and a notice that the debts owing by him to the defendant, or the credits and other personal property in his possession or under his control, belonging to the defendant, are attached in pursuance of this order.

SEC. 432. *Effect of attachment of debts and credits.*—All persons having in their possession or under their control, any credits or other personal property belonging to the defendant, or owing any debts to the defendant, at the time of service upon them of a copy of the order of attachment and notice as provided in the last section, shall be, unless such property be delivered up or transferred, or such debts be paid to the clerk of the court in which the action is pending, liable to the plaintiff for the amount of such credits, property or debts, until the attachment be discharged, or any judgment recovered by him be satisfied.

SEC. 433. *Disposition of debts and credits attached.*—Any person owing debts to the defendant, or having in his possession or under his control, any credits or other personal property belonging to the defendant, may be required to attend before the court in which the action is pending or before a referee appointed by the court, and be examined on oath respecting the same. The defendant may also be required to attend, for the purpose of giving information respecting his property, and may be examined on oath. The court may, after such examination, order personal property capable of manual delivery, belonging to the defendant, in the possession of the person so required to attend before the court, to be delivered to the clerk of the Court on such terms as may be just, having reference to any liens thereon or claims against the same, to await the final result of the action.

SEC. 434. *Return of order of attachment.*—The officer of the court making the attachment shall endorse upon its back a full statement of all his proceedings under the order, including a complete inventory of the property attached, and sign the same, and shall return the order of attachment to the clerk of the court in which the action is pending, to be filed with the other papers in the action.

SEC. 435. *Disposition of perishable property.*—Whenever it shall be made to appear to the judge or the court in which the action is pending, by hearing, after notice to both parties if practicable, that the property attached is perishable, or that the interests of all the parties to the action will be subserved by the sale thereof, the judge may, on motion, order such property to be sold at public auction in such manner as he may direct, and the proceeds to be deposited in court to abide the judgment in the action.

SEC. 436. *Final disposition of property attached.*—If judgment be recovered by the plaintiff, the officer of the court must cause the same to be satisfied, out of the property attached, if it be sufficient for that purpose, in the following manner:

1. By paying to the plaintiff, the proceeds of all sales of perishable or other property sold by him in pursuance of the order of the judge, or so much as shall be necessary to satisfy the judgment;

2. If any balance remain due, and execution shall have been issued on the judgment, he shall sell under the execution so much of the property, real or personal, as may be necessary to satisfy the balance, if enough for that purpose remain in his hands, or in that of the clerk of the court;

3. By collecting from all persons having in their possession credits

belonging to the defendant, or owing debts to the defendant at the time of the service upon them of the order of attachment of such credits or debts, the amount of such credits and debts as determined by the court in the action, and stated in the final judgment, and paying the proceeds of such collection over to the plaintiff.

The officer shall make return in writing to the court of his proceedings under this section.

SEC. 437. *Collections of balance of execution.*—If, after realizing upon all the property attached, including the proceeds of any debts or credits collected, and applying the proceeds in extinguishment of the judgment, less the expenses of proceedings upon the judgment, any balance shall remain due, the officer of the court must proceed to collect such balance as upon an execution in other cases. Whenever the judgment shall have been paid, the officer upon reasonable demand, must deliver over to the defendant the attached property remaining in his hands, and any proceeds of the property attached unapplied on the judgment.

SEC. 438. *Proceedings after return of execution unsatisfied.*—If the execution be returned unsatisfied in whole or in part, the plaintiff may maintain an action upon the obligations, if any, given pursuant to section 428.

SEC. 439. *Disposition of attached property in case of judgment for defendant.*—If the defendant recovers judgment against the plaintiff, all the proceeds of sales and money collected by the officer of the court, under the order of attachment, and all the property attached remaining in said officer's hands shall be delivered to the defendant, and the order of attachment discharged, and the defendant may have judgment against the plaintiff upon the obligation provided in section 427 for any damages he may have sustained by reason of the attachment, after summary hearing in the same action on due notice.

SEC. 440. *Dissolution of order of attachment.*—At any time, after the commencement of an action upon which an order of attachment has been made, the defendant may upon reasonable notice to the plaintiff, apply to the Judge or Justice of the Peace who granted the order of attachment, or to the Judge of the court in which the action is pending, for an order to discharge the attachment, wholly or in part; and the Judge or Justice of the Peace shall, after hearing, on due notice to both parties, discharge the order of attachment provided the defendant shall execute an obligation to the plaintiff with surety to be approved by the Judge, or Justice of the Peace to the effect that in case the plaintiff recover judgment in the action, the defendant will, on demand, re-deliver the attached property so released to the officer of the court, to be applied to the payment of the judgment, or, in default thereof, that the defendant and surety, will, on demand, pay to the plaintiff the full value of the property released. The Judge or Justice of the Peace making such order may fix the sum for which the undertaking must be executed, and for that purpose may take such steps as he finds necessary to determine the value of the property attached, which obligation shall be filed with the other papers in the cause, and upon its approval by the Judge or Justice of the Peace and the making of the order by him for a discharge of the attachment, all of the property so released, and all of the proceeds of the sales thereof, shall be delivered to the defendant; the obligation aforesaid standing in place of the property so released.

SEC. 441. *Discharge of attachment on motion.*—The defendant may also at any time either before or after the release of the attached

property or before any attachment shall have been actually levied, upon reasonable notice to the plaintiff, apply to the Judge or Justice of the Peace who granted the order of attachment, or to the Judge of the court in which the action is pending for an order to discharge the attachment on the ground that the same was improperly or irregularly issued. If the motion be made on affidavits on the part of the defendant, but not otherwise, the plaintiff may oppose the same by affidavits or other evidence in addition to those on which the attachment was made.

If upon such application it satisfactorily appears that the writ of attachment was improperly or irregularly issued, it must be discharged.

SEC. 442. *Right of third party against officer.*—If the property taken be claimed by any other person than the defendant or his agent and such person make an affidavit of his title thereto or right to the possession thereof, stating the grounds of such right or title, and serve the same upon the officer while he has possession of the property, the officer shall not be bound to keep the property under the attachment, unless the plaintiff, on demand of him, or his agent, indemnify the officer against such claim by an obligation with two sufficient sureties; and no claim to such property or damage for its seizure by any other person than the defendant or his agent shall be valid against the officer unless so made, but nothing herein contained shall prevent such third person from vindicating his claim to the property by any proper action.

CHAPTER XIX.

FINAL PROCESS, EXECUTION.

THE EXECUTION AND PROCEEDINGS THEREON.

SEC. 443. *When execution may issue.*—The party in whose favor judgment is given, may, at any time within five years after the entry thereof, have a writ of execution issued for its enforcement, as hereinafter provided.

SEC. 444. *Issuance, form and requisites of execution.*—The execution must be issued in the name of the United States of America, Philippine Islands, sealed with the seal of the court, and subscribed by the Judge, or clerk thereof, and be directed to the governor of the province, or any of his deputies, and must intelligibly refer to the judgment, stating the court, and the province where the record of the judgment is, and if it be for money, the amount thereof, and the amount actually due thereon; and if made payable in a specified kind of money, or currency, the execution must also state the kind of money or currency in which the judgment is payable, and must direct the governor or his deputy, substantially as follows:

1. If the execution be against the property of the judgment debtor, it must require the governor, or his deputy, to satisfy the judgment with interest, out of the personal property of such debtor, and if sufficient personal property cannot be found, then out of his real property;

2. If it be against real or personal property in the hands of the personal representatives, heirs, devisees, legatees, tenants, or trustees, it must require the governor, or his deputy, to satisfy the judgment, with interest, out of such property;

3. If it be against the person of the judgment debtor, it must require

the governor, or his deputy, to arrest such debtor and commit him to the jail of the province until he pays the judgment, with interest, or be discharged, according to law;

4. If it be issued on a judgment made payable in a specified kind of money or currency, it must also require the governor, or his deputy, to specify the same kind of money or currency in which the judgment is made payable, and payment must be refused in any other kind of money or currency; and in case of levy upon and sale of the property of the judgment debtor, payment from any purchaser at such sale in any other kind of money or currency than that specified in the execution must be refused. The governor, or his deputy, collecting money or currency in the manner prescribed in this section, must pay to the plaintiff, or party entitled to recover the same, the same kind of money or currency received by him;

5. If it be for the delivery of the possession of real or personal property, it must require the governor, or his deputy, to deliver the possession of the same, describing it, to the party entitled thereto. It may, at the same time, require the governor, or his deputy, to satisfy any costs, damages, rents, or profits covered by the same judgment out of the personal property of the person against whom it was rendered, and if sufficient personal property cannot be found, then out of the real property.

SEC. 445. *Return of execution.*—The execution may be made returnable, at any time, not less than ten nor more than sixty days after its receipt, by the governor, or his deputy, to the clerk of the court rendering the judgment. The officer serving it must set forth in writing on its back, the whole of his proceedings by virtue thereof, and when it is returned the Clerk must file it and preserve it with the other papers in the action. If real estate be levied upon and sold by virtue of the execution, the clerk must record the execution, and the officer's return thereon, at large, and certify the same under his hand as true copies, in a book to be called the "Execution Book," which book must be indexed with the names of the plaintiffs and defendants to the execution, alphabetically arranged, and kept open at all times during office hours, for inspection of the public without charge. It shall be evidence of the contents of the originals whenever they, or any part thereof, may be destroyed or mutilated.

SEC. 446. *Executions in cases of special judgments.*—When a judgment requires the sale of property specially named in the judgment, the same may be enforced by a writ of execution, reciting such judgment, or the material facts thereof, directing the officer to execute the judgment by making the sale and applying the proceeds in conformity therewith. When the judgment requires the performance of any other act than the payment of money, or the delivery of real or personal property, or the arrest of the defendant, or the sale of special property named in the judgment a certified copy of the judgment may be served by the officer upon the party against whom the same is rendered, or upon the person or officer required thereby, or by law, to obey the same, and obedience thereto may be enforced by the court by proceedings as for contempt.

SEC. 447. *Enforcement of judgment after lapse of five years.*—In all cases, a judgment may be enforced after the lapse of five years from the date of its entry, and before the same shall have been barred by any statute of limitation, by an action instituted in regular form, by complaint, as other actions are instituted.

SEC. 448. *Execution in case of death of party.*—Notwithstanding the

death of a party after the judgment, execution thereon may be issued or one already issued may be enforced as follows:

1. In case of the death of the judgment creditor, upon the application of his executor or administrator, or successor in interest;

3. In case of the death of the judgment debtor, if the judgment be for the recovery of real or personal property, or the enforcement of a lien thereon.

SEC. 449. *Into what provinces executions may run.*—Where the execution is against the property of the judgment debtor, it may be issued to the governor or his deputy, or any province where property of the debtor is found. If the execution is against the body of a defendant, it may be issued to the governor, or his deputy, of any province where the defendant is found. Where it requires the delivery of real or personal property, it must be issued to the governor, or his deputy of the province where the property, or some part thereof, is situated. Executions may be issued, at the same time, for different provinces.

SEC. 450. *Property liable to execution.*—All goods, chattels, moneys, and other property, both real and personal, or any interest therein of the judgment debtor, not exempt by law, and all property and rights of property seized and held under attachment in the action, shall be liable to execution. Shares and interests in any corporation or company, and debts, credits, and all other property, both real and personal, or any interest in either real or personal property, and all other property, not capable of manual delivery, may be attached on execution, in like manner as upon writs of attachment.

SEC. 451. *Claims by third persons to property levied on.*—Property levied on can be claimed by a third person as his property, by a written claim, verified by the oath of such claimant, setting out his title thereto, his right to possession thereof, stating the grounds of such title, and served upon the governor, or his deputy, or officer making the levy. The officer in such case is not bound to keep the property, unless the plaintiff or the person in whose favor the writ of execution runs, on demand, indemnify the officer against such claim by an obligation, signed by the plaintiff, with good and sufficient surety, and no claim to such property shall be valid against the officer, or shall be received or be notice of any rights against him unless made as herein provided; but nothing herein contained shall prevent such third person from vindicating his claim to the property by any proper action.

SEC. 452. *Exemptions from executions.*—The following property shall be exempt from attachment and execution, except as herein otherwise provided:

1. The debtor's homestead, in which he resides, and land necessarily used in connection therewith, both not exceeding in value one hundred and fifty pesos;

2. Tools and implements necessarily used by him in his trade or employment;

3. Two horses or two cows, or two carabaos, or other beasts of burden, such as the debtor may select, not exceeding one hundred and fifty pesos in value, and necessarily used by him in his ordinary occupation;

4. His necessary clothing, and that of all his family;

5. Household furniture and utensils necessary for housekeeping, and used for that purpose by the debtor, such as the debtor may select, of a value not exceeding seventy-five pesos;

6. Provisions actually provided for individual or family use sufficient for three months;

7. The professional libraries of lawyers, judges, clergymen, doctors, school teachers and music teachers, not exceeding five hundred pesos in value;

8. One fishing boat and net, not exceeding the total value of twenty-five pesos, the property of any fisherman, by the lawful use of which he earns a livelihood;

9. Lettered gravestones.

But no article or species of property mentioned in this section shall be, however, exempt from execution issued upon a judgment recovered for its price or upon a judgment of foreclosure of a mortgage thereon. All property other than as hereinbefore stated is subject to attachment and execution.

SEC. 453. *Seizure of property on execution.*—The officer must enforce the execution against the property of the judgment debtor, by levying on a sufficient amount of the property, if there be sufficient, and selling the same, and paying to the plaintiff, or his lawyer, so much of the proceeds as will satisfy the judgment. Any excess in the proceeds over the judgment and accruing costs must be returned to the judgment debtor, unless otherwise directed by the judgment or order of the court. When there is more property of the judgment debtor than is sufficient to satisfy the judgment and accruing costs, within the view of the officer, he must levy only on such part of the property as may be amply sufficient to satisfy the judgment and costs.

SEC. 454. *Advertisement of property to be sold on execution.*—Before the sale of property on execution, notice thereof must be given, as follows:

1. In case of perishable property, by posting written notice of the time and place of the sale in three public places of the municipality or city where the sale is to take place, for such time as may be reasonable, considering the character and condition of the property;

2. In case of other personal property, by posting a similar notice in three public places, in the municipality or city where the sale is to take place, for not less than five nor more than ten days;

3. In cases of real property, by posting a similar notice particularly describing the property, for twenty days, in three public places of the municipality or city where the property is situated, and also where the property is to be sold, and publishing a copy thereof once a week, for the same period, in some newspaper published or having general circulation in the province, if there be one. If there are newspapers published in the province in both the Spanish and English language, then a like publication for a like period shall be made in one newspaper published in the Spanish language, and in one published in the English language;

4. When the judgment under which the property is to be sold is made payable in a specified kind of money or currency, the several notices required by this section must state the kind of money or currency in which bids may be made at such sale, which must be the same as that specified in the judgment.

SEC. 455. *Penalty if officer sells without notice.*—An officer selling without the notice prescribed by the last section, shall forfeit five hundred pesos to any party injured thereby, in addition to his actual damages, both to be recovered in a single proper action; and a person wilfully taking down or defacing the notice posted, if done before the sale or the satisfaction of the judgment (if the judgment be satisfied before sale), shall forfeit five hundred pesos to any person injured by reason thereof, to be recovered in any proper action.

SEC. 456. *Payment of judgment and costs may be made before sale.*—At any time before sale of property on execution, the judgment debtor may prevent the sale by payment of the amount required by the execution, and costs that have been incurred therein.

SEC. 457. *Sale on execution.*—All sales of property under execution, must be made at auction, to the highest bidder, between the hours of nine in the morning and five in the afternoon. After sufficient property has been sold to satisfy the execution, no more can be sold. Neither the officer holding the execution, nor his deputy, can become a purchaser, nor be interested directly or indirectly in any purchase at such sale. When the sale is of personal property capable of manual delivery, it must be within view of those who attend the sale, and be sold in such parcels as are likely to bring the highest price; and when the sale is of real property, consisting of several known lots or parcels, they must be sold separately; or, when a portion of such real property is claimed by a third person, and he requires it to be sold separately, such portion must be thus sold. The judgment debtor, if present at the sale, may direct the order in which property, real or personal, shall be sold, when such property consists of several known lots or parcels or of articles which can be sold to advantage separately, and the officer must follow such directions.

SEC. 458. *Purchaser at sale refusing to pay.*—If a purchaser refuse to pay the amount bid by him for property struck off to him at a sale under execution, the officer may again sell the property to the highest bidder, and if any loss be occasioned thereby, the court may in its discretion order the bidder to pay into court the amount of such loss, with costs, which order may be enforced by proceedings as for contempt and the amount of such payment shall be for the benefit of the person entitled to the proceeds of the execution, unless the execution has been fully satisfied, in which event, such proceeds shall be for the benefit of the judgment debtor. When a purchaser refuses to pay, the officer may in his discretion, thereafter reject any subsequent bid of such person.

SEC. 459. *Liability of officer in such cases.*—The preceding sections must not be construed to make the officer liable for any more than the amount bid by the second or subsequent purchaser.

SEC. 460. *Adjournment of sale.*—By written consent of debtor and creditor, the officer may adjourn any sale upon execution, to any date agreed upon, in writing, by the parties. Without such agreement he may adjourn the sale from day to day, if it becomes necessary to do so, for lack of time to complete the sale on the day fixed in the notice.

SEC. 461. *Delivery of property to purchaser.*—When the purchaser of any personal property, capable of manual delivery, pays the purchase money, the officer making the sale must deliver to the purchaser the property and if desired, execute and deliver to him a certificate of sale. Such sale conveys to the purchaser all the right which the debtor had in such property on the day the execution or attachment was levied.

SEC. 462. *Certificate of sale of personal property not capable of manual delivery.*—When the purchaser of any personal property, not capable of manual delivery, pays the purchase money, the officer making the sale must execute and deliver to the purchaser a certificate of sale. Such certificate conveys to the purchaser all the right which the debtor had in such property on the day that the execution or attachment was levied.

SEC. 463. *Sale of real property and certificate thereof.*—Upon a sale

of real property, the purchaser shall be substituted, to, and acquire all the right, interest, title and claim of the judgment debtor thereto, subject to the right, of redemption, as hereinafter provided. The officer must give to the purchaser a certificate of sale containing:

1. A particular description of the real property sold;
2. The price paid for each distinct lot or parcel;
3. The whole price by him paid;
4. The date when the right of redemption expires.

When the judgment under which the sale has been made, is made payable in a specified kind of money or currency, the certificate must also show the kind of money or currency in which such redemption must be made, which must be the same as that specified in the judgment. A duplicate of such certificate must be filed by the officer in the office of the Registrar of Land Titles of the province.

SEC. 464. *Who may redeem.*—Property sold subject to redemption, as provided in the last section, or any part sold separately, may be redeemed in the manner hereinafter provided, by the following persons, or their successors in interest:

1. The judgment debtor, or his successor in interest in the whole or any part of the property;
2. A creditor having a lien by attachment, judgment, or mortgage on the property sold, or on some part thereof, subsequent to that on which the property was sold.

Persons mentioned in the second subdivision of this section are termed redemptioners.

SEC. 465. *Time and manner of redemption.*—The judgment debtor, or redemptioner, may redeem the property from the purchaser, at any time within twelve months after the sale, on paying the purchaser the amount of his purchase, with one per cent per month interest thereon in addition, up to the time of redemption, together with the amount of any assessments or taxes which the purchaser may have paid thereon after purchase, and interest on such last named amount, at the same rate. And if the purchaser be also a creditor having a prior lien to that of the redemptioner, other than the judgment under which such purchase was made, the amount of such other lien, with interest.

If the property be so redeemed by a redemptioner, another redemptioner may, within sixty days after the last redemption, again redeem it from the last redemption on paying the sum paid on such last redemption, with two per cent thereon in addition, and the amount of any assessments or taxes which the last redemptioner may have paid thereon after redemption by him, with interest on such last named amount, and in addition, the amount of any liens held by said last redemptioner prior to his own, with interest. The property may be again, and as often as a redemptioner is so disposed, redeemed from any previous redemptioner within sixty days after the last redemption, on paying the sum paid on the last previous redemption, with two per cent thereon in addition, and the amounts of any assessments or taxes which the last previous redemptioner paid after the redemption thereon, with interest thereon, and the amount of any liens held by the last redemptioner previous to his own, with interest. Written notice of any redemption must be given to the officer who made the sale and a duplicate filed with the Registrar of Land Titles of the province, and if any taxes or assessments are paid by the redemptioner, or if he has or acquires any lien other than that upon which the redemption was made, notice thereof must in like manner be given to the officer and filed with the Registrar of Land Titles; if such notice

be not filed, the property may be redeemed without paying such tax assessments or lien.

SEC. 466. *Deed to be given at expiration of redemption period.*—If no redemption be made within twelve months after the sale, the purchaser, or his assignee, is entitled to a conveyance; or, if so redeemed, whenever sixty days have elapsed and no other redemption has been made, notice thereof given, and the time for redemption has expired, the last redemptioner, or his assignee, is entitled to a deed from the officer, but in all cases the judgment debtor shall have the entire period of twelve months from the date of the sale to redeem the property. If the judgment debtor redeem, he must make the same payments as are required to effect a redemption by a redemptioner. If the debtor redeem, the effect of the sale is terminated and he is restored to his estate. Upon a redemption by the debtor, the person to whom the payment is made must execute and deliver to him a certificate of redemption acknowledged or approved before an officer authorized to take acknowledgments of conveyances of real property. Such certificate must be filed and recorded in the office of the Registrar of Land Titles of the province in which the property is situated, and the Registrar must note the record thereof on the margin of the record of the certificate of sale. The payments mentioned in this section and the preceding one may be made to the purchaser or redemptioner, or for him to the officer who made the sale. When the judgment under which the sale has been made is payable in a specified kind of money or currency, payments must be made in the same kind of money or currency.

SEC. 467. *Proof required of redemption.*—A redemptioner must produce to the officer, or person from whom he seeks to redeem, and serve with his notice to the officer:

1. A copy of the judgment or order under which he claims the right to redeem, certified by the clerk of the court wherein the judgment is docketed, or, if he redeem upon a mortgage or other lien, a memorandum of the record thereof, certified by the Registrar of Land Titles;

2. A copy of any assignment necessary to establish his claim, verified by the affidavit of himself, or of a subscribing witness thereto;

3. An affidavit by himself, or his agent, showing the amount then actually due on the lien.

SEC. 468. *Manner of using premises pending redemption.*—Until the expiration of the time allowed for redemption, the court may, as in other proper cases, restrain the commission of waste on the property, by injunction, on the application of the purchaser, or the judgment creditor, with or without notice. But it is not waste for the person in possession of the property at the time of the sale, or entitled to possession afterwards, during the period allowed for redemption, to continue to use it in the same manner in which it was previously used; or to use it in the ordinary course of husbandry; or to make the necessary repairs of buildings thereon; or reasonably to use wood or timber on the property therefor, or for fuel for his family, while he occupies the property.

SEC. 469. *Rents and profits pending redemption.*—The purchaser, from the time of the sale until a redemption, and a redemptioner, from the time of his redemption until another redemption, is entitled to receive from the tenant in possession, the rents of the property sold, or the value of the use and occupation thereof. But when any rents have been received by the judgment creditor or purchaser, or his or their assignee from property thus sold preceding such redemp-

tion, the amounts of such rents and profits shall be a credit upon the redemption money to be paid; and, if the redemptioner or judgment debtor, before the expiration of the time allowed for such redemption, demands in writing of such purchaser or creditor, or his assigns, a written and verified statement of the amounts of such rents and profits, thus received, the period of redemption is extended five days after such sworn statement is given by such purchaser or his assigns, to such redemptioner or debtor. If such purchaser or his assigns shall, for a period of one month from and after such demand, fail or refuse to give such statement, such redemptioner or debtor may bring an action to compel an accounting and disclosure of such rents and profits, and until fifteen days from and after the final determination of such action, the right of redemption is extended to such redemptioner or debtor.

SEC. 470. *New execution issue in case of eviction.*—If the purchaser of real property sold on execution, or his successor in interest, be evicted therefrom in consequence of irregularities in the proceedings concerning the sale, or of the reversal or discharge of the judgment, he may recover the price paid, with interest, from the judgment creditor. If the purchaser of property at such official sale, or his successor in interest, fail to recover possession in consequence of irregularity in the proceedings concerning the sale, or because the property sold was not subject to execution and sale, the court having jurisdiction thereof shall, after notice and on motion of such party in interest, or his attorney, revive the original judgment in the name of the petitioner, for the amount paid by such purchaser at the sale with interest thereon from the time of payment, at the same rate that the original judgment bore; and the judgment so revived shall have the same force and effect as would an original judgment of the date of the revival and no more.

SEC. 471. *Right to contribution or reimbursement.*—When property, liable to an execution against several persons, is sold thereon, and more than a due proportion of the judgment is satisfied out of the proceeds of the sale of the property of one of them, or one of them pays, without a sale, more than his proportion he may compel a contribution from the others; and when a judgment is against several, and is upon an obligation of one of them, as security for another, and the surety pays the amount, or any part thereof, either by sale of his property or before sale, he may compel repayment from the principal.

SEC. 472. *Who may execute the officer's deed.*—In case of the death of the officer making the sale, before the expiration of the period of redemption, the deed may be executed by his successor in office. In case the officer's term of office expires before the termination of the period of redemption, he may execute the deed at the expiration of such period notwithstanding he has ceased to remain in office, and such deed shall have the same validity as though he had continued in the office.

SEC. 473. *Form of officer's deed.*—The deed executed by the officer, of lands sold on execution, shall be substantially in the following form, varied to suit the circumstances, if the party entitled to the deed be an assignee of the purchaser, or a redemptioner, or his assignee:

“KNOW ALL MEN BY THESE PRESENTS:

That, Whereas an execution against of in the province of in the action of of in the province of was by me, Governor, (or his deputy, as the case may be), of the province of

on the . . . day of . . . A. D., 19. . . levied on, (here describe the premises), and Whereas, on the, . . . day of . . . A. D., 19. . . , all the estate, right, title, interest and property of the said . . . defendant, in the premises aforesaid were by me, the said (herein insert the name of the officer) sold at public auction, for the satisfaction of said execution to . . . of . . . of the province of . . . who was the highest bidder, for the sum of . . . dollars, which the said . . . has since fully paid to me.

Now, by force and virtue of law in such cases made and provided, I, the said . . . (the officer), in consideration of the sum of money paid unto me as aforesaid, do, by these presents sell and assign and set over unto the said . . . (purchaser), his heirs and assigns forever, all the estate, right, title, interest, property and inheritance of the said . . . (defendant) in and to the said premises and appurtenances, at the time of the levy thereon (or of the attachment, as the case may be).

To have and to hold the said premises and appurtenances, to the said . . . (purchaser), his heirs and assigns forever.

In witness whereof, I hereunto set my hand and seal, on this . . . day of . . . 19. . . .”

The deed shall be acknowledged with such formalities as are required by law for the conveyance of real estate.

CHAPTER XX.

PROCEEDINGS SUPPLEMENTARY TO THE EXECUTION.

SEC. 474. *Right of judgment creditor to examine debtor when execution returned unsatisfied.*—When an execution against property of a judgment debtor, or of any one of several debtors in the same judgment, issued to the governor, or his deputy, for the province where the defendant resides, or, if he do not reside in the Philippine Islands, to the governor, or his deputy, of the province where the judgment was rendered, is returned unsatisfied, in whole or in part, the judgment creditor, at any time after such return is made shall be entitled to an order from a judge of the Court of First Instance of the province wherein the judgment was rendered, requiring such judgment debtor to appear and answer concerning his property before such judge, or a referee appointed by him, at a time and place specified in the order; but no judgment debtor must be required to attend before a judge or referee out of the province in which he resides or is found.

SEC. 475. *Method of obtaining such examination.*—After the issuing of execution against property and upon proof, by affidavit of a party or otherwise, to the satisfaction of the judge, that any judgment debtor has property which he unjustly refuses to apply towards the satisfaction of the judgment, such judge, may, by an order, require the judgment debtor to appear at a specified time and place, before such judge, or a referee appointed by him, to answer concerning the same; and such proceedings may thereupon be had for the application of the property of the judgment debtor towards the satisfaction of the judgment as are hereinafter prescribed. Instead of the order requiring the attendance of the judgment debtor, the judge, may, upon affidavit of the judgment creditor, his agent or lawyer, if it appear to him that there is danger of the debtor absconding, order the officer to arrest the debtor, and bring him before such judge. Upon being brought before the judge, he may be ordered to enter into an undertaking with sufficient surety that he will attend from time to

time before the Judge or referee, as may be directed, during the pendency of the proceedings, and until final termination thereof, and will not in the meantime dispose of any portion of his property not exempt from execution. In default of entering into such undertaking, he may be committed to prison as for contempt.

SEC. 476. *Examination of debtor of judgment debtor, etc.*—After the return of an execution against the property of a judgment debtor, or of one of the several debtors in the same judgment, unsatisfied in whole or in part, and upon proof, in writing, and by affidavit or otherwise, to the satisfaction of the Judge, that a person or corporation has property of such judgment debtor, or is indebted to him, the Judge may, by an order, require such person or corporation, or any officer or member of the corporation, to appear at a specified time and place, within the province in which such person or corporation is served with the order, and answer concerning the same; the service of the order shall bind the property in the possession or under the control of such person or corporation from the time of service; and the person or corporation so served with the order shall be liable to the judgment creditor for all property, money and credits in his hands belonging to the judgment debtor, or due to him from such person or corporation, from the time of service; and the Judge may also require notice of such proceedings to be given to any party to the action, in such manner as may seem to him proper.

SEC. 477. *Reference by a Judge.*—The Judge may in his discretion, order a reference to a referee agreed upon or appointed by him, to report the evidence or the facts.

SEC. 478. *Proceedings to compel attendance.*—A party or witness may be compelled by an order of the Judge, or a subpoena, to attend before a Judge or referee to testify. If a person, party or witness disobeys an order of the Judge, Court or referee duly served, he may be punished as for contempt; and such referee may at his discretion, report the case to the Court or Judge, and such Court or Judge may punish for contempt, the person or party or witness so disobeying.

SEC. 479. *Proceedings may be continued.*—The Judge or referee acting under the provisions of this chapter, may continue his proceedings from time to time, until they are completed.

SEC. 480. *Proceedings before a referee.*—If the examination is before a referee, it must be taken by the referee in writing, and certified to the Judge. All examinations and answers before a Judge or referee must be on oath. When a corporation answers, the answer must be on the oath of an officer thereof.

SEC. 481. *Debtor may pay execution against creditor.*—After the issue of an execution against property, a person indebted to the judgment debtor may pay to the officer holding the execution, the amount of his debt, or so much thereof as may be necessary to satisfy the execution; the officer's receipt shall be a sufficient discharge for the amount so paid, or directed to be credited by the judgment creditor on the execution.

SEC. 482. *Judge may order property to be applied on execution.*—The Judge may order any property of the judgment debtor, or money due to him, not exempt by law, in the hands either of himself or other person, or of a corporation, to be applied towards the satisfaction of the judgment; but the earnings of the debtor for his personal services at any time within one month preceding the order, can not be applied when it is made to appear by the affidavit of the debtor or otherwise,

that such earnings are necessary for the use of a family supported wholly or in part by his labor

SEC. 483. *Judge may appoint receiver and prohibit transfers, etc.*—The Judge may, by order, appoint the Governor, or his deputy, of the proper province, or other suitable person, a receiver of the property of the judgment debtor; and he may also, by order, forbid a transfer or other disposition of, or any interference with, the property of the judgment debtor not exempt by law.

SEC. 484. *Liability of officer on official bond.*—If the Governor, or his deputy, be appointed receiver, he and his sureties shall be liable on his official bond as such receiver; but, if another person be appointed, he shall give an undertaking or bond as in other cases of receivers.

SEC. 485. *Proceedings when the judgment debtor has interest in real estate as mortgagee or mortgagor, or otherwise.*—If it appears that the judgment debtor has an interest in real estate, in the province in which proceedings are had, as mortgagee or mortgagor, or otherwise, and his interest can be ascertained as between himself and the person holding the legal estate, or the person having a lien on or interest in the same, without controversy as to the interest of such person holding such legal estate or interest therein, or lien on the same, the receiver may be ordered to sell and convey such real estate or the interest of the debtor therein; such sale shall be conducted in all respects in the same manner as is provided for the sale of real estate upon execution; and the proceedings of such sale shall, before the execution of the deed, be approved by the Court in which the judgment was rendered.

SEC. 486. *Proceedings when indebtedness denied or an ther claims the property.*—If it appears that a person or corporation, alleged to have property of the judgment debtor, or to be indebted to him, claims an interest in the property adverse to him or denies the debt, the Court or Judge may authorize, by an order made to that effect, the judgment creditor to institute an action against such person or corporation for the recovery of such interest or debt, and the Court or Judge may, by order, forbid a transfer or other disposition of such interest or debt until an action can be commenced and prosecuted to judgment, and may punish disobedience of such order as for contempt. Such order may be modified or vacated by the Judge granting the same, or by the Court in which the action is brought, at any time, upon such terms as may be just.

CHAPTER XXI.

COSTS IN THE SEVERAL COURTS.

SEC. 487. *Costs ordinarily follow result of suit.*—Costs shall ordinarily be allowed to the prevailing party as a matter of course, but the Court shall have power, for special reasons, to adjudge that either party shall pay the costs of an action, or that the same be divided, as may be equitable.

SEC. 488. *When action dismissed for want of jurisdiction.*—If an action is dismissed for want of jurisdiction, Courts nevertheless shall have power to render judgment for costs, as justice may require.

SEC. 489. *Lawyer's fees as costs.*—No lawyer's fees shall be taxed as costs against the adverse party, except as herein specially provided. But this section shall have no relation to the fees to be charged by a lawyer as against his client.

SEC. 490. *Restriction of costs.*—If the plaintiff in any action shall

recover a sum not exceeding ten pesos as debt or damages, he shall recover no more costs than debt or damages, unless the Court shall certify that the action involved a substantial and important right to the plaintiff, in which case full costs may be allowed, notwithstanding the debt or damages do not exceed ten pesos.

SEC. 491. *Costs in Justice of the Peace Courts.*—In an action pending before a Justice of the Peace, the plaintiff may recover the following costs, and no others:

For the complaint, one peso.

For the attendance of himself, or his counsel, or both, on the day of trial, one peso.

For each additional day's attendance required in the actual trial of the case, one half peso.

For each witness produced by him, for each day's necessary attendance at the trial, one half peso, and his lawful traveling fees.

For each deposition lawfully taken by him and produced in evidence, five pesos.

For original documents, deeds, or papers of any kind produced by him, nothing.

For official copies of such documents, deeds or papers, the lawful fees necessarily paid for obtaining such copies.

The lawful fees paid by him for service of the summons and other process in the action.

The lawful fees charged against him by the Justice in trying the action.

If the judgment is for the defendant, he may recover the following costs, and no others:

For the attendance of himself, or his counsel, or both, on the day of trial, one peso.

For each additional day's attendance required in the actual trial of the case, one half peso.

For each witness produced by him, for each day's necessary attendance at the trial, one half peso, and his lawful traveling fees.

For each deposition lawfully taken by him and produced in evidence, five pesos.

For original documents, deeds or papers of any kind produced by him, nothing.

For official copies of such deeds or papers, the lawful fees necessarily paid for obtaining such copies.

The lawful fees paid by him for service of any process in the action.

SEC. 492. *Costs in Courts of First Instance.*—In an action pending in a Court of First Instance, the prevailing party may recover the following costs, and no others:

For the complaint or answer, eight pesos.

For his own attendance, and that of his lawyer, down to and including final judgment, twenty pesos.

For each witness necessarily produced by him, for each day's necessary attendance of such witness at the trial, one peso, and his lawful traveling fees.

For each deposition lawfully taken by him, and produced in evidence, five pesos.

For original documents, deeds or papers of any kind produced by him, nothing.

For official copies of such documents, deeds or papers, the lawful fees necessarily paid for obtaining such copies.

The lawful fees paid by him for the service of any process in the action, and all lawful Clerk's fees paid by him.

SEC. 493. *Costs in Municipal Courts.*—In an action pending in any Municipal Court hereafter established, the costs to be allowed the plaintiff or defendant, shall be the same as those allowed in an action pending before a Justice of the Peace, as herein provided.

SEC. 494. *Costs in Supreme Court.*—In an action pending in the Supreme Court, the prevailing party may recover the following costs, and no others:

For his own attendance and that of his lawyers down to and including final judgment, forty pesos.

For official copies of bills of exception and the printing thereof, and all other copies required by rules of Court, the sum actually paid for the same, within the limits to be established by rules of the Supreme Court.

All lawful fees charged against him by the Clerk of the Supreme Court, in entering and docketing the action, and recording the proceedings and judgment therein, and for the issuing of all process.

No allowance shall be made to the prevailing party in the Supreme Court for the brief or written or printed arguments of his lawyer, or copies thereof, aside from the forty pesos above stated.

If testimony is received in the Supreme Court, not taken in another court and transmitted thereto, the prevailing party shall be allowed in the Supreme Court the same costs for witness fees, depositions and process and service thereof as he would have been allowed for such items had the testimony been introduced in a Court of First Instance.

The lawful fees of assessors and referees in an action may also be taxed against the defeated party, or apportioned, as justice requires.

SEC. 495. *Costs in Special Proceedings.*—In special proceedings, such costs only shall be allowed as are in this Code otherwise specially provided for such cases.

CHAPTER XXII.

PROCEEDINGS IN SUPREME COURT.

GENERAL PROCEDURE OF THE SUPREME COURT, AND PROCEDURE ON BILLS OF EXCEPTIONS.

SEC. 496. *General procedure in the Supreme Court.*—The Supreme Court may, in the exercise of its appellate jurisdiction, affirm, reverse, or modify any final judgment, order or decree of a Court of First Instance, regularly entered in the Supreme Court by bill of exceptions, or appeal, and may direct the proper judgment, order or decree to be entered, or direct a new trial, or further proceedings to be had, and if a new trial shall be granted, the Court shall pass upon and determine all the questions of law involved in the case presented by such bill of exceptions and necessary for the final determination of the action.

SEC. 497. *Hearings confined to matters of law, with certain exceptions.*—In hearings upon bills of exception, in civil actions and special proceedings, the Supreme Court shall not review the evidence taken in the Court below, nor re-try the questions of fact, except as in this section hereafter provided; but shall determine only questions of law raised by the bill of exceptions. But the Supreme Court may review the evidence taken in the Court below, and affirm, reverse, or modify the judgment there rendered, as justice may require, in the following cases:

1. If assessors sat with the Judge in the hearing in the Court below, and both the assessors were of the opinion that the findings of facts and judgment in the action are wrong and have certified in writing their dissent therefrom, and their reasons for such dissent, the Supreme Court may in connection with the hearing on the bill of exceptions, review the facts upon the evidence adduced in the Court below, and shall give to the dissent aforesaid such weight as in the opinion of the Judges of the Supreme Court it is entitled to, and upon such review shall render such judgment as is found just;

2. If before the final determination of an action pending in the Supreme Court on bill of exceptions, new and material evidence be discovered by either party, which could not have been discovered before the trial in the Court below, by the exercise of due diligence, and which is of such a character as probably to change the result, the Supreme Court may receive and consider such new evidence together with that adduced on the trial below, and may grant or refuse a new trial, or render such other judgment as ought, in view of the whole case, to be rendered, upon such terms as it may deem just. The party seeking a new trial, or a reversal of the judgment on the ground of newly discovered evidence, may petition the Supreme Court for such new trial, and shall attach to the petition affidavits showing the facts entitling him to a new trial and the newly discovered evidence. Upon the filing of such petition in the Supreme Court, the Court shall, on notice to both parties, make such order as to taking further testimony by each party, upon the petition, either orally in Court, or by depositions, upon notice, as it may deem just. The petition with the evidence shall be heard at the same time as the bill of exceptions;

3. If the excepting party filed a motion in the Court of First Instance for a new trial, upon the ground that the findings of fact were plainly and manifestly against the weight of evidence, and the Judge overruled said motion, and due exception was taken to his overruling the same, the Supreme Court may review the evidence and make such findings upon the facts, and render such final judgment, as justice and equity require. But, if the Supreme Court shall be of the opinion that this exception is frivolous and not made in good faith, it may impose double or treble additional costs upon the excepting party, and may order them to be paid by the counsel prosecuting the bill of exceptions, if in its opinion justice so requires.

SEC. 498. *Procedure on appeal from special proceedings.*—On appeals from special proceedings had before a Court of First Instance or a Judge thereof, the Supreme Court shall determine the questions of fact from the evidence certified from the Judge or Court below, and shall also decide all questions of law arising upon the appeal. But, if the appeal involves such a number of items of account as to render the re-examination of the evidence by the Supreme Court inconvenient and unduly burdensome, the Court may refer the accounting to a commissioner to be appointed by it, who shall be thoroughly competent to adjust complicated accounts. The commissioner shall have power to administer oaths, and to re-examine all controverted items of the account, upon the testimony already taken and certified from the Judge or Court below, and upon such further testimony as the Supreme Court shall for special reasons authorize. He shall be sworn to a faithful performance of his duties as commissioner and shall have power to issue subpoenas for witnesses. He shall state the items of the account as allowed or disallowed, and report to the Court his findings of facts and his allowances or disallowances, and his rulings

upon all questions of law, and shall return to the Court all testimony taken by him. The Court shall thereupon render, upon notice and hearing, such judgment as justice requires, in view of the findings of the commissioner and of the evidence. The Court shall not be bound by his findings, but may review the evidence, or may recommit the report to the same or another commissioner for further findings, if justice so requires. The final judgment of the Supreme Court in such special proceedings shall be certified to the Court of First Instance immediately upon its rendition, and shall be conclusive.

SEC. 499. *Judge failing to sign exceptions, how compelled.*—If from any cause the bill of exceptions is not certified by the Judge of the Court below, without fault of the party tendering the bill of exceptions, such party, or his attorney, may apply at the next term of the Supreme Court, and on petition obtain from said Court a mandamus directed to such Judge:

1. Such petition must set out substantially the bill of exceptions tendered, and shall be verified by oath by the lawyer as to the truth of the bill of exceptions as tendered by the party or his lawyer and as to the other facts stated therein;

2. Upon the filing of such petition, the Supreme Court shall issue a mandamus directed to the Judge of the Court of First Instance, requiring him forthwith to make return of his reasons for not certifying the bill of exceptions, and the Judge shall forthwith make such return, and the Supreme Court shall hear the original parties and determine the validity of the reasons given by the Judge for his failure or refusal;

3. If the reasons be insufficient, or the Judge fails or refuses to make any return to the mandamus, the Supreme Court shall issue a mandamus absolute, commanding the Judge to sign and certify the bill of exceptions, as set forth in the petition or as modified by the Supreme Court;

4. If he still refuses to do so, the cause shall be heard by the Supreme Court on the exceptions as verified in the petition for mandamus;

5. In the hearing upon the Judge's return, as provided in subdivision 2 of this section, the Supreme Court may, in its discretion, receive other testimony than the Judge's return, in determining the validity of the reasons given by the Judge for his failure or refusal to sign the bill of exceptions.

SEC. 500. *Dismissal of bills of exception.*—Bills of exception may be dismissed with costs, when it appears upon the face thereof that the Supreme Court has not jurisdiction, or that the action has not been properly brought to that court by bill of exceptions, or that the exceptions have not been allowed by the Judge of the Court of First Instance, or for unreasonable failure to prosecute or perfect the bill of exceptions. But no such dismissal shall be made for purely formal defects not affecting the rights of the parties, nor for any defect which can be removed, and the Supreme Court shall give such reasonable time as may be necessary to remove such defect, if it can be removed. Nor shall such dismissal be made as a penalty upon lawyer or client for non-compliance with any rule or rules of the Court where there has been a substantial compliance with the law prescribing the method of bringing actions into the Supreme Court; nor for any want of technical conformity to the laws or rules regulating the practice of carrying cases to that Court, where there is enough in the bill of exceptions presented to enable the Court to

ascertain substantially the real questions presented in the case which the parties seek to have decided therein; nor shall such dismissal be granted whereby an amendment to the bill of exceptions, which is hereby declared to be lawful and allowable, and imperfections or omissions of necessary and proper allegations, could be corrected from the record in the case.

SEC. 501. *Incomplete record, how corrected.*—If at any time when a case is called for trial, or during the trial, or afterwards, while the Supreme Court may have the same under consideration, it is discovered that the record is so incomplete that justice requires the case to be postponed until the record can be made complete, the Court shall postpone the further consideration of the same and make such order as may be proper and necessary to complete the record, in the interests of justice. But the Court may dismiss a bill of exceptions for failure of the excepting party within a reasonable time to comply with the orders made for the perfection of the bill of exceptions.

SEC. 502. *Effect of dismissing bill of exceptions.*—The dismissal of a bill of exceptions by the Supreme Court will leave the action as though no bill of exceptions had ever been filed, and the judgment of the Court of First Instance may be enforced at any time after such dismissal. But the execution shall include additional costs allowed by the Supreme Court upon the dismissal of the bill of exceptions.

SEC. 503. *Judgment not to be reversed on technical grounds.*—No judgment shall be reversed on formal or technical grounds, or for such error as has not prejudiced the real rights of the excepting party.

SEC. 504. *May order trial before another Judge.*—Whenever a judgment of a Court of First Instance shall be reversed and a new trial be ordered, the Supreme Court may assign one of its own members, or any Judge of another Court of First Instance, to hear the action upon the new trial, instead of the Judge whose judgment has been vacated, if, in the opinion of the Supreme Court, fairness to the parties requires such order.

SEC. 505. *Procedure upon new trial.*—In a new trial ordered by the Supreme Court, all the evidence taken upon the former trial which is competent and admissible shall be used upon the new trial without retaking; but additional evidence may be presented upon the second trial by either party.

SEC. 506. *Certificate of judgment to be remitted the Court of First Instance.*—In all cases heard by the Supreme Court on bills of exception, its judgments shall be remitted by the Courts of First Instance from which the actions respectively came into the Supreme Court; and for this purpose, it shall be the duty of the Clerk of the Supreme Court, within ten days after the close of any term, to remit to the Clerks of Courts of First Instance, notices of all judgments of the Supreme Court in actions brought from the Courts of First Instance respectively. Upon receiving the notice so remitted, the Clerk of the Court of First Instance shall enter the same upon his docket and file the notice with the other papers in the action.

The judgment so remitted shall be executed by the Court of First Instance, in the same manner as though the action had not been carried to the Supreme Court. But the Supreme Court may, by special order, direct any particular judgment to be remitted to the proper Court of First Instance at any time, without awaiting the end of the term.

SEC. 507. *The Clerk of the Court of First Instance to give notice of judgments remitted.*—It shall be the duty of the Clerks of Courts of

First Instance, upon receiving notice of any judgment remitted by the Supreme Court, immediately in writing, to notify the counsel of all parties of the judgment that has been received.

SEC. 508. *Copy of opinion certified to Court below.*—In all cases in which the Supreme Court shall reverse the judgment of the Court below, and remand the action to be proceeded with in such Court, by new trial or otherwise, the Clerk of the Supreme Court shall prepare and certify a copy of the opinion of the Supreme Court in the action, and send it with the certificate of the judgment rendered in the action by the Supreme Court, to the Clerk of the Court from which the action was brought, or to which it may be remanded; and the fees of the Clerk for certifying the opinion shall be a part of the taxable costs of the case in the Supreme Court; and the copy of the opinion furnished shall be preserved by the Clerk to whom it is delivered, for the use of the Court and parties.

SEC. 509. *Excepting party not entitled to reversal as to another.*—In all actions, civil and criminal, a judgment excepted to may be affirmed as to some of the excepting parties, and reversed as to others; and one of several excepting parties shall not be entitled to a judgment of reversal because of an error in the judgment against another, not affecting his rights in the case; and when a judgment shall be affirmed as to some of the excepting parties and reversed as to others, the case shall thereafter be proceeded with, so far as necessary, as if separate actions had been begun and prosecuted; and execution of the judgment of affirmance may be had accordingly, and costs may be adjudged in such, cases, as the Supreme Court shall deem proper.

SEC. 510. *Interest on judgment affirmed.*—When the Supreme Court shall affirm a judgment of a Court below, for the recovery of money, or shall reverse a judgment of a Court below, and award a sum of money as debt or damages, it shall direct that interest be added to the original judgment or sum determined to be due, from the date of the former judgment until the date of the final judgment, at the rate of six per cent per annum.

SEC. 511. *Extraordinary orders enforced by lower Court, when.*—When judgments are rendered in injunction or other extraordinary cases, the Judges of the Courts of First Instance are clothed with the power to give immediate effect to them, either in term time or in vacation, after the judgment of the Supreme Court has been remitted to the Court of First Instance, as above provided.

SEC. 512. *Bills of exception to be printed.*—It shall be the duty of the Clerk of the Supreme Court seasonably to cause thirty copies of all bills of exception to be printed, for the use of the Judges and all counsel in the case. The expense of printing shall be paid primarily by the excepting party, and shall be taxed as a part of the costs in the case.

CHAPTER XXIII.

PROCEEDINGS OF SUPREME COURT IN THE EXERCISE OF ITS ORIGINAL JURISDICTION.

SEC. 513. *Procedure in cases of defaults caused by fraud, accident or mistake.*—When a judgment is rendered by a Court of First Instance upon default, and a party thereto is unjustly deprived of a hearing by fraud, accident, mistake or excusable negligence, and the Court of First Instance which rendered the judgment has finally

adjourned so that no adequate remedy exists in that Court, the party so deprived of a hearing, may present his petition to the Supreme Court within sixty days after he first learns of the rendition of such judgment, and not thereafter, setting forth the facts and praying to have such judgment set aside. The Court shall summarily on notice to both parties hear such petition, upon oral or written testimony as it shall direct, and the judgment shall be set aside and a trial upon the merits granted, upon such terms as may be just, if the facts set forth in the complaint are found to be true, otherwise the complaint shall be dismissed with costs.

If a trial on the merits is granted, the order shall forthwith be certified to the Court of First Instance. Pending such petition, any Judge of the Supreme Court for cause shown, may order a suspension of further proceedings to enforce the judgment complained of, upon taking sufficient security from the petitioner for all costs and damages that may be awarded against him in case the petition is dismissed.

SEC. 514. *Procedure in certiorari.*—The Supreme Court shall have concurrent jurisdiction with the Court of First Instance in certiorari proceedings over any other inferior tribunal, board, or officer exercising judicial functions that has exceeded the jurisdiction of such tribunal, board, or officer and where there is no appeal or any plain, speedy, or adequate remedy; and shall likewise have original jurisdiction by certiorari proceedings over the proceedings of Courts of First Instance wherever said Courts have exceeded their jurisdiction, and there is no plain, speedy and adequate remedy by bill of exceptions, or appeal or otherwise. The proceedings of the Supreme Court in certiorari proceedings shall be the same as those provided for such proceedings for Courts of First Instance in sections 217, 218, 219, 220, and 221.

SEC. 515. *Procedure in mandamus.*—The Supreme Court shall have concurrent jurisdiction with the Courts of First Instance in all cases where an inferior tribunal, corporation, board, or person unlawfully neglects the performance of an act which the law specially enjoins as a duty resulting from an office of trust or station, or unlawfully excludes the plaintiff from the use and enjoyment of a right or office to which he is entitled, and from which he is unlawfully excluded by such inferior tribunal, corporation, board, or person, and also shall have original jurisdiction over Courts of First Instance and Judges thereof wherever said Court or Judge unlawfully neglects the performance of a duty which the law specifically or specially enjoins as a duty imposed upon such Court or Judge. The procedure of the Supreme Court in mandamus proceedings shall be the same as those provided for mandate in sections 222, 223, 224, and 225 of this Code.

SEC. 516. *Prohibition.*—The Supreme Court shall have concurrent jurisdiction with Courts of First Instance over inferior tribunals, corporations, boards, or persons, whether exercising functions judicial or ministerial, which are without or in excess of the jurisdiction of such tribunal, corporation, board, or person, and also have original jurisdiction over Courts of First Instance when such Courts are exercising functions without or in excess of their jurisdiction. The proceedings of the Supreme Court in prohibition shall be the same as those provided for prohibition in sections 226, 227, and 228 of this Code.

SEC. 517. *Preliminary injunctions in certiorari, mandate, and prohibition proceedings.*—In certiorari, mandamus, and prohibition proceedings an injunction may be granted by any Judge of the Supreme

Court, if in his judgment such injunction is necessary for the preservation of the rights of the parties, pending litigation.

SEC. 518. *Expediting such proceedings.*—The Court may in its discretion, make such orders as it deems necessary for expediting proceedings in petitions for certiorari, mandamus, or prohibition proceedings. If the Court is not in session, any Judge of the Supreme Court may make such orders in vacation.

SEC. 519. *Quo warranto.*—The Supreme Court shall have concurrent jurisdiction with Courts of First Instance over actions brought by reason of the usurpation of a public civil office, or franchise, or an office in a corporation created by authority of the Government of the Philippine Islands; and over public civil officers who do or suffer an act which by the provisions of law works a forfeiture of their offices and over associations of persons who act as a corporation within the Philippine Islands, without being legally incorporated, or without lawful authority to do so; and over corporations that have offended against a provision of an act for their creation or renewal, or an act altering or amending such act, and when they have forfeited their privileges and franchises by a non-user, and when they have committed or omitted an act which amounts to a surrender of their corporate rights, privileges, or franchises, or when they have misused a franchise, privilege, or right conferred upon them by law, or when they have exercised a franchise, privilege, or right in contravention of law. Its proceedings in the exercise of this original jurisdiction shall be in accordance with the provisions of sections 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 212, 213, 214, 215, and 216, of this Code.

CHAPTER XXIV.

THE CLERK OF THE SUPREME COURT AND HIS DUTIES.

SEC. 520. *The Clerk.*—The Clerk of the Supreme Court shall carefully keep a minute of the proceedings of the Court for each day, drawn up in a record book to be kept by him for that purpose; he shall seasonably record the judgments, decrees, orders and decisions of the Court. He shall safely keep all records, files, books and papers committed to his charge, including the library of the Supreme Court, and also all seals and furniture belonging to his office, and deliver such records, files, books, seals and furniture, to his successor in office; and in case of refusal or failure to deliver whatever belongs to his office to his successor, his bondsmen shall be holden for such refusal or failure; he shall prepare for any person demanding the same, a certified copy of any paper, record, decree, judgment, or entry on file in his office, proper to be certified, for the fees prescribed by law. He shall issue all ordinary process incident to proceedings in the Supreme Court, not including injunctions, appointment of receivers, and other extraordinary functions appertaining to the Court or Judge only. The transcript filed in the Supreme Court, the process in each case, and the judgment or decree entered therein shall be the final record in the cause in the Supreme Court, certified as such by the Clerk whenever an exemplification of a judgment or a decree of the Court may be required.

SEC. 521. *Dockets.*—It shall be the duty of the Clerk of the Court to make out and keep a general docket or register of actions and proceedings wherein all actions and proceedings, civil and criminal, shall

be entered and numbered consecutively in the order in which they are received. He shall enter upon his docket, under the head of each action or proceeding, in brief form, a note of everything done therein. He shall also prepare and keep such other books as the Court shall direct.

PART II.

SPECIAL PROCEEDINGS.

CHAPTER XXV.

POWER OF JUDGE OR COURT IN SPECIAL PROCEEDINGS.

SEC. 522. *Judge may act in vacation in Special Proceedings.*—Any act required or authorized to be performed by a Court of First Instance in special proceedings may be performed by the Judge thereof in vacation as well as in term time, and the orders, judgments and decrees made by him as Judge at any time, within his jurisdiction, in such proceedings, shall be equally effective as though made in open Court at a regular session thereof.

BANKRUPTCY.

SEC. 523. *Pending proceedings to be governed by former law.*—All proceedings in bankruptcy now pending in Courts of the Philippine Islands shall proceed to their regular termination in accordance with the procedure and law in force in the Islands on the 13th day of August, 1898, notwithstanding anything in this Code provided; but civil actions incident to bankruptcy proceedings shall be governed by the provisions of this Code, and no challenge of the competency of a Judge shall be entertained or allowed in such actions or proceedings.

SEC. 524. *No new proceeding to be instituted.*—No new bankruptcy proceedings shall be instituted until a new bankruptcy law shall come into force in the Islands. All existing laws and orders relating to bankruptcy and proceedings therein are hereby repealed. Provided, that nothing in this section shall be deemed in any manner to affect pending litigation in bankruptcy proceedings.

CHAPTER XXVI.

PROCEEDINGS IN HABEAS CORPUS.

SEC. 525. *To what habeas corpus extends.*—The writ of habeas corpus shall extend to all cases of illegal confinement or detention by which any person is deprived of his liberty, or by which the rightful custody of any person is withheld from the person entitled thereto, except in cases expressly excepted.

SEC. 526. *Who may grant the writ.*—The writ of habeas corpus may be granted by the Supreme Court, or any Judge thereof, in term time or in vacation, and if so granted it shall be enforceable anywhere in the Philippine Islands, and it shall be made returnable before the Court or any Judge thereof. It may also be granted by a Court of First Instance, or a Judge thereof, in term time or in vacation, and returnable before himself, enforceable within his judicial district only.

SEC. 527. *Requisites of application therefor.*—Application for the

writ shall be by petition signed and verified either by the party for whose relief it is intended, or by some person for him, and shall specify:

1. That the person in whose behalf the application is made is imprisoned or restrained of his liberty;

2. The officer or name of the person by whom he is so confined or restrained; or, if both are unknown or uncertain, he may be described by an assumed appellation, and the person who is served with the writ shall be deemed the person intended;

3. The place where he is so imprisoned or restrained, if known;

4. A copy of the commitment or cause of detention of such person shall be exhibited, if it can be procured, without impairing the efficiency of the remedy; or, if the imprisonment or detention is without any legal authority, such fact shall appear.

SEC. 528. *When the writ shall not be allowed.*—If it appears that the person alleged to be restrained of his liberty is in custody of an officer under process issued by a Court or Magistrate, or by virtue of a judgment or order of a court of record, and that the Court or Magistrate had jurisdiction to issue the process, render the judgment, or make the order, the writ shall not be allowed; or if the jurisdiction appear after the writ is allowed, the person shall not be discharged by reason of any informality or defect in the process, judgment, or order.

SEC. 529. *Not to apply in certain cases.*—Nothing in this chapter shall authorize the discharge of any person convicted of an offense, or charged with an offense, committed in any other part of the Philippine Islands, or in any part of the United States, and who, agreeably to law, ought to be delivered up to the executive power of the United States or of any State thereof, where the offense is charged to have been committed; nor of any person suffering imprisonment under lawful judgment; nor, in the provinces of Batangas, Cebú and Bohol, already organized under "The Provincial Government Act," and in provinces wherein a provincial government has not yet been organized, of any person imprisoned by the authority of the Commanding General of the United States Army in the Division of the Philippines, for violation of the laws of war or for a military offense. But the writ of habeas corpus shall apply to all cases of unlawful imprisonment in the three provinces above named and in provinces hereafter organized under "The Provincial Government Act," to the same extent as in other provinces heretofore organized, whenever the Commission shall so provide by law.

SEC. 530. *When the writ must be granted.*—A Judge or a Court authorized to grant a writ must, when a petition therefor is presented, if it appear that the writ ought to issue, grant the same forthwith.

SEC. 531. *Who to issue the writ.*—The writ upon its allowance, shall be issued forthwith, by the Clerk of the Court whereof the person who granted it is a Judge, under the seal of such Court; or in case of emergency, such Judge may issue the writ under his own hand, and may depute any officer or person to serve it.

SEC. 532. *How prisoner may be designated.*—The person to be produced should be designated by his name, if known, and if not known, or uncertain, he may be described in any other way so as to make known who is intended.

SEC. 533. *Requisites of writ in certain cases.*—In case of confinement, imprisonment, or detention by an officer, the writ shall be directed to him and shall command him to have the body of such person before the Court or Judge designated in the writ, at the time and place therein specified.

SEC. 534. *Form of writ when prisoner not in custody of an officer.*—In case of confinement, imprisonment, or detention, by a person not an officer, the writ shall be substantially in the form following:

“United States of America, Philippine Islands, Province of.
To the Governor or his Deputy of any Province, Greeting:

We command you that the body of. of.
by. of. imprisoned and restrained of his
liberty, as it is said, you take and have before. a Judge of
our. Court, (or before the Court, as the case may be), or
in case of his absence or disability, before some other Judge of the
same Court at., forthwith to do and receive what the
said Judge shall then and there consider, concerning him in this
behalf; and summon the said. then and there to appear before
our said Judge (or Court) to show the cause of the taking and deten-
tion of the said.

(SEAL) Witness my hand at. this. day of. in
the year 19.

.....
Judge of the Supreme Court
(as the case may be)”

SEC. 535. *How and where writ may be served.*—The writ may be served in any province, by the Governor or his deputy, or the Sheriff of the same, or by a person deputed by the Court or Judge.

SEC. 536. *How executed and returned.*—The officer or person to whom the writ is directed shall convey the person so imprisoned or detained, and named in the writ, before the Judge allowing the writ, or, in case of his absence or disability, before some other Judge of the same Court, on the day specified in the writ; and he shall make due return of the writ, together with the day and the cause of the caption and detention of such person according to the command thereof.

SEC. 537. *When it may be returned to another Judge or Court.*—When the writ is issued by a Court in session, if the Court has adjourned when the same is returned, it shall be returned before any Judge of the same Court; and when the writ is returned before one Judge, at a time when the Court is in session, he may adjourn the case into the Court, there to be heard and determined.

SEC. 538. *What shall be stated in the return of the writ.*—When the person to be produced is imprisoned or restrained by an officer, the person who makes the return shall state therein, and in other cases the person in whose custody the prisoner is found, shall state, in writing, to the Court or Judge before whom the writ was returnable plainly and unequivocally:

1. Whether he has or has not the party in his custody or power, or under restraint;
2. If he has the party in his custody or power, or under restraint, he shall set forth, at large, the authority and the true and whole cause of such imprisonment and restraint, with a copy of the writ, warrant, execution or other process, if any, upon which the party is detained;
3. If he has had the party in his custody or power, or under restraint, and has transferred such custody or restraint to another, he shall state particularly to whom, at what time, for what cause, and by what authority such transfer was made.

SEC. 539. *The return must be signed and sworn to.*—The return or statement shall be signed by the person who makes it; and shall also be sworn to by him, unless he is a sworn public officer, and makes the return in his official capacity.

SEC. 540. *Adjournment of cause.*—The Court or Judge to whom the writ is returned, or the Court into which it is adjourned, may, for good cause shown, continue the cause, and shall make such order for the safekeeping of the person imprisoned or detained as the nature of the case requires.

SEC. 541. *When prisoner shall be discharged.*—When the Judge or Court has examined into the cause of caption and detention of the person so brought before it, and is satisfied that he is unlawfully imprisoned or detained, he shall forthwith discharge him from confinement. On such examination the Judge shall disregard matters of form or technicalities in any warrant, mittimus, or order of commitment by a Court or officer authorized to commit by law.

SEC. 542. *When prisoner may be committed to jail, or let to bail.*—When the prisoner is confined or detained in a legal manner, on a charge of having committed a crime or offense which is bailable, the Judge or Court shall, in his or its discretion, recommit him to confinement, or “let him to bail;” if he be let to bail, the Judge shall cause him to enter into a recognizance, with sufficient surety, in such a sum as he deems reasonable—the circumstances of the prisoner, and the nature of the offense charged, considered—conditioned for his appearance at the Court where the offense is properly cognizable; the Judge shall certify his proceedings, together with the recognizance, forthwith to the proper Court; and if the person charged fail to enter into such recognizance, he shall be committed to prison by the Judge.

SEC. 543. *When prisoner must be committed.*—If it appear that the prisoner was committed by a Judge or Justice, and is plainly and specifically charged in the warrant of commitment with a high crime, punishment whereof is capital, he shall not be released, discharged, or bailed.

SEC. 544. *When the return is evidence, and when only a plea.*—If it appear that the prisoner is in custody under a warrant of commitment in pursuance of law, the return shall be considered *prima facie* evidence of the cause of detention; but if he is restrained of his liberty by any alleged private authority, the return of the writ shall be considered only as a plea of the facts therein set forth, and the party claiming the custody shall be held to make proof of such facts; and upon the final disposition of any case, the Court or Judge shall make such order as to costs as the case requires.

SEC. 545. *Penalty upon Clerk for refusing to issue the writ.*—If a Clerk of a Court refuse to issue the writ, after allowance thereof and demand therefor, he shall forfeit to the party aggrieved the sum of five hundred dollars, to be recovered in a proper action.

SEC. 546. *Penalty for disobeying the writ.*—A person to whom a writ is directed, who neglects or refuses to obey or make return of the same, according to the command thereof, or makes false return thereof, or who, upon demand made by the prisoner, or any person on his behalf, refuses to deliver to the person demanding, within six hours after the demand therefor, a true copy of the warrant of commitment and detainer of the prisoner, shall, for the first offense, forfeit to the party aggrieved two hundred dollars, and for the second offense four hundred dollars, and may also be dealt with by the Judge of the Court as for a contempt.

SEC. 547. *Persons set at liberty upon the writ not to be again imprisoned.*—A person who is set at liberty upon a writ of habeas corpus shall not be again imprisoned for the same offense, unless by the legal order or process of the Court wherein he is bound by recog-

nizance to appear, or other Court having jurisdiction of the cause or offense; and a person who knowingly, contrary to the provisions of this chapter, recommitts or imprisons, or causes to be committed or imprisoned, for the same offense, or pretended offense, any person so set at liberty, or knowingly aids or assists therein, shall forfeit to the party aggrieved five hundred dollars notwithstanding any colorable pretense or variation in the warrant of commitment, and may also be dealt with as for a contempt by the Judge or Court granting the writ.

SEC. 548. *Prisoner not to be removed from the custody of one officer, to another, unless, etc.*—A person committed to prison, or in custody of an officer, for any criminal matter, shall not be removed therefrom into the custody of another officer, unless by legal process, or the prisoner be delivered to an inferior officer to carry to jail, or, by order of the proper Court, be removed from one place to another within the Islands, for trial, or in case of fire, infection, insurrection or other necessity; and a person who, after such commitment, makes, signs, or countersigns any warrant for such removal contrary to this section, shall forfeit to the party aggrieved five hundred dollars.

SEC. 549. *Record of writ, etc.*—The proceedings upon a writ of habeas corpus shall be recorded by the Clerks respectively.

SEC. 550. *Fees and costs.*—The fees of officers and witnesses shall be taxed by the Judge, on his return of his proceedings on the writ, and when the prisoner is discharged, the costs shall be taxed to the Philippine Government, and paid out of its treasury; but no officer or person shall have the right to demand payment in advance of any fees which he is entitled to by virtue of the proceedings, when the writ is demanded or issued for the discharge from custody of a person confined under color of proceedings in any criminal case; when a person in custody by virtue or under color of proceedings in any civil case is discharged, the costs shall be taxed against the party at whose instance he was so in custody; and if he be remanded to custody, costs shall be taxed against him.

CHAPTER XXVII.

GUARDIANS, THEIR APPOINTMENT, DUTIES, POWERS AND ACCOUNTS.

GUARDIANS OF MINORS.

SEC. 551. *Judge of First Instance may appoint guardian.*—The Judge of a Court of First Instance of each province, when it appears necessary or convenient, may appoint guardians for the persons and estates, or either of them, of minors, who have no guardian legally appointed by will or deed, and who are inhabitants or residents of the province, or who reside without the Philippine Islands, and have estates within the province. Such appointment may be made on the petition of a relative, or other person on behalf of the minor, or on petition of the minor, if fourteen years of age. Before making such appointment the Judge must cause such notice as he deems reasonable to be given to any person having the care of such minor, and to such relatives of a minor residing in the province as he may deem proper.

SEC. 552. *Spanish law as to power of family council in guardianship matters repealed.*—All provisions of Spanish law heretofore prevailing in the Philippine Islands, giving to the family council any authority in the appointment of guardians for minors or other persons, are hereby repealed.

SEC. 553. *Father or mother natural guardian and to be appointed guardian of estate, if competent.*—The father, or, in case of his death or legal disqualification, the mother, of a minor child, is to be deemed the natural guardian of the child, and as such is entitled to the custody, and care for the education, of the minor, but not of his estate, unless so ordered by the Court. It shall be the duty of the Judge, in the appointment of a guardian of the estate of a minor child, to appoint the father or mother or near relative of the child, preference being given in the order just named, but the Court shall have power to set aside the order of preference here provided, and to appoint any suitable person as guardian, either of the person or of the estate of the minor, or both, as the best interests of the child may require. The authority of the guardian shall not be extinguished or affected by the marriage of the guardian.

SEC. 554. *Guardian to care for minor's education.*—A guardian duly appointed shall have the custody and care of the education of the minor, if the Court shall so order, and likewise the care and management of his estate, if the Court shall so order, until such minor arrives at the age of majority, or marries, or until the guardian is legally discharged.

SEC. 555. *Bond of guardian.*—Before the order appointing any person guardian under this chapter takes effect, and before letters of guardianship issue, the Judge must require of such person a bond to the minor, with sufficient surety, to be approved by the Judge, and in such sum as he shall order, conditioned that the guardian will faithfully execute the duties of his trust according to the law, and the following conditions shall form a part of such bond without being expressed therein:

1. To make an inventory of all the estate, real and personal, of his ward, that comes to his possession or knowledge, and to return the same within such time as the Court may order;

2. To dispose of and manage the estate according to law for the best interests of the ward, and faithfully to discharge his trust in relation thereto, and also in relation to the care, custody, and education of the ward;

3. To render an account on oath of the property, estate, and moneys of the ward in his hands, and all proceeds or interest derived therefrom, and of the management and disposition of the same, within three months after his appointment, and at such other times as the Judge directs, and at the expiration of his trust, to settle his accounts with the Court of First Instance and to pay over and deliver all the estate, moneys, and effects remaining in his hands, or due from him on such settlement, to the person lawfully entitled thereto. Upon filing the bond duly approved, letters of guardianship must issue from the Judge to the person appointed. The oath of the guardian shall be endorsed thereon that he will perform the duties as such guardian according to law.

SEC. 556. *Recording letters of guardianship.*—All letters of guardianship issued, and all guardians' bonds executed under the provisions of this chapter, together with the oaths thereon, must be recorded by the Clerk of the Court of First Instance of the province within and for which the appointment is made.

SEC. 557. *Testamentary guardians.*—Every guardian appointed by the will of a parent must give bond and qualify, and has the same powers and has the same duties in regard to the person and estate of his ward as guardians appointed by the Court, except so far as their

powers and duties are legally modified, enlarged, or changed by the will by which such guardian was appointed.

SEC. 558. *Guardians ad litem not affected by this chapter.*—Nothing contained in this chapter affects or impairs the power of any Court to appoint a guardian *ad litem*, to defend the interests of any minor interested in any action or matter pending therein.

GUARDIANS OF PERSONS OF UNSOUND MIND.

SEC. 559. *Appointment of guardians of persons of unsound mind.*—When it is represented to a Court of First Instance, or a Judge thereof, by petition verified by oath of any relative or friend, that any person who is an inhabitant or resident of the province, is insane or is a spendthrift, incompetent to manage his estate, praying that a guardian may be appointed for such person, such Court or Judge must cause a notice to be given to the supposed insane or incompetent person of the time and place of hearing the petition, not less than five days before the time so appointed; and such person, if able to attend, must be produced on the hearing.

SEC. 560. *Duty of court to appoint.*—If after a full hearing and examination upon such petition, it appears to the Court or Judge that the person in question is incapable of taking care of himself and managing his property, such Court or Judge must appoint a guardian of his person and estate, with the powers and duties hereinafter specified.

SEC. 561. *Power and bond of guardian.*—Every guardian appointed, as provided in the preceding section, shall have the care and custody of the person of his ward and the management of all of his estate, until such guardian is legally discharged; and he must give bond to such ward in like manner and with like conditions as before prescribed with reference to the guardian of a minor.

SEC. 562. *Restoration of competency.*—Any person who has been declared insane or incompetent, or the guardian, or any relative of such person within the third degree, or any friend, may apply, by petition, to the Court of First Instance of the province in which the appointment of guardians is made, and have the fact of his restoration to capacity judicially determined. The petition shall be verified by oath, and shall state that such person is then sane and competent. Upon receiving the petition, the Court must appoint a day for hearing before the Court, and shall cause notice of the trial to be given to the guardian of the person so declared insane or incompetent and to the ward. On the trial, the guardian, or relatives of the person so declared insane or incompetent, and in the discretion of the Court any other person, may contest the right to the relief demanded. Witnesses may be required to appear and testify, and may be called and examined by the Court on its own motion. If it be found that the person be of sound mind, and capable of taking care of himself and property, his restoration to capacity shall be adjudged and the guardianship of such person, if such person be not a minor, shall cease.

SEC. 563. *Guardian to pay debts of ward.*—Every guardian appointed under the provisions of this chapter, whether for a minor or any other person, must pay all just debts due from his ward out of his personal estate and the income of his real estate if sufficient; if not, then out of his real estate, upon obtaining an order for the sale thereof, and disposing of the same, in the manner provided in this Code for the sale of real estate of deceased persons.

SEC. 564. *Guardian to settle all affairs of ward.*—Every guardian

must settle all accounts of the ward, and demand, sue for, and receive all debts due to him, or may, with the approbation of the Judge, compound for the same and give discharges to the debtor, on receiving a fair and just dividend of the estate and effects; he must appear for and represent his ward in all legal suits and proceedings, unless another person be appointed for that purpose.

SEC. 565. *Management of ward's estate.*—Every guardian must manage the estate of his ward frugally and without waste, and apply the income and profits thereof, so far as may be necessary, for the comfortable and suitable maintenance of the ward and his family, if there be any; and if such income and profits be insufficient for that purpose, the guardian may sell the real estate, upon obtaining an order of the Judge therefor, as provided in the preceding section. He must apply the proceeds of such sale, so far as may be necessary, for the maintenance and support of his ward and his family, if there be any.

SEC. 566. *Action of guardian in partition proceedings.*—The guardian may join in and assent to a partition of the real or personal estate of the ward, held by the ward jointly or in common with others, after leave granted by the Judge or Court, having jurisdiction over the estate; but such leave shall not be granted except after a careful investigation of the necessity and propriety of the proposed action by the Judge or Court, after such notice to relatives of the ward as the Judge or Court may deem necessary.

SEC. 567. *Inventory and accounts of guardians.*—Every guardian must return to the Court an inventory of the estate of his ward within three months after his appointment and annually thereafter. The Court or Judge may, upon application made for that purpose by any person interested, compel the guardian to render an account to the Court of the estate of his ward. The inventories and accounts so to be returned or rendered must be sworn to by the guardian. All the estate of the ward described in the first inventory must be sworn to by the guardian. All the estate of the ward described in the first inventory must be appraised by two appraisers appointed and sworn by the Judge. Such inventory, with the appraisement of the property therein described, must be recorded by the Clerk of the Court in a proper book kept in his office for that purpose. Whenever any other property of the ward is discovered, not included in the inventory of the estate already returned, and whenever any other property has been succeeded to or acquired by any ward, for his benefit, the like proceedings must be had for the return and appraisement thereof within the time provided for the first inventory and return.

SEC. 568. *Settlement of guardian's accounts.*—The guardian must upon the expiration of a year, from the time of his appointment, and as often thereafter as may be required, present his account to the Court for settlement and allowance.

In the settlement of the account, the guardian shall be allowed the amount of his reasonable expenses incurred in the execution of his trust and also such compensation for his services as the Court, in which his accounts are settled, deems just and reasonable; but not exceeding two dollars per day for the time actually spent, and a commission upon all disbursements made by him, which commission shall be the same as that in this Code provided for disbursements made by executors and administrators. But in cases of exceptional importance, a larger compensation may be allowed for the services of the guardian.

SEC. 569. *Sale or re-investment of portions of estate.*—When the income of an estate under guardianship is insufficient to maintain the ward and his family, or to maintain and educate the ward when a minor, or when it appears to the satisfaction of the Court that it is for the benefit of the ward that his real estate or some part thereof should be sold, and the proceeds thereof put out at interest, or invested in some productive security, or in the improvement or security of other real estate of the ward, the guardian may present to the Judge or Court by which he was appointed, a verified petition, setting forth the condition of the estate of his ward, and the facts and circumstances on which the petition is founded, tending to show the necessity or expediency of the sale. If it appears to the Court or Judge that it is necessary, or would be beneficial to the ward that the estate or some part of it should be sold, the Court shall thereupon make an order directing the next of kin to the ward, and all persons interested in the estate, to appear before the Judge or Court, at the time and place therein specified, not less than four nor more than eight weeks from the time of making such order, to show cause why an order should not be granted for the sale of such estate. If it appears that it is necessary, or would be beneficial to the ward, to sell the estate, or some portion of it, the Court shall order the sale to be made and the proceeds thereof to be expended for the maintenance of the ward and his family, or the education of the ward, if a minor, or for the putting of the same out at interest, or the investment of the same as the circumstances may require. Upon the hearing, the Court or Judge shall hear the proofs and allegations of the petitioner and next of kin, and other persons interested, together with their witnesses, and may grant or refuse the order, as the best interests of the ward may require.

The Court or Judge shall make such order as to costs of the hearing as may be just.

If the prayer of the petition is granted, the order of sale shall specify the causes why the sale is necessary, or beneficial, and may order the sale to be made, either at public or private sale. The original bond of the guardian shall stand as security for the proper appropriation of the proceeds of the sale, but the Judge or Court may, if deemed expedient, require an additional bond as a condition for the granting of the order of sale. No order of sale, granted in pursuance of this section shall continue in force more than one year after granting the same, without a sale being had. The petition, notice to heirs, and parties interested, and order of the Court or Judge in the premises, shall be recorded by the Clerk of the Court as a part of the record of the guardianship.

SEC. 570. *Sales must be for cash or other adequate security.*—All sales of real estate of wards must be for cash, or for part cash and part deferred payments, the credit in no case to exceed three years from the date of sale, as in the discretion of the Court is deemed most beneficial to the ward. In case of deferred payments, the guardian must receive notes for the deferred payments, and a mortgage securing the same, upon the real estate sold, with such additional security, if any, as the Court deems necessary.

SEC. 571. *Re-investment of the proceeds of sale.*—The Court or Judge may authorize and require the guardian to invest the proceeds of sales, and any other of his ward's money in his hands, in real estate, or in any other manner most to the interest of all concerned and may make such other orders, and give such directions, as are needful for the

management, investment, and disposition of the estate and effects, as circumstances may require.

SEC. 572. *Guardian of non-resident.*—When a person liable to be put under guardianship, according to the provisions of this chapter, resides without the Philippine Islands, and has estates therein, any friend of such person, or any one interested in his estate, in expectancy or otherwise, may apply to the Judge or Court of First Instance in any province in which there is any estate of such absent person, for the appointment of a guardian, and if, after notice given to all interested, in such manner as such Court orders, by publication or otherwise, and a full hearing and examination, it appears proper, a guardian for such absent person may be appointed; and every guardian appointed under this section shall have the same powers, and perform the same duties with respect to the estate of the ward found within the Philippine Islands, and with respect to the person of the ward, if he shall come to reside therein, as are prescribed with respect to any other guardians appointed under this chapter.

Such guardian must give bond, in the manner and with the like conditions hereinbefore provided for other guardians, except that the provisions respecting the inventory and the disposition of the estate and effects, and accounts to be rendered by the guardian, must be confined to such estate and effects as come into his hands in the Philippine Islands.

The guardianship which is here first lawfully granted, of any person residing without the Islands, extends to all the estate of the ward within the Islands, and excludes the jurisdiction of the Court of every other province.

SEC. 573. *Examination of person suspected of defrauding wards or concealing property.*—Upon complaint made to him by any guardian, ward, creditor, or other person interested in the estate or having a prospective interest therein, as heir or otherwise, against any one suspected of having concealed, embezzled, or conveyed away, any money, goods or interest, or an instrument in writing belonging to the ward or to his estate, the Court of First Instance, or the Judge thereof, of the province wherein the guardian was appointed, may cite such suspected person to appear before such Judge or Court, and may examine him touching such money, goods, effects, or instrument, and may make such order as is necessary to secure the estate against such concealment, embezzlement, or conveyance.

SEC. 574. *Removal and resignation of guardian.*—When a guardian, appointed either by the testator or a Court or Judge, becomes insane or otherwise incapable of discharging his trust or unsuitable therefor, or has wasted or mismanaged the estate, or failed for thirty days to render an account or make a return, the Judge or Court may, upon such notice to the guardian as the Judge or Court may require, remove him, and compel him to surrender the estate of the ward to the person found to be lawfully entitled thereto. Every guardian may resign when it appears proper to allow the same; upon the resignation or removal of a guardian as herein provided, whether appointed by will or otherwise the Court may appoint another in the place of the guardian who resigns or was removed.

SEC. 575. *Termination of guardianship.*—The marriage of a minor ward terminates the guardianship of the person of such ward, but not of the estate; the guardian of an insane or other person may be discharged by the Court when it appears, upon the application of the ward or otherwise, that the guardianship is no longer necessary.

SEC. 576. *New bond may be required.*—The Court or Judge may require a new bond to be given by the guardian whenever such Court or Judge deems it necessary, and may discharge the existing sureties from further liability, after due notice given, as such Court may direct, when it shall be made certain that no injury can result therefrom to those interested in the estate.

SEC. 577. *Guardian's bond to be filed, and action thereon.*—Every bond given by a guardian shall be filed and recorded in the office of the Clerk of the Court of First Instance of the province; and in case of a breach of the condition thereof, may be prosecuted for the use and benefit of the ward, or of any person legally interested in the estate.

SEC. 578. *Limitation of action on bond.*—No action can be maintained against the sureties on any bond given by a guardian, unless it be commenced within three years from the discharge or removal of the guardian; but if, at the time of such discharge, the person entitled to bring such action is under legal disability to sue, the action may be commenced at any time within three years after such disability is removed.

SEC. 579. *Limitations of actions for the recovery of property sold.*—No action for the recovery of any estate sold by a guardian can be maintained by the ward, or by any person claiming under him, unless it is commenced within three years next after the termination of the guardianship, or, when a legal disability to sue exists by reason of minority or otherwise, at the time when the cause of action accrues, within three years next after the removal of such disability.

SEC. 580. *Orders and guardianship proceedings to be matters of record.*—Orders appointing and removing guardians, authorizing the sale of property, investment of the proceeds thereof, and settling of accounts, shall be made matters of record in the Court of First Instance.

SEC. 581. *Pending guardianships to proceed in accordance with Spanish law, with certain exceptions.*—All proceedings in cases of guardianship pending in the Philippine Islands at the time of the passage of this Act, shall proceed in accordance with the existing Spanish procedure under which the guardians were appointed, provided nevertheless, that any guardian appointed under existing Spanish law may be removed in accordance with the provisions of section 574 of this Act, and his successor may be appointed as therein provided, and every successor to a guardian so removed shall, in the administration of the person or estate, or either, as the case may be, of his ward, be governed by the provisions of this Act.

CHAPTER XXVIII.

TRUSTS, TRUSTEES, AND PROCEEDINGS IN RELATION THERETO.

TRUSTS AND TRUSTEES.

SEC. 582. *Proceedings when trustee under will is necessary.*—If a testator has omitted in his will to appoint a trustee in the Philippine Islands, and if such appointment is necessary to carry into effect the provisions of a will, the Court of First Instance of the province wherein the property that would be affected by the trust, or some portion thereof, is situated, may, after notice to all persons interested, appoint a trustee, who shall have the same rights, powers, and duties

and in whom the estate shall vest, in the same manner as if he had originally been appointed by the testator.

SEC. 583. *When trustee declines, resigns, dies, or is removed.*—When a trustee under a written instrument declines, resigns, dies, or is removed before the objects of the trust are accomplished, and when no adequate provision is made in such instrument for supplying the vacancy, the Court of First Instance wherein the will was established, if such instrument was a will, or, if it was an instrument other than a will, the Court of the province wherein the property, or some portion thereof, affected by the trust is situated, shall, after due notice to all persons interested, appoint a new trustee to act alone or jointly with the others, as the case may be.

SEC. 584. *Powers and bond of new trustee.*—A new trustee appointed under the preceding section or appointed in place of a former trustee, in conformity with a written instrument creating a trust, shall, upon giving such bond as may be required, which bond shall be of sufficient size to fully protect the trust estate, and shall be determined, and the sureties thereof be approved, by the Judge, have and exercise the same powers, rights and duties, whether as a sole or joint trustee, as if he had been originally appointed, and the trust estate shall vest in him in like manner as it had vested, or would have vested, in the trustee in whose place he is substituted; and the Court may order any conveyances to be made by the former trustee or his representatives, or by the other remaining trustees, which it may deem proper and convenient, to vest the trust estate in the new trustee, either alone or jointly with the others.

SEC. 585. *Trustee appointed abroad must have new appointment here.*—When lands in the Philippine Islands are held in trust for persons resident here, by a trustee who derives his appointment or authority from a Court having no jurisdiction within these Islands, such trustee shall, on petition made to the Court of First Instance in the province in which the lands lie, and after due notice to all persons interested, be required to take out letters of trust from said Court; and upon his neglect or refusal to comply with such order, the Court shall declare such trust vacant, and shall appoint a new trustee in whom the trust estate shall vest in like manner as if he had been originally appointed, or authorized by said Court.

SEC. 586. *Notice to trustee.*—The notice to the trustee required by the preceding section, may be given by serving on him a copy of the petition, and of the citation of the Court issued thereon, fourteen days at least before the time fixed for the return of such citation, or by such other notice as the Court may order.

SEC. 587. *Removal of trustees.*—Courts of First Instance in the several provinces may, upon application of the parties beneficially interested in the trust, remove a trustee under a written instrument, if such removal appears essential in the interests of the applicants. The trustee shall have notice of the application and opportunity to be heard, and to show cause why the removal should not be made. The Court may also, after notice to the trustees and to all other persons interested, remove any such trustee who has become insane or otherwise incapable of discharging his trust or evidently unsuitable therefor.

SEC. 588. *Resignation of trustees.*—Every trustee under a written instrument, and every trustee appointed by the Court, may, upon his own request, resign his trust if it appears to the Court proper to allow such resignation.

SEC. 589. *Executor, etc., of former trustee not bound to accept trust.*—No person succeeding to a trust as executor or administrator of a former trustee shall be required to accept such trust.

SEC. 590. *Bonds of trustees.*—Every trustee under a will, and every trustee appointed by the Court, before entering on the duties of his trust, shall, unless it is otherwise specially provided by law, give bond with sufficient surety or sureties, to be approved by the Judge, in such sum as the Judge or Court having jurisdiction of the trust may order, payable to the Government of the Philippine Islands, and available for the protection of any party in interest. The bond shall be lodged with the Clerk of the Court of First Instance and be by him recorded in the books of the office; and the following conditions shall be deemed to be a part of the bond, whether written therein or not;

1. To make and return to the Court, at such time as it may order, a true inventory of all the real and personal estate belonging to him as trustee, which at the time of the making of such inventory shall have come to his possession or knowledge;

2. To manage and dispose of all such estate, and faithfully to discharge his trust in relation thereto according to the law and will of the testator, or the provisions of the instrument under which he is appointed;

3. To render upon oath at least once a year until his trust is fulfilled, unless he is excused therefrom in any year by the Court, a true account of the property in his hands, and of the management and disposition thereof, and also to render such account at such other times as said Court may order;

4. At the expiration of his trust to settle his account in Court and to pay over and deliver all the estate remaining in his hands, or due from him on such settlement, to the person or persons entitled thereto. But when the trustee is appointed as a successor to a prior trustee, the Court may dispense with the making and return of an inventory, if it appears to be unnecessary, and in such case the condition of the bond shall be altered accordingly.

SEC. 591. *Appraisal.*—When an inventory is required to be returned by a trustee, the estate and effects shall be appraised by two suitable persons who shall be appointed by the Court, and sworn to make a just appraisal of the estate and effects belonging to the trust.

SEC. 592. *When bond may be dispensed with.*—A trustee under a will, except as hereinafter provided, shall be exempt from giving a surety or sureties on his bond, when the testator has ordered or requested such exemption, and any trustee shall, except as hereinafter provided, be so exempt when all persons beneficially interested in the trust, being of full age, request such exemption; but the trustee shall, in all cases, give his own personal bond; provided nevertheless that any trustee either under a will or appointed by the Court or Judge, who has not given a bond with surety or sureties, may be required by the Court or Judge at any time, when it deems proper, to give such bond.

SEC. 593. *Neglect to give bond.*—Any trustee who neglects to give bond in accordance with the preceding sections shall be considered to have declined or resigned the trust.

SEC. 594. *Sale of trust estate.*—When the sale and conveyance or transfer of any real or personal estate held in trust appears to be necessary or expedient, the Court having jurisdiction of the trust, may, after notice and other proceedings, when required, order such sale and conveyance, and transfer, to be made, and the re-investment and

application of the proceeds of such sale in such manner as will best effect the objects of the trust. The application to the Court, notice, hearing, order of sale, and record of proceedings, shall all be in the manner hereinbefore provided with reference to the sale by guardians of the property of minors or other wards.

SEC. 595. *General jurisdiction over trusts.*—Courts of First Instance in the several Provinces, may hear and determine all matters in relation to trusts created by will, not particularly mentioned in this chapter, and shall have jurisdiction over all matters relating to the termination of trusts created by will, deed, or other instrument of like nature. When the Court of First Instance of any Province has lawfully taken jurisdiction of any trust estate, its jurisdiction shall be exclusive, and shall exclude the Court of First Instance of any other Province from taking jurisdiction of any matters subsequently arising in relation to the same trust.

CHAPTER XXIX.

ESTATES OF DECEASED PERSONS.

SETTLEMENT OF ESTATES WITHOUT LEGAL PROCEEDINGS.

SEC. 596. *Settlement of intestate estates, without legal proceedings, in certain cases.*—Whenever all the heirs of a deceased person are of lawful age and legal capacity, and there are no debts due from the intestate estate, or all the debts have been paid by the heirs, the heirs may, by a family council as known under Spanish law, or by agreement between themselves, duly executed in writing, apportion and divide the estate among themselves, as they may see fit, without proceedings in court.

SEC. 597. *In such case distributees liable for debts.*—But if it shall appear, at any time within two years after such settlement and distribution of the estate, that there are debts outstanding against the estate which have not been paid, any creditor may compel the settlement of the estate in the Courts in the manner hereinafter provided, unless his debt shall be paid, with interest; and the administrator appointed by the Court may recover the assets of the estate from those who have received them, for the purpose of paying the debts; and the real estate belonging to the deceased shall remain charged with the liability to creditors for the full period of two years after such distribution, notwithstanding any transfers thereof that may have been made.

SEC. 598. *Such settlement not binding unless all concur.*—Such distribution of an estate outside the courts shall not be effective unless all the heirs assent thereto in writing.

CHAPTER XXX.

JURISDICTION OVER ESTATES OF DECEASED PERSONS.

SEC. 599. *Jurisdiction.*—Courts of First Instance shall have jurisdiction in all matters relating to the settlement of estates and probate of wills of deceased persons, the appointment and removal of guardians and trustees, and the powers, duties, and rights of guardians and wards, trustees, and cestuis que trust. This jurisdiction shall be called probate jurisdiction.

SEC. 600. *Where resident's estate settled.*—If an inhabitant of the Philippine Islands dies, whether a citizen or alien, his will shall be proved, or letters of administration granted, and his estate settled, in the Court of First Instance in the Province in which he resided at the time of his death.

SEC. 601. *Where non-resident's estate settled.*—If a person resided out of the Philippine Islands at the time of his death, his will shall be allowed and recorded, and letters testamentary or of administration shall be granted in the Court of First Instance of any Province in which he had estate.

SEC. 602. *The Court once taking, to retain jurisdiction.*—When a Court of First Instance in any Province has first taken cognizance of the settlement of the estate of a deceased person, as mentioned in the preceding sections, such Court shall have jurisdiction of the disposition and settlement of such estate, to the exclusion of all other courts.

SEC. 603. *Jurisdiction, when may be contested.*—The jurisdiction assumed by a Court of First Instance, for the settlement of an estate, so far as it depends on the place of residence of a person, or of the location of his estate, shall not be contested in a suit or proceeding, except in an appeal from that Court, in the original case, or when the want of jurisdiction appears on the record.

SEC. 604. *The Clerk.*—The Clerk of the Court shall keep a record of each order, sentence, or decree of the Court and of other things proper to be recorded in the settlement of estates, and give attested copies of files, records and proceedings of the Court as in other cases, on the fees being paid.

SEC. 605. *Their copies and certificates to be evidence.*—Copies, when attested, shall be evidence in all courts; and certificates of the allowance of a will, of administration, of guardianship, or of trusteeship, attested by the Clerk, may be given in evidence and have the same effect as an original record of the allowance of a will, letter of administration, letter of guardianship or trusteeship.

SEC. 606. *Clerk to sign process, etc.*—The Clerk may, under the direction of the Judge, make out and sign letters of administration, guardianship, and trusteeship, and the warrants or other process or written instruments, issuing from the Court, but any act required to be performed by the Clerk shall be valid if performed by the Judge.

SEC. 607. *Additional duties of Clerk in absence of Judge.*—In the absence of the Judge, the Clerk may perform all the duties of the Judge in receiving applications, petitions, inventories, reports, and the issuance of all orders and notices that follow as a matter of course under the directions of the law, and may also, when directed so to do by the Judge, receive the accounts of executors, administrators, and trustees, and all evidence appertaining to them, and offered on hearings in relation to them, or in relation to any other matters appertaining to the settlement of the estates of deceased persons, or guardianship, or trusteeship, and forthwith transmit such reports, accounts, and testimony to the Judge, together with his findings in relation to the same, if the Judge shall direct him to make findings, and include the same in his report.

SEC. 608. *Proceedings when Judge disqualified.*—When a Judge, his wife, or child, is an heir or a legatee, or when he is an executor or administrator of the estate of a deceased person, or is interested as a creditor or otherwise in a question to be decided by the Court, he shall not act as Judge, and in such case the Supreme Court shall designate some other Judge to act in his place, in relation to matters wherein he is disqualified.

SEC. 609. *Fees, and the account thereof.*—The Clerk, under the direction of the Judge, shall keep a book in which shall be entered the items of fees which have accrued for the transaction of business covered by the provisions of this chapter, for which fees are payable, specifying for what business each item of fees has accrued. Receipts shall be given for all fees so received and they shall be accounted for in the manner provided in relation to the fees of Clerks of Courts in actions. The book of fees kept by the Clerk shall be subject to the inspection of auditing officers and others interested therein.

SEC. 610. *May issue process, etc.*—In the exercise of probate jurisdiction, Courts of First Instance may issue warrants and process in conformity with the rules of law necessary to compel the attendance of witnesses or to carry into effect the orders, sentences, or decrees of such Courts, or the powers granted them by law.

SEC. 611. *May enforce orders by commitment.*—If a person does not perform the order, sentence, or decree of the Court in the exercise of its probate jurisdiction, it may issue a warrant for the apprehension and imprisonment of such person until he performs such order, sentence or decree, or is released by law, provided, that nothing in this section shall be construed to authorize imprisonment for ordinary debt.

SEC. 612. *Depositions.*—Depositions taken in accordance with the provisions and under the circumstances, provided in this Code for the taking of depositions, may be received in probate proceedings.

SEC. 613. *Costs.*—When a person is cited, on complaint of another, to appear before the Court to be examined in probate proceedings, the Court may, in its discretion, tax costs for the person so cited and issue execution therefor, allowing the same fees as for witnesses in Courts of First Instance.

CHAPTER XXXI.

WILLS AND THE ALLOWANCE THEREOF, AND DUTIES OF EXECUTORS.

SEC. 614. *Who may make wills.*—Every person of age and sound mind may devise, bequeath, and dispose of his estate, real and personal, and of any right or interest which he has in his real or personal estate, by his last will and testament; and the words "every person," shall include married women, provided, that no person can by will deprive a husband or wife, or heir of such interest in his estate, as the law provides shall appertain to such husband, wife, or heir, notwithstanding the execution of a will.

SEC. 615. *Real estate acquired afterwards may pass by will.*—Real estate acquired after making a will shall pass thereby, as if the testator had possessed it at the time of making the will, if it appears by the will that such was his intention.

SEC. 616. *Whole interest to pass unless, etc.*—Every devise of land by will shall convey all the estate which the deviser could devise in such land unless it clearly appears by the will that he intended to convey a less estate.

SEC. 617. *Spanish wills.*—A will executed by a Spaniard, or a resident of the Philippine Islands, before the date on which this act shall come into force, shall be valid and allowed, if duly executed in accordance with the laws before that date prevailing in the Philippine Islands relating to the execution of wills, whether such will be an open will or a sealed will, or one termed a verbal will under that

law, but such will must be established and the estate administered in accordance with the provisions of this Code.

SEC. 618. *Requisites of will.*—No will, except as provided in the preceding section, shall be valid to pass any estate, real or personal, nor charge or affect the same, unless it be in writing and signed by the testator, or by the testator's name written by some other person in his presence, and by his express direction, and attested and subscribed by three or more credible witnesses in the presence of the testator and of each other. The attestation shall state the fact that the testator signed the will, or caused it to be signed by some other person, at his express direction, in the presence of three witnesses, and that they attested and subscribed it in his presence and in the presence, of each other. But the absence of such form of attestation shall not render the will invalid if it is proven that the will was in fact signed and attested as in this section provided.

SEC. 619. *Custody of a will after its execution.*—After the due execution of a will, the testator may retain it in his own possession, or he may deposit it with any other person, official, or corporation, to hold for him; but it shall always be subject to his control and direction and right of possession, down to the time of his death.

SEC. 620. *Who are competent witnesses.*—Any person of sound mind, and of the age of eighteen years or more, and not blind, may be a witness to the execution of a will.

SEC. 621. *Subsequent incompetency immaterial.*—If the witnesses attesting the execution of the will are competent at the time of attesting, their becoming subsequently incompetent shall not prevent the allowance of the will.

SEC. 622. *When devise or legacy to witness void.*—If a person attests the execution of a will, to whom or to whose wife or husband, or parent or child, a beneficial devise, legacy, or interest, of or affecting real or personal estate, is given by such will, such devise, legacy or interest shall, so far only as concerns such person, or the wife or husband, or parent or child of such person, or any one claiming under such person or such wife or husband, or parent or child, be void, unless there are three other competent witnesses to such will, and such person so attesting shall be admitted as a witness as if such devise, legacy or interest had not been made or given. But a mere charge on the real or personal estate of the testator, for the payment of debts, shall not prevent his creditors from being competent witnesses to his will.

SEC. 623. *Will, how revoked.*—No will shall be revoked, except by implication of law, otherwise than by some will, codicil, or other writing executed as provided in case of wills; or by burning, tearing, canceling, or obliterating the same with the intention of revoking it, by the testator himself, or by some other person in his presence, and by his express direction.

If burned, torn, canceled, or obliterated by some other person, without the express direction of the testator, the will may still be established by the Court, and the estate distributed in accordance therewith, if its contents, and due execution, and the fact of its unauthorized destruction, cancellation, or obliteration are established by full evidence to the satisfaction of the Court.

SEC. 624. *To be recorded in registration of land titles.*—Attested copies of wills devising real estate and of the allowance thereof by the Court, shall be recorded in the office of the Registrar of Land Titles of the Province in which the lands lie.

SEC. 625. *Allowance necessary, and conclusive as to execution.*—No

will shall pass either real or personal estate, unless it is proved and allowed in the Court of First Instance, or by appeal to the Supreme Court; and the allowance by the Court of a will of real and personal estate shall be conclusive as to its due execution.

SEC. 626. *Custodian of will to deliver.*—The person who has the custody of a will shall, within thirty days after he knows of the death of the testator, deliver the will into the Court which has jurisdiction, or to the executor named in the will.

SEC. 627. *Executor to present will and accept or refuse trust.*—A person named as executor in a will, shall within thirty days after he knows of the death of the testator, or within thirty days after he knows that he is named executor, if he obtained such knowledge after knowing of the death of the testator, present such will to the Court which has jurisdiction, unless the will has been otherwise returned to said Court, and shall, within such period, signify to the Court his acceptance of the trust, or make known in writing his refusal to accept it.

SEC. 628. *Penalty.*—A person who neglects any of the duties required in the two preceding sections, unless he gives a satisfactory excuse to the Court, shall be subject to a fine not exceeding one thousand dollars.

SEC. 629. *Person retaining will may be committed.*—If a person having custody of a will after the death of the testator, neglects without reasonable cause to deliver the same to the Court having jurisdiction, after notice by the Court so to do, he may be committed to the prison of the Province by a warrant issued by the Court, and there kept in close confinement until he delivers the will.

SEC. 630. *Court to appoint hearing on will.*—When a will is delivered to a court having jurisdiction of the same, the court shall appoint a time and place when all concerned may appear to contest the allowance of the will, and shall cause public notice thereof to be given by publication in such newspaper or newspapers as the Court directs of general circulation in the Province, three weeks successively, previous to the time appointed, and no will shall be allowed until such notice has been given. At the hearing all testimony shall be taken under oath, reduced to writing and signed by the witnesses.

SEC. 631. *How approved when not contested.*—If no person appears to contest allowance, at the times appointed, the Court may grant allowance thereof, on the testimony of one of the subscribing witnesses only, if such witness testify that the will was executed as is required in this chapter.

SEC. 632. *When the witness does not remember signing.*—A will may be allowed notwithstanding the fact that one or more of the witnesses do not remember the fact of having attested it, provided the Court is satisfied from all the evidence that the will was executed and attested in the manner herein required.

SEC. 633. *When the witness does not reside in the Philippines.*—If none of the subscribing witnesses reside in the Philippine Islands at the time of the death of the testator, the Court may admit the testimony of other witnesses to prove the sanity of the testator, and the due execution of the will, although the subscribing witnesses are living; and as evidence of the execution of the will, it may admit proof of the handwriting of the testator and of the subscribing witnesses, in cases where the names of the witnesses are subscribed to a certificate stating that the will was executed as required in this Chapter.

In case one or more of the subscribing witnesses has deceased, the sanity of the testator and the due execution of the will may also be proven in the manner in this section heretofore provided.

SEC. 634. *Grounds for disallowing the will.*—The will shall be disallowed in either of the following cases.

1. If not executed and attested as in this act provided;
2. If the testator was insane or otherwise mentally incapable of the execution of such an instrument at the time of its execution;
3. If it was executed under duress, or the influence of fear, or threats;
4. If it was procured by undue and improper pressure and influence, on the part of the beneficiary, or of some other person for his benefit;
5. If the signature of the testator was procured by fraud or trick, and he did not intend that the instrument should be his will at the time of fixing his signature thereto.

SEC. 635. *Will made out of the Philippine Islands.*—A will made out of the Philippine Islands which might be proved and allowed by the laws of the state or country in which it was made, may be proved, allowed, and recorded in the Philippine Islands, and shall have the same effect as if executed according to the laws of these Islands.

SEC. 636. *Will made here by alien.*—A will made within the Philippine Islands by a citizen or subject of another state or country, which is executed in accordance with the law of the state or country of which he is a citizen or subject, and which might be proved and allowed by the law of his own state or country, may be proved, allowed and recorded in the Philippine Islands, and shall have the same effect as if executed according to the laws of these Islands.

SEC. 637. *Wills proved outside Islands may be allowed here.*—Wills proved and allowed in the United States, or any State or Territory thereof, or in a foreign state or country, according to the laws of such State, Territory, or country, may be allowed, filed, and recorded in the Court of First Instance of the Province in which the testator has real or personal estate on which such will may operate.

SEC. 638. *Hearing on question of allowance.*—When a copy of such will, and the probate and allowance thereof, duly authenticated, is produced by the executor, or other person interested, to the Court of First Instance, such Court shall appoint a time and place of hearing, and notice shall be given as in case of an original will presented for allowance.

SEC. 639. *Court may order it recorded.*—If it appears to the Court, on the hearing, that the instrument ought to be allowed in the Philippine Islands, as the last will and testament of the deceased, it shall be allowed, and a copy shall be filed and recorded, and the will shall have the same effect as if originally proved and allowed in the same Court.

SEC. 640. *Estate, how administered.*—When a will is thus allowed, the Court shall grant letters testamentary, or letters of administration with the will annexed, and such letters testamentary or of administration, shall extend to all the estate of the testator in the Philippine Islands. Such estate, after the payment of just debts and expenses of administration, shall be disposed of according to such will, so far as such will may operate upon it; and the residue, if any, shall be disposed of as is provided by law in cases of estates in these Islands belonging to persons who are inhabitants of another state or country.

EXECUTORS AND ADMINISTRATORS, WHO MAY ACT, AND THEIR BONDS.

SEC. 641. *When will proved, letters to issue to executor.*—When a will has been proved and allowed, the Court shall issue letters testamentary thereon to the person named as executor therein, if he accepts the trust and gives the bond as required by law. The term “executor” in this act shall include an administrator with the will annexed.

SEC. 642. *To whom administration granted.*—If no executor is named in the will, or if a person dies intestate, administration shall be granted:

1. To the surviving husband or wife, as the case may be, or next of kin, or both, in the discretion of the Court, or to such person as such surviving husband or wife, or next of kin, requests to have appointed, if suitable to discharge the trust;

2. If such surviving husband or wife, as the case may be, or next of kin, or the person selected by them, be unsuitable, or if the husband or widow, or next of kin neglect for thirty days after the death of the person to apply for administration, or to request that administration be granted to some other person, it may be granted to one or more of the principal creditors, if competent and willing to serve;

3. If there is no such creditor competent and willing to serve, the same may be committed to such other person as the Court may appoint.

SEC. 643. *Bond, generally.*—Before an executor, or an administrator, enters upon the execution of his trust and letters testamentary or of administration are issued, the person to whom they are issued shall give a bond in such reasonable sum as the Court directs, with one or more sufficient sureties, conditioned as follows:

1. To make and return to the Court, within three months, a true and perfect inventory of all goods, chattels, rights, credits, and estate of the deceased, which shall come to his possession or knowledge, or to the possession of any other person for him;

2. To administer according to law, and, if an executor, according to the will of the testator, all goods, chattels, rights, credits, and estate, which shall at any time come to his possession, or to the possession of any other person for him, and of the same pay and discharge all debts, legacies, and charges on the same, or such dividends thereon as shall be decreed by the Court;

3. To render a true and just account of his administration to the Court within one year, and at any other time when required by the Court;

4. To perform all orders and decrees of the Court by him to be performed.

SEC. 644. *Bond of executor who is residuary legatee.*—An executor who is a residuary legatee, instead of the bond prescribed in the preceding section, may give a bond in such sum, and with such sureties, as the Court directs, with the condition only to pay the debts and legacies of the testator, and in such case he shall not be required to return an inventory. If the testator in his will directs that no bond, or only the individual bond of the executor, be required, instead of the bond prescribed in the preceding section, he may give his individual bond, as directed in the will; but he shall also give a bond in such sum and with such surety as the Court requires, with the condition only to pay the debts of the testator; but the Court may require of the executor a further bond, in case of a subsequent change in his

circumstances, and for other sufficient cause, with the second, third, and fourth conditions named in the preceding section.

SEC. 645. *Bonds of joint executors and administrators.*—When two or more persons are appointed administrators or executors, the Court may take separate bond from each, with sureties, or a joint bond, with sureties, from all.

SEC. 646. *Executor neglecting to give bond.*—No person named executor in a will, who refuses to accept the trust, or neglects to give a bond, for twenty days after the allowance of such will, shall intermeddle or act as executor, and in case of such neglect to accept, or refusal to give bond, the Court may grant letters testamentary to the other executors who are capable and willing to accept the trust; and if there is no other executor who will give a bond, administration shall be granted with the will annexed, to the person who would have been entitled to the same if the testator had died intestate.

SEC. 647. *When executor is a minor.*—When the person named executor in a will is under age at the time of proving the will, administration shall be granted, with the will annexed, during the minority of the executor, to the person who would have been entitled to the same, if the testator had died intestate, unless there is another executor who accepts the trust and gives the bond; and, in that case, the executor who gives a bond shall have letters testamentary, and shall administer the estate, until the minor is of age, when he may be admitted, on giving a bond, as joint executor.

SEC. 648. *Executor of executor not to administer estate.*—The executor of an executor shall not, as such, administer the estate of the first testator.

DEATH, REMOVAL, ETC., OF EXECUTOR OR ADMINISTRATOR.

SEC. 649. *In case of vacancy, who to administer.*—When an executor or administrator dies, resigns, or is removed, or his authority is extinguished, the remaining executor or administrator may administer the trust, and if there is no other executor or administrator, administration may be granted to a suitable person.

SEC. 650. *Power of new administrator.*—An administrator, appointed in the place of a former executor or administrator, shall have the same power in settling the estate not administered, as the former executor or administrator had; and may prosecute or defend actions commenced by or against the former executor or administrator, and may have execution on judgments recovered in the name of such former executor or administrator.

SEC. 651. *Appointment of administrator to act with survivor.*—When an executor or administrator, dies, resigns, is removed, or his authority is extinguished, leaving a remaining executor or administrator, administration may be granted to some suitable person, with such remaining executor or administrator upon the application of any person interested in the estate of the deceased, as surviving husband, widow, heir, creditor, devisee, legatee, or other legal representative.

SEC. 652. *His powers.*—An administrator appointed under the preceding section shall have the same power as the remaining executor or administrator has, and with said executor or administrator may prosecute or defend actions commenced by or against the former executors or administrators, and have execution on judgments recovered in the names of the former executors or administrators.

SEC. 653. *The Court may remove or accept resignation of executor*

or administrator.—If an executor or administrator neglects, after notice by the Court, to render his account and settle the estate according to law, or to perform an order or decree of such Court, or absconds, or becomes insane, or otherwise incapable or unsuitable to discharge the trust, the Court may in its discretion, remove him, and may allow an executor or administrator to resign.

SEC. 654. *Married women may.*—A married woman may be administratrix or executrix, and the marriage of a single woman shall not affect her authority so to act under a previous appointment.

SEC. 655. *One of co-executors disqualified others may act.*—When executors appointed in a will cannot, according to the provisions of this chapter, act as such, those who can act may perform the duties and discharge the trust required by the will.

SEC. 656. *Estate of person unheard from for fifteen years may be administered.*—A person absent and unheard from for fifteen years, shall be deemed to be dead from the time of his disappearance, or when last heard from, and the Court having jurisdiction of his estate may grant administration thereof, and proceed with said estate as in the settlement of intestate estates and decree distribution thereof to the known heirs of such absent person; but if such absent person proves to be alive, he shall be entitled to his estate notwithstanding the settlement and distribution aforesaid, and may recover, in any proper action, any portion thereof, which any one has received in such settlement and distribution.

SEC. 657. *Administration revoked if will discovered.*—If after granting letters of administration by a Court on the estate of a person as if he had died intestate, a will of such deceased person is proved and allowed by the Court, the letters of administration shall be revoked and the powers of the administration cease, and he shall thereupon surrender the letters of administration to the Court, and render his account within such time as the Court directs.

SEC. 658. *Power of executor in such case.*—The executor of the will, in such case, may demand, sue for, and collect the goods, chattels, rights, and credits, of the estate of the deceased, remaining unadministered, and may prosecute to final judgment suits commenced by the administrator before the revocation of his letters of administration.

SEC. 659. *Acts before revocation to be valid.*—The acts of an executor or administrator, before the revocation of his letters testamentary or of administration, shall be valid, the same as if there had been no revocation.

SEC. 660. *Appointment of special administrator.*—When there is delay in granting letters testamentary or letters of administration occasioned by an appeal from the allowance or disallowance of a will, or from any other cause, the Court may appoint an administrator to act in collecting and taking charge of the estate of the deceased until the questions causing the delay are decided and executors or administrators thereupon appointed; no appeal shall be allowed from the appointment of such special administrator.

SEC. 661. *Powers of special administrator.*—Such special administrator shall collect the goods, chattels, and credits of the deceased and preserve the same for the executor or administrator afterwards appointed, and for that purpose may commence and maintain suits as an administrator, and may sell such perishable and other personal property as the court orders sold. A special administrator shall not be liable to an action by a creditor, or pay any debts of the deceased.

SEC. 662. *To give bond.*—A special administrator shall, before enter-

ing upon the duties of his trust, give a bond as the Court directs, with a condition that he will make and return a true inventory of the goods, chattels, rights, credits, and effects of the deceased, which come to his possession or knowledge, and that he will truly account for such as are received by him when required by the Court, and will deliver the same to the person afterwards appointed executor or administrator, or such person authorized to receive the same.

SEC. 663. *When powers cease.*—Upon granting letters testamentary or of administration on the estate of the deceased, the powers of such special administrator shall cease; and he shall forthwith deliver to the executor or administrator the goods, chattels, money, and effects of the estate of the deceased in his hands; the executor or administrator may prosecute to final judgment suits commenced by such special administrator.

CHAPTER XXXII.

GENERAL DUTIES OF EXECUTORS AND ADMINISTRATORS.

SEC. 664. *Executor or administrator may have access to partnership books.*—The executor or administrator of a deceased partner shall at all times have access to, and may make examination and take copies of the books and papers relating to the partnership business; and shall at all times have the right to examine and make invoices of the property belonging to such partnership, and the surviving partner or partners, on request, shall exhibit to him all such books, papers, and property in their hands or control.

SEC. 665. *Court may enforce compliance.*—The court having charge of the settlement of the estate of such deceased partner, on application therefor in writing, by such executor or administrator, may cite such surviving partner or partners before it, and by a proper order or decree compel the granting of the rights given in the preceding section, and may enforce such order or decree by commitment to jail.

SEC. 666. *To keep buildings in repair.*—An executor or administrator shall maintain in tenantable repair the houses, buildings, and fences belonging to the estate, and deliver the same in such repair, when directed by the Court, to the heirs or devisees.

SEC. 667. *Executor to administer estate not willed.*—An executor shall administer the estate of the testator not disposed of by will.

INVENTORY APPRAISAL AND ACCOUNT.

SEC. 668. *Inventory to be returned.*—Every executor or administrator, unless he is residuary legatee and has given the bond prescribed for the residuary legatee, shall, within three months after his appointment, return to the court a true inventory of the real estate and all the goods, chattels, rights and credits of the deceased which come into his possession or knowledge.

SEC. 669. *Committee to be appointed.*—The Court at the time of granting letters testamentary or of administration, or at such other times as it deems proper, shall, by warrant, appoint a committee of two or more disinterested persons to appraise the estate of the deceased and allow claims against the estate, and the executor or administrator shall cause the estate and effects in the inventory to be appraised by such committee.

SEC. 670. *Committee to be sworn.*—Such committee shall be sworn

to make a true appraisal, and shall appraise its value in money, and shall return their warrant with such appraisal to the Court within the time specified in the warrant, and shall deliver a copy of the appraisal to the executor or administrator.

SEC. 671. *Apparel, etc., not to be inventoried.*—The wearing apparel of the surviving husband or wife, and of the minor children, and such provisions and other articles as will necessarily be consumed in the subsistence of the family of the deceased, under the direction of the Court, shall not be considered as assets, nor administered as such, and shall not be included in the inventory.

SEC. 672. *Account to be rendered and examination to be under oath.*—Every executor or administrator shall render an account of his administration within one year from the time of receiving letters testamentary or of administration, unless the Court extends the time on account of an extension of the time for selling the estate and paying the debts; and he shall render further accounts of his administration as may be required by the Court until the estate is wholly settled; and he may be examined upon oath upon every matter relating to account.

SEC. 673. *For what to account.*—The executor or administrator shall be chargeable in his account with the goods, chattels, rights and credits of the deceased which come to his possession; also with the proceeds of the real estate sold for the payment of the debts and legacies, and with the interest, profit, and income which come to his hands from the estate of the deceased; and for the personal estate of the deceased at its appraisal, except as hereafter provided.

SEC. 674. *Not to profit by increase or lose by decrease in value.*—The executor or administrator shall not profit by the increase nor suffer loss by the decrease or destruction, without his fault, of any part of the personal estate; and he shall account for the excess when he sells any personal estate for more than the appraisal; and if he sells for less than the appraisal he shall not be responsible for the loss, if it appears to be beneficial to the estate to sell it. When he sells personal estate under the special order of the Court, he shall account for the same at the price for which it was sold.

SEC. 675. *Accountable for proceeds of real estate sold.*—The proceeds of real estate sold for the payment of the debts and charges of administration, shall be assets in the hands of the administrator, as if the same had been part of the goods and chattels of the deceased. The executor or administrator and sureties on his bond shall be accountable therefor.

SEC. 676. *When not accountable for debts due.*—No executor or administrator shall be accountable for the debts due the deceased if it appears that they remain uncollected without his fault.

SEC. 677. *Accountable for income from realty.*—The executor or administrator shall account for the income of real estate while it remains in his possession; and if he uses or occupies any part of it himself, he shall account for it as may be agreed upon between him and the parties interested, or adjusted by the Court with their assent; and if the parties do not agree upon the sum to be allowed the same may be ascertained by the Court, whose determination in this respect shall be final.

SEC. 678. *Accountable if he improperly neglects to raise money.*—When an administrator neglects, or unreasonably delays, to raise money, by collecting the debts or selling the real or personal estate of the deceased, or neglects to pay over the money he has in his hands, and the value of the estate is thereby lessened or necessary

cost or interest accrues, or the persons interested suffer loss, the same shall be deemed waste, and the damage sustained may be charged and allowed against him in his account, and he shall be liable therefor on his bond.

SEC. 679. *To be allowed money paid as costs, when.*—The amount paid by an executor or administrator for costs awarded against him shall be allowed in his administration account, unless it appears that the suit or proceedings in which the costs are taxed was prosecuted or resisted without just cause, and not in good faith.

SEC. 680. *How allowed for services.*—The executor or administrator shall be allowed necessary expenses in the care, management, and settlement of the estate, and for his services, two dollars per day for the time actually and necessarily employed, and a commission of three per cent upon all sums disbursed in the payment of debts, expenses, and distributive shares, if the amount of such disbursements does not exceed one thousand dollars. If the amount exceeds one thousand dollars and does not exceed five thousand dollars then three per cent upon the first one thousand dollars and one and one-half per cent upon the excess, if the whole amount does not exceed five thousand dollars. If the total disbursements exceed five thousand dollars, then the percentage as above provided, and one per cent on the excess above five thousand dollars. But in any special case, where the estate is large, and the settlement has been attended with great difficulty, and has required a high degree of capacity on the part of the executor or administrator, a greater sum may be allowed. But if objection to the fees allowed be taken, the allowance may be re-examined by the Supreme Court on appeal.

When the administrator or executor is a lawyer, he shall not be allowed to charge against the estate any professional fees, as such, for services rendered by himself. When the deceased by will makes some other provision for compensation to his executor, that provision shall be a full satisfaction for his services, unless by a written instrument filed in the Court he renounces all claim to the compensation provided by the will.

SEC. 681. *Account, how verified.*—The Court shall examine every executor and administrator upon oath as to the correctness of his account, before the same is allowed, except when no objection is made to the allowance of the account, and its correctness is satisfactorily established by competent testimony; the heirs, legatees, and distributees, and creditors of an estate, shall have the same privilege of being examined on oath on any matter relating to an administration account that the executor or administrator has.

SEC. 682. *Account to be settled on notice.*—Before the account of an executor or administrator is allowed, notice shall be given to persons interested of the time and place of examining and allowing the same; and such notice may be given personally to such person interested, or by advertisement in a newspaper or newspapers, or both, as the Court directs.

SEC. 683. *Surety on bond may be party to accounting.*—Upon the settlement of the account of an executor or administrator, trustee or guardian, a person liable as surety in respect to such account, may, upon application, be admitted as a party to such accounting, and may have the right to appeal as hereinafter provided.

SEC. 684. *Allowance to widow and family, and descent of estate.*—The widow and minor children of a deceased person, during the settlement of the estate, shall receive therefrom, under the direction of the

Court, such allowances as are provided by the law in force in the Philippine Islands, on and immediately prior to the 13th day of August, 1898, and the descent of all property and estates to heirs shall be regulated by that law as to all property belonging to intestate estates, and as to all property belonging to testate estates, but not disposed of by the will of the testator. A husband or wife of the deceased person shall receive such portion of his or her estate not disposed of by will as the said law in force on the 13th day of August, 1898, gives to him or to her.

SEC. 685. *Community property*.—One-half the community property, as determined by the law in force in the Philippine Islands before the 13th day of August, 1898, belonging to a husband and wife, shall be deemed to belong to the deceased husband or wife, and shall be inventoried and accounted for, and distributed as a part of the estate, in the same manner as all other property belonging to the estate.

CHAPTER XXXIII.

CLAIMS AGAINST ESTATE, HOW ALLOWED.

SEC. 686. *Committee to be sworn and may administer oaths*.—The committee appointed to appraise the estate and to allow claims as hereinbefore provided, shall act under oath, and may administer oaths to parties and witnesses upon the trial of questions before them. They may try and decide upon claims, which by law survive against executors or administrators, except claims for the possession of or title to real estate; and may examine and allow claims at their present value, which are payable at a future day, although such claims are payable in specific articles; and they may set off demands in favor of the estate, against demands against the estate, and determine the balance due either way.

SEC. 687. *To notify times and places of meetings*.—The committee so appointed shall appoint convenient times and places for the examination and allowance of claims, and, within sixty days from the time of their appointment, shall post a notice in four public places in the province stating the times and places of their meeting, and the time limited for creditors to present their claims, and shall publish the same three weeks successively in a newspaper, of general circulation in the province, and give such other notice as the Court directs. The Court, in the commission issued to the committee, shall designate the paper in which the notice shall be published, and the number of places in the province in which it shall be posted, and any other mode of notice which the Court directs.

SEC. 688. *Vacancy in committee*.—If a member of the committee dies, removes from the Islands, refuses to act, or becomes incapacitated to perform his duties, the Court may appoint another member of the committee in his place; or, if a member by reason of interest, relationship, or otherwise, be adjudged by the Court an improper person to act as such committee, the Court may remove him and appoint another in his place. From such removal and appointment there shall be no appeal; when it is necessary to appoint an additional member of the committee, the Court may make such appointment; and no further notice shall be required of the meeting of the committee in consequence of such appointment.

SEC. 689. *Court to limit time for presenting claims*.—The Court shall allow such time as the circumstances of the case require for the

creditors to present their claims to the committee for examination and allowance; but not, in the first instance, more than twelve months, or less than six months; and the time allowed shall be stated in the commission. The Court may extend the time as circumstances require, but not so that the whole time shall exceed eighteen months.

SEC. 690. *When time may be extended.*—On application of a creditor who has failed to present his claim, if made within six months after the time previously limited, or, if a committee fails to give the notice required by this chapter, and such application is made before the final settlement of the estate, the Court may, for cause shown, and on such terms as are equitable, renew the commission and allow further time, not exceeding one month, for the committee to examine such claim, in which case it shall personally notify the parties of the time and place of hearing, and as soon as may be make the return of their doings to the Court.

SEC. 691. *Duty of executor or administrator upon hearing before the committee.*—It shall be the duty of the executor or administrator to attend the sessions of the committee, and to protect the estate against the allowance of unjust claims.

SEC. 692. *Admission and exclusion of evidence.*—The competency of witnesses to testify on hearings before the committee, shall be determined by the provisions of this Code in relation to the competency of witnesses in action.

SEC. 693. *Committee to report.*—At the expiration of the time limited or as soon thereafter as they are able to complete the hearing of the claims presented, the committee shall make report of their doings to the Court, with lists of the claims presented, or exhibited in offset, stating how much was allowed, and how much disallowed, with the final balance, whether in favor of the creditor or the estate; and the report shall state the manner in which notice was given to the claimants.

SEC. 694. *Committee to notify certain claimants at the time of filing report.*—The committee shall give notice to claimants whose claims are disallowed to the amount of twenty dollars or more, of the time of filing their report in the Clerk's office, which notice shall be given personally or by letter, addressed to such claimants, at their place of residence or post office address, mailed, postage paid, on the day of filing such report.

SEC. 695. *Claims not presented barred.*—A person having a claim against a deceased person proper to be allowed by the committee, who does not, after publication of the required notice, exhibit his claim to the committee as provided in this chapter, shall be barred from recovering such demand or from pleading the same in offset to any action, except as hereinafter provided.

SEC. 696. *Estate's claims to be offset.*—When a creditor against whom the deceased has claims, presents a claim to the committee, the executor or administrator, shall exhibit the claims of the deceased in offset to the claims of the creditor, and the committee shall ascertain and allow the balance for or against the estate, as they find the same to be.

Claims in favor of the estate and against a creditor who presents a claim for allowance against the estate, shall be barred, unless so presented by the executor or administrator as an offset; but the committee shall have no jurisdiction over claims in favor of the estate, except as offsets to claims presented against the estate.

SEC. 697. *Claim of executor or administrator against an estate.*—If the executor or administrator has a claim against the estate he rep-

resents, he shall give notice thereof, in writing, to the Court, and the Court shall appoint a special administrator who shall in the adjustment of such claim, have the same power and be subject to the same liability as the general administrator or executor in the settlement of other claims. The Court may order the executor or administrator to pay to the special administrator necessary funds to defend such claim.

SEC. 698. *Estate of joint debtor liable for the whole claim.*—When two or more persons are indebted on a joint contract, or upon a judgment founded on a joint contract, and either of them dies, his estate shall be liable therefor, and it shall be allowed by the committee, as if the contract had been with him alone or the judgment against him alone. But the estate shall have the right to recover contribution from the other joint debtor.

SEC. 699. *Executor or administrator not to be sued.*—When a committee is appointed as herein provided, no action or suit shall be commenced or prosecuted against the executor or administrator upon a claim against the estate to recover a debt due from the estate; but actions to recover the zeisin and possession of real estate and personal chattels claimed by the estate may be commenced against him.

SEC. 700. *Suits pending against the estate to be discontinued.*—All actions commenced against the deceased person, for the recovery of money, debt or damages, and pending at the time the committee are appointed, shall be discontinued and the property, if any, therein attached, shall be discharged from the attachment, and the claim embraced in such action may be presented to the committee, who shall allow the party prevailing, the costs of such action to the time of its discontinuance.

SEC. 701. *An executor or administrator may sue.*—Nothing in this chapter shall prevent an executor or administrator from commencing and prosecuting an action commenced by the deceased in his lifetime, for the recovery of a debt or claim, to final judgment, or from having execution on a judgment, and in such case the defendant may plead in offset the claims he has against the deceased, instead of presenting them to the committee, and mutual claims may be offset in such action; and if final judgment is rendered in favor of the defendant, the judgment so rendered shall be considered the true balance against the estate, as though the claim had been presented before the committee.

Such actions shall be prosecuted in the same province and same Court as they would have been if brought by the deceased person while alive.

CHAPTER XXXIV.

SUITS BY AND AGAINST EXECUTOR AND ADMINISTRATOR.

SEC. 702. *Executor or administrator may prosecute and defend suits which survive.*—An executor or administrator may commence, prosecute, or defend, in the right of the deceased, actions which survive to such executor or administrator, and are necessary for the recovery and protection of the property or rights of the deceased, and may prosecute or defend such actions or suits commenced in the lifetime of the deceased.

SEC. 703. *Certain actions survive.*—Actions to recover the title or possession of real estate, buildings, or any interest therein, actions to recover damages for an injury to person or property, real or per-

sonal, and actions to recover the possession of specific articles of personal property, shall survive, and may be commenced and prosecuted by or against the executor or administrator; but all other actions commenced against the deceased before his death shall be discontinued, and the claims therein involved presented before the committee as herein provided.

SEC. 704. *Heir may not sue until share assigned.*—When an executor or administrator is appointed and assumes the trust, no action to recover the title or possession of lands, or for damage done to such lands, shall be maintained against him by an heir or devisee, until there is a decree of the Court assigning such lands to such heir or devisee, or until the time allowed for paying debts has expired, unless the executor or administrator surrenders the possession to the heir or devisee.

SEC. 705. *Representative may be cited to appear.*—If the executor or administrator does not voluntarily appear and prosecute or defend any action pending against the deceased, and which would survive according to the provisions of this chapter, the surviving party may take out a citation from the Court before which the case is pending, requiring the executor or administrator to appear to prosecute and defend the action, which citation shall be served at least twelve days before the time at which he is required to appear. If the executor or administrator, after being so cited, neglects to become a party to the suit, he shall be non-suited, or defaulted, as the case may be, and judgment rendered against him as executor or administrator; but he shall not be personally liable for costs; but the costs shall be paid the same as the debt or damages, out of the estate of the deceased. If there is no executor or administrator appointed, the death of the party may be suggested on the record, and the suit continued until an executor or administrator is appointed.

SEC. 706. *Representative may compound with debtor.*—An executor or administrator may compound with the debtor of the deceased for a debt due, with the approval of the Court, and may give a discharge of such debt, on receiving a just dividend of the estate of the debtor.

SEC. 707. *Mortgage debt due to estate.*—Debts secured by mortgage, together with the security, belonging to the estate of a deceased person, as mortgagee or assignee of the right of a mortgagee, when such mortgage was not foreclosed in the lifetime of the deceased, shall be deemed to be personal assets in the hands of the executor or administrator and administered and accounted for as such; and the executor or administrator may foreclose the mortgage, and the proceeds of foreclosure which may be ultimately realized shall be deemed to be personal assets, to be administered and accounted for as such.

SEC. 708. *Mortgage debt due from estate.*—A creditor holding a claim against the deceased, secured by mortgage or other collateral security, may abandon the security and prosecute his claim before the committee, and share in the general distribution of the assets of the estate; or he may foreclose his mortgage or realize upon his security, by ordinary action in Court, making the executor or administrator a party defendant; and if there is a judgment for a deficiency, after the sale of the mortgaged premises, or the property pledged, in the foreclosure or other proceeding to realize upon the security, he may prove his deficiency judgment before the committee against the estate of the deceased; or he may rely upon his mortgage or other security alone, and foreclose the same at any time, within the period of the statute of limitations, and in that event he shall not be admitted as a cred-

itor, and shall receive no share in the distribution of the other assets of the estate; but nothing herein contained shall prohibit the executor or administrator from redeeming the property mortgaged or pledged, by paying the debt for which it is held as security, under the direction of the Court, if the Court shall adjudge it to be for the best interest of the estate that such redemption shall be made.

CHAPTER XXXV.

PROPERTY EMBEZZLED OR SECRETED, OR FRAUDULENTLY CONVEYED.

SEC. 709. *Proceedings for the recovery of property embezzled or fraudulently conveyed.*—If an executor or administrator, heir, legatee, creditor, or other person interested in the estate of a deceased person complains to the Court having jurisdiction of the estate, that a person is suspected of having concealed, embezzled, or conveyed away any of the money, goods, or chattels of the deceased, or that such person has in his possession, or has knowledge of any deed, conveyance, bond, contract, or other writing which contains evidence of, or tends to disclose the right, title, interest, or claim of the deceased to real or personal estate, or the last will and testament of the deceased, the Court may cite such suspected person to appear before it, and may examine him on oath on the matter of such complaint; if the person so cited refuses to appear and answer such examination, or to answer such interrogatories as are put to him, the Court may, by warrant, commit him to the jail or prison of the province, there to remain in close custody until he submits to the order of the Court; and such interrogatories and answers shall be in writing and signed by the party examined, and filed in the clerk's office.

SEC. 710. *Persons intrusted with estate may be compelled to render account.*—The Court, on complaint of an executor or administrator, may cite a person who is intrusted by an executor or administrator with any part of the estate of the deceased person to appear before it, and may require such person to render a full account, on oath, of the money, goods, chattels, bonds, accounts, or other papers belonging to such estate, as came to his possession, in trust for such executor or administrator, and of his proceedings thereon; and if the person so cited refuses to appear to render such account, the Court may proceed against him as provided in the preceding section.

SEC. 711. *Embezzlement before letters issued.*—If a person, before the granting of letters testamentary or of administration on the estate of a deceased person, embezzles, or alienates, any of the money, goods, chattels or effects of such deceased person, such person shall be liable to an action in favor of the executor or administrator of such estate for double the value of the property sold, embezzled or alienated, to be recovered for the benefit of such estate.

SEC. 712. *Estate fraudulently conveyed by deceased may be recovered.*—When there is a deficiency of assets in the hands of an executor or administrator for the payment of debts and expenses of administration, and the deceased person in his lifetime had conveyed real estate, or a right or interest therein, with an intent to defraud his creditors or to avoid a right, debt, or duty of a person; or had so conveyed such estate that by law the conveyance would be void as against his creditors, and the estate attempted to be conveyed would be liable to attachment or execution by a creditor of the deceased in his lifetime, the executor or administrator may commence and prosecute to final

judgment an action for the recovery of such real estate or interest therein for the benefit of the creditors; and he may also, for the benefit of the creditors, sue and recover, for such goods, chattels, right, or credits fraudulently conveyed by the deceased in his lifetime, with the intent in this section stated; but no executor or administrator shall be bound to institute such proceedings in such action unless on application of the creditors of the deceased, nor unless the creditors making the application pay such part of the costs and expenses, or give security therefor to the executor or administrator, as the Court judges equitable.

SEC. 713. *Creditor under certain circumstances may sue.*—When there is a deficiency of assets in the hands of an executor or administrator, to pay debts and expenses, and when the deceased person made in his life time such fraudulent conveyance of such real or personal estate or of a right or interest therein, as is stated in the preceding section, any creditor of the estate may, by license of the Court, if the executor or administrator has not commenced such action, commence and prosecute to final judgment in the name of the executor or administrator, an action for the recovery of the same, and may recover for the benefit of the creditors, such real or personal estate, or interest therein so conveyed. But such action shall not be commenced until the creditor files in Court a bond with sufficient surety to be approved by the Judge, conditioned to indemnify the executor or administrator against the costs of such action. Such creditor shall have a lien upon the judgment by him so recovered for the costs incurred and such other expenses as the Court deems equitable.

CHAPTER XXXVI.

SALE OF ESTATE.

SEC. 714. *Realty may be sold though personally not exhausted.*—When the personal estate of the deceased is not sufficient to pay the debts and charges of administration without injuring the business of those interested in the estate, or otherwise prejudicing their interests, and where a testator has not otherwise made sufficient provision for the payment of such debts and charges, the Court, on application of the executor or administrator with the consent and approbation, in writing, of the heirs, devisees, and legatees, residing in the Philippine Islands, may grant a license to the executor or administrator to sell for that purpose real, in lieu of personal estate, if it clearly appears that such sale of real estate would be beneficial to the persons interested and will not defeat any devise of land; in which case the assent of the devisee shall be required.

SEC. 715. *If part cannot be sold without injury, whole may be.*—When an executor or administrator makes application to the Court for license to sell real estate, for payment of debts or charges of administration, and it appears that a part cannot be sold without injury to those interested in the remainder, the Court may grant license to sell the whole of such estate, or such part as is necessary or beneficial to those concerned therein.

SEC. 716. *Persons interested may prevent sale.*—No such license to sell real estate shall be granted if any of the persons interested in the estate give a bond, in such sum and with such sureties as the court directs, conditioned to pay the debts and expenses of administration within such time as the Court directs; and such bond shall be for the

security, and may be prosecuted for the benefit, of the creditors, as well as for the executor or administrator.

SEC. 717. *The court may order personally sold.*—The Court, on the application of the executor or administrator, may order the personal estate, or part of it, to be sold, if it appears necessary for the purpose of paying debts, legacies, or expenses of administration, or for the preservation of the property.

SEC. 718. *Estate may be sold when beneficial to heirs.*—When it appears to the Court that it will be beneficial to the heirs, devisees, or legatees, and those interested in an estate, by reason of their residing out of the Islands or otherwise, that a part of the whole of the personal estate, or a part or the whole of the real estate, or both the real and personal estate, should be sold, the Court may, upon application of the administrator or executor, with the consent and approbation, in writing, of the heirs, devisees, and legatees who are interested in the estate to be sold, grant license to sell the whole or a part of said estate, although not necessary to pay debts, legacies, or charges of administration; but such license shall not be granted if inconsistent with the provisions of a will. In case of such sale, the proceeds shall be decreed and assigned to the persons entitled to the estate, and in the same proportions.

SEC. 719. *May be sold to pay debts and legacies in other countries.*—When the sale of real or personal estate is not necessary to pay the debts against the deceased person in the Philippine Islands, and it appears to the Court by records and proceedings of a Probate Court in another state or country, that the estate of the deceased in such other state or country is not sufficient to pay the debts and legacies in that country, the Court in the Philippine Islands may license the executor or administrator to sell the real or personal estate for the payment of debts or legacies in the other state or country, in the same manner as provided for the payment of debts or legacies in this country.

SEC. 720. *Realty acquired on execution, etc., may be sold.*—The Court may grant license to an executor or administrator to sell real estate acquired by such administrator or executor on execution or foreclosure sales, although not necessary for the payment of debts, legacies, or charges of administration, when it appears that such sale will be beneficial to all persons interested in such real estate.

Such license shall be granted under the same regulations as prescribed in this chapter for the sale of other real estate.

SEC. 721. *Realty may be sold to pay legacies.*—When a legacy is given by a will which, for want of sufficient personal estate or otherwise, is chargeable upon the real estate of the deceased, the executor may be licensed by the Court to sell such real estate for the purpose of paying such legacy, as provided in the sale of real estate for the payment of debts.

SEC. 722. *Regulations for license to sell.*—When an executor or administrator considers it necessary or beneficial to sell real or personal estate, in cases provided by law, he may make application to the Court having jurisdiction of the estate, and such Court may grant license, when it appears necessary or beneficial, under the following regulations:

1. The executor or administrator shall present to the Court his petition in writing, setting forth the amount of debts due from the deceased, with charges of administration, the value of the personal estate, situation of the estate to be sold, or such other facts as show that the sale is necessary or beneficial:

2. In cases where the consent of heirs, devisees, and legatees is required, the executor or administrator shall produce to the Court their assent in writing, and signed by such heirs, devisees, or legatees, or by the guardians of such as are minors or otherwise under guardianship;

3. The court shall thereupon appoint a time and place of hearing for deciding upon such application, and shall require notice to be given of such application, and of the time and place of hearing to the persons interested; which notice shall state the nature of the application and the reason for the same, the time and place of hearing, and shall be published three weeks successively previous thereto, in a newspaper of general circulation in the neighborhood of those interested, to be designated by the Court; and the Court may order such further notice as is adjudged proper. If personal notice is given to the persons interested, the public notice may be dispensed with;

4. If the Court requires it, the executor or administrator, before license is granted, shall give a new bond, in such sum and with such sureties as the Court directs, conditioned that such executor or administrator shall account for the proceeds of such sale;

5. If the proof produced satisfies the Court and if the regulations in the first four subdivisions of this section are complied with, the Court may, by decree, authorize the executor or administrator to sell such part of the estate as is deemed necessary, either at public or private sale, as would be most beneficial to all parties concerned, and furnish the executor or administrator with certified copy of such license or order of sale;

6. If the order is to sell the estate at auction, the Court shall designate the mode of giving notice of the time and place of the sale, which shall be stated in the copy or certificate of such order furnished the executor or administrator;

7. The record of the order of sale in the Court, and the copy or the certificate of such order furnished the executor or administrator, shall state that such of the requisites prescribed in the first four subdivisions of this section, as are required in the case, are complied with; and such certificate or copy of the order of sale shall be recorded in the office of the Registrar of Land Titles of the province in which the lands thus to be sold are situated.

SEC. 723. *Effect of deed.*—The deed of an executor or administrator, of the real estate of the deceased persons, having such certificate or copy of an order of sale from the Probate Court, shall be as valid to convey the estate authorized to be sold as if the deed had been executed by the deceased in his lifetime.

SEC. 724. *When administrator dies pending sale, new license to issue.*—In case of the death, resignation, or removal of an executor or administrator before the completion of the sale of real estate under a license granted as above provided, the Court may, upon application, at any time within two years after issuing such prior license, issue a new license to his successor without further notice or hearing thereon.

SEC. 725. *When deceased under contract to convey.*—Where a deceased was in his lifetime under contract, binding in law, to deed lands, or an interest therein, the Court having jurisdiction of the estate may, on application for that purpose, grant license to the executor or administrator to convey such land, according to such contract or with such modifications as are agreed upon by the parties, and approved by the Court; and if the contract is to convey lands to the executor or administrator, the Judge of the Court shall execute the deed. The deed executed by such executor, administrator, or Judge, shall be as

effectual to convey such lands as if executed by the deceased person in his lifetime; but no Court shall grant such license to deed the lands of the deceased person until notice of the application for that purpose has been given to all persons interested, under an order of such Court, and published three weeks successively, previous thereto, in such newspapers as the Court directs; nor if it appears to the Court on a hearing that the assets in the hands of the executor or administrator will thereby be reduced so as to prevent a creditor from receiving his full debt or diminish his dividend.

SEC. 726. *Lands held in trust to be conveyed.*—Where a deceased person in his lifetime held lands in trust for another person, the Court may, after notice given as required in the preceding section, grant license to the executor or administrator to deed such lands to the person, his executor, or administrator, for whose use and benefit they are holden; and the Court may decree the execution of such trust, whether created by deed or by law.

CHAPTER XXXVII.

FROM WHAT ESTATE DEBTS TO BE PAID.

SEC. 727. *Personalty first chargeable for debts.*—The personal estate of a deceased person shall be first chargeable with the payment of debts and expenses; and if the personal estate is not sufficient for that purpose, the whole of the real estate, or so much thereof as is necessary, may be sold for that purpose by the executor or administrator, after obtaining license therefor; and the executor or administrator shall have the right to the possession of the real as well as personal estate of the deceased, so long as is necessary for that purpose.

SEC. 728. *From what part of testate estate, debts to be paid.*—If the testator makes provision by his will, or designates the estate to be appropriated for the payment of his debts and the expenses of administration or family expenses, they shall be paid according to the provisions of the will. But if the provision made by the will or the estate appropriated is not sufficient for that purpose, such part of the estate of the testator, real or personal, as is not disposed of by will, if any, shall be appropriated for that purpose.

SEC. 729. *Legacy and devise liable for payment of debts.*—The estate, real or personal, given by will to the devisees, or legatees, shall be liable for the payment of the debts, expenses of administration, and family expenses, in proportion to the amount of the several devises or legacies, except that specific devises and legacies may be exempted if it appears to the Court necessary to carry into effect the intention of the testator, and if there is sufficient other estate.

SEC. 730. *Executor to retain possession of an estate, when.*—When the estate given by will is liable for the payment of debts and expenses, or is liable to be taken to make up the share of a child born after the execution of a will, or of a child or the issue of a child not provided for in the will, and not intentionally excluded therefrom, the executor may retain possession of the same until such liability is settled by order of the Court, and until the devises and legacies so liable, are accordingly assigned by order of the Court; and a devisee or legatee may make his claim to the Court to have such liability settled and his devise or legacy assigned to him.

SEC. 731. *Devisees, legatees and heirs, in possession, must contribute.*—Devisees and legatees who, with the consent of the executor or

otherwise, have possession of the estate given to them by will before such liability is settled by the Court, shall hold the same, subject to the several liabilities mentioned in the preceding section, and shall contribute according to their respective liabilities to the executor, or to a devisee or legatee, from whom the estate devised to him has been taken for the payment of debts or expenses, or to make up the share of a child born after the making of the will, or of a child or the issue of a child omitted in the will and not intentionally excluded thereby; and the persons who, as heirs, have received the estate not disposed of by will, shall be liable to contribute like the devisees or legatees.

SEC. 732. *When person liable to contribute is insolvent or dead.*—If a person liable to contribute, according to the provisions of the preceding section, in insolvent and unable to pay his share, the others shall be severally liable for the loss occasioned by such insolvency, in proportion to, and to the extent of, the estate they have received; and if a person so liable to contribute dies before paying his share, the claim shall be valid against his estate as if it had been his proper debt.

SEC. 733. *Court to fix contributors' shares.*—The court having jurisdiction of the estate may, by decree for that purpose, after hearing, settle the amount of the several liabilities as provided in the preceding sections, and decree how much, and in what manner, each person shall contribute, and may issue execution if circumstances require.

CHAPTER XXXVIII.

PAYMENT OF DEBTS.

SEC. 734. *Debts to be paid in full if estate sufficient.*—If, after the report of the committee and ascertaining the amount of the claims against an estate, it appears that the executor or administrator has in his possession sufficient assets to pay the debts, he shall pay the same by the time limited for that purpose.

SEC. 735. *Order of payment if estate insolvent.*—If the assets which can be appropriated for the payment of debts are not sufficient for that purpose, the executor or administrator shall, after paying the necessary expenses of administration, pay the debts against the estate in the following order:

1. The necessary funeral expenses;
2. The expenses of the last sickness;
3. Debts due to the United States;
4. Taxes and assessments due to the government, or any branch or subdivision thereof;
5. Debts due to the province;
6. Debts due to other creditors.

SEC. 736. *Dividends to be paid in proportion to claim.*—If there are not assets sufficient to pay the debts of any one of the aforesaid classes, after paying the preceding ones, each creditor within the class for which there are not sufficient assets for payment in full, shall be paid a dividend in proportion to his claim. No creditor of any one class shall receive any payment until those of the preceding class are paid.

SEC. 737. *Estate of insolvent non-resident.*—In case administration is taken in the Philippine Islands of the estate of a person who was at the time of his decease an inhabitant of another country or state, and who died insolvent, his estate found in the Philippine Islands shall, as far as practicable, be so disposed of that his creditors here

and elsewhere, may receive each an equal share in proportion to their respective debts.

SEC. 738. *Payment of claim proved outside the Islands, against insolvent resident's estate.*—If it appears to the Court having jurisdiction of the estate that claims have been duly proven in another state or country against the estate of an insolvent debtor, who was at his decease an inhabitant of the Philippine Islands, the executor or administrator in the Islands having had knowledge of the presentation of such claims under foreign jurisdiction, and an opportunity to contest their allowance, such Court shall receive a certified list of such claims, when perfected in such other state or country, and add the same to the list of claims proved against the deceased person in the Islands, so that a just distribution of the whole estate may be made equally among all its creditors, according to their respective claims; but the benefit of this and the preceding sections shall not be extended to the creditors in another state or country, if the property of such deceased person there found is not equally appropriated to the creditors residing in the Philippine Islands with other creditors, according to their respective debts.

SEC. 739. *Decree for payment of debts.*—Subsequent to the return of a report of the committee, and at or before the expiration of the time limited for the payment of the debts, the Court shall order the payment of the debts and the distribution of the assets received by the executor or administrator at the time, for that purpose, among the creditors, as the circumstances of the estate require, according to the provisions of this chapter.

SEC. 740. *In case of appeal.*—If an appeal has been taken from the decision of the committee, the Court may suspend the order for the payment of the debts, or may order the distribution among the creditors whose claims are allowed, leaving in the hands of the executor or administrator sufficient assets to pay the claim disputed and appealed.

When a disputed claim is finally settled, the Court having jurisdiction of the estate shall order the same to be paid out of the assets retained, to the same extent and in the same proportion with the claims of other creditors.

SEC. 741. *Subsequent distributions.*—If the whole of the debts are not paid by the first distribution and if the whole assets are not distributed, or other assets afterwards come to the hands of the executor or administrator, the Court may from time to time, make further order for the distribution of assets.

SEC. 742. *After time fixed for payment, administrator personally liable.*—When an order is made for the distribution of assets among the creditors the executor or administrator, after the time of payment arrives, shall be personally liable to the creditors for their debts, or the dividend thereon, as for his own debt; he shall also be liable on his bond.

SEC. 743. *Court to fix time for paying debts and legacies.*—The Court, at the time of granting letters testamentary or of administration, shall allow to the executor or administrator a time for disposing of the estate and paying the debts and legacies of the deceased person, which time shall not, in the first instance, exceed one year; but the Court may, on application of the executor or administrator, from time to time, as the circumstances of the estate require, extend the time not exceeding six months at a time, nor so that the whole time

allowed to the original executor or administrator shall exceed three years.

SEC. 744. *Hearing on question of extending time.*—When an executor or administrator makes application to have the time for paying debts or legacies extended beyond one year, the Court shall appoint a time for hearing and deciding on such application, and shall cause notice thereof to be given to all persons interested, by publication three weeks successively in a newspaper of general circulation in the province, to be designated by the Court; and an order extending the time shall not be granted unless such notice has been given.

SEC. 745. *Successor of administrator dying, may have time extended.*—When an executor or administrator dies and a new administrator of the same estate is appointed, the Court may extend the time allowed for the payment of the debts or legacies beyond the time allowed to the original executor or administrator, not exceeding six months at a time, and not exceeding six months beyond the time which the Court might have allowed to such original executor or administrator; and notice shall be given of such application and of the time and place of hearing, as required in the preceding section.

CONTINGENT CLAIMS.

SEC. 746. *Claims may be presented to committee.*—If a person is liable as surety for the deceased, or has other contingent claims against his estate which cannot be proved as a debt before the committee, the same may be presented with the proof, to the committee, who shall state in their report that such claim was presented to them.

SEC. 747. *Estate to be retained to meet claims.*—If the Court is satisfied from the report of the committee, or from proofs exhibited to it, that such contingent claim is valid, it may order the executor or administrator to retain in his hands sufficient estate to pay such contingent claim, when the same becomes absolute, or, if the estate is insolvent, sufficient to pay a portion equal to the dividend of the other creditors.

SEC. 748. *Claim becoming absolute in two years, how allowed.*—If such contingent claim becomes absolute and is presented to the Court, or to the executor or administrator, within two years from the time limited for other creditors to present their claims, it may be allowed by the Court if not disputed by the executor or administrator, and, if disputed, it may be proved before the committee already appointed, or before others to be appointed, for that purpose, as if presented for allowance before the committee had made its report.

SEC. 749. *Such creditor to receive in same proportion as others.*—If such contingent claim is allowed, the creditor shall receive payment to the same extent as the other creditors, if the estate retained by the executor or administrator is sufficient. But if the claim is not established during the time limited in the preceding section, or if the assets retained in the hands of the executor or administrator are not exhausted in the payment of such claims, such assets, or the residue of them, shall be disposed of by the order of the Court to the persons entitled to the same; but the assets so distributed shall still remain subject to the liability of the claim when established, and the creditor may maintain an action against the distributees to recover his debt, and such distributees and their estates shall be liable for such debts in proportion to the estate they have respectively received from the property of the deceased.

CHAPTER XXXIX.

ESCHEATS.

SEC. 750. *Procedure when person dies intestate without heirs.*—When a person dies intestate, seized of real or personal property in the Philippine Islands, leaving no heir or person by law entitled to the same, the President and Municipal Council of the municipality where the deceased last resided, if he was an inhabitant of these Islands, or of the municipality in which he had estate, if he resided out of the Islands, may, on behalf of the municipality, file a petition with the Court of First Instance of the province for an inquisition in the premises; the Court shall thereupon appoint a time and place of hearing, and deciding on such petition, and cause a notice thereof to be published in some newspaper of general circulation in the province of which the deceased was last an inhabitant, if within the Philippine Islands, and if not, in some newspaper of general circulation in the province in which he had estate. The notice shall recite the substance of the facts and request set forth in the petition, the time and place at which persons claiming the estate may appear and be heard before the Court, and shall be published at least six weeks successively, the last of which publications shall be at least six weeks before the time appointed by the Court to make inquisition.

SEC. 751. *Decree of court in such case.*—If, at the time appointed for that purpose, the Court finds that the person died intestate, seized of real or personal property in the Islands, leaving no heir or person entitled to the same, and no sufficient cause is shown to the contrary, the Court shall order and decree that the estate of the deceased in these Islands, after the payment of just debts and charges, shall escheat; and shall assign the personal estate to the municipality where he was last an inhabitant in the Islands, and the real estate to the municipalities in which the same is situated. If he never was an inhabitant of the Islands, the whole estate may be assigned to the several municipalities where the same is located. Such estate shall be for the use of schools in the municipalities respectively, and shall be managed and disposed of by the Municipal Council like other property appropriated to the use of schools.

SEC. 752. *Right of heir, etc., subsequently appearing.*—If a devisee, legatee, heir, widow, husband, or other person entitled to such estate, within seventeen years from the date of such decree, appears and files a claim with the Court to such estate, he shall have possession of the same, or if sold, the municipality shall be accountable to him for the avails, after deducting reasonable charges for the care of the estate; but if a claim is not made within the time mentioned, it shall be forever barred.

CHAPTER XL.

DISTRIBUTION OF ESTATE.

SEC. 753. *Order of distribution.*—After payment of the debts, funeral charges, and expenses of administration, and the allowances, if any, made for the expense of maintenance of the family of the deceased, the Court shall assign the residue of the estate to the persons entitled to the same, and in its order the Court shall name the persons and

proportions, or parts, to which each is entitled, and such persons may demand and recover their respective shares from the executor or administrator, or any other person having the same in his possession. Provided, however, that nothing in this Act contained shall be construed to alter the existing Spanish law as to the restriction of the right of a testator to disinherit his children or other relatives.

SEC. 754. *Parties interested may have order.*—Such order may be made on the application of the executor or administrator, or of a person interested in the estate; but the heirs, devisees, or legatees, shall not be entitled to an order for their share, until the payment of the debts and allowances mentioned, in the preceding section, and the several expenses there mentioned, have been made or provided for, unless they give a bond with such surety or sureties as the Court directs, to secure the payment of such debts, expenses, or allowances, or any part thereof as remain unpaid or unprovided for, and to indemnify the executor or administrator against the same.

SEC. 755. *Share of child born after making will.*—When a child of a testator is born after the making of a will, and no provision is therein made for him, such child shall have the same share in the estate of the testator as if he had died intestate; and the share of such child shall be assigned to him as in cases of intestate estates, unless it is apparent from the will that it was the intention of the testator that no provision should be made for such child.

SEC. 756. *Share of child or issue of child, omitted from will.*—When a testator omits to provide in his will for any of his children, or for issue of a deceased child, and it appears that such omission was made by mistake, or accident, such child, or the issue of such child, shall have the same share in the estate of the testator as if he had died intestate, to be assigned to him as in the case of intestate estates.

SEC. 757. *From what part of estate such shares taken.*—When a share of a testator's estate is assigned to a child born after the making of the will, or to the child or issue of a child omitted in the will, the same shall first be taken from the estate not disposed of by the will, if there is any, and if that is not sufficient so much as is necessary shall be taken from the devisees or legatees in proportion to the value of the estate they respectively receive under the will; but if the obvious intention of the testator as to some specific devise or bequest, or other provision of the will, would thereby be defeated, such specific devise, legacy or provision, may be exempted from such apportionment and a different apportionment adopted, in the discretion of the Court.

SEC. 758. *Devisee dying before testator.*—When a devise or a legacy is made to a child or other relation to the testator, and the devisee or legatee dies before the testator, leaving issue surviving the testator, such issue shall take the estate so given as the devisee or legatee would have done, if he had survived the testator, unless a different disposition is required by law.

SEC. 759. *Share of person absent and unheard of.*—If a person entitled to a distributive share of the estate of a deceased person is absent and unheard of for fifteen years, five years of which are after the death of such deceased person, or is absent and unheard of for a period of twenty-five years, two years of which are after such death, the Court may order the share of such absent person distributed among his lineal heirs, if he has any, otherwise among the heirs of such deceased person; but if such absent person proves to be alive he shall be entitled to his estate notwithstanding such distribution, and may recover

any portion thereof which any one has received under such order; and before an order is made for the payment or distribution of any money or estate herein authorized, the Court shall cause the same notice to be given as upon the settlement of an administrator's account, and such other notice, by publication or otherwise, as the Court deems proper.

SEC. 760. *Advancement to lineal heirs.*—Estate, real or personal, given by the intestate in his lifetime to a child or lineal descendant, shall be reckoned toward the share of such heir, and for that purpose shall be considered a part of the estate of the intestate, under the following circumstances only:

1. When in the gift or grant it is expressed to be an advancement;
2. When such estate is charged to the child or lineal descendant, in writing, by the deceased upon his books or papers;
3. When such estate is acknowledged as such by the child or lineal descendant in writing;
4. When personal estate is delivered expressly as advancement before two witnesses requested to take notice of it. If the amount so advanced exceeds the share of the heir, he shall be excluded from any further share in the estate; but he shall not be liable to refund any part of the amount so advanced; and if the advancement is less than the share of such heir, he shall receive such further sum as, with such advancement, will be equal to his legal share in the estate. If the amount so advanced is in real estate, the same shall be set off, first, towards the heir's share of real estate, and if more than his share of real estate, the balance shall be set off towards his share of personal estate, and if the advancement is in personal estate, the same shall be set off, first, towards the heir's share in the personal estate, then towards his share in the real estate. But if the heirs consent, a different application of the advancement may be made.

If the child, or other lineal descendant, to whom such advancement is made, dies, before the intestate, the advancement shall be reckoned towards the share of the representative of such child, or other lineal descendant, as it would be reckoned toward the share of the heir, if living.

Where the value of the advancement is expressed in the conveyance, or in the charge of the same, or in the acknowledgment of the person receiving it, or by the intestate at the time of delivering it before two witnesses, such advancement shall be taken to be of the value so expressed; otherwise it shall be estimated according to the value at the time of making it.

SEC. 761. *Questions as to advancement to be determined by court.*—Questions as to advancement made, or alleged to have been made, by the deceased, to any heirs or lineal descendants, may be heard and determined by the Court having jurisdiction of the estate, and shall be specified in the decree assigning the estate and in the warrant to the committee; and the final decree of the Court, either originally or on appeal, shall be binding on the person interested in the estate.

SEC. 762. *Partition of estate already assigned.*—Where the real estate assigned to two or more heirs, devisees or legatees is in common and undivided, and their respective shares are not separated and distinguished, partition and distribution of the same, wherever situated, may be made, upon application to the Court or Judge having jurisdiction of the estate by any party in interest, by petition for that purpose. Upon the filing of the petition the Court or Judge shall appoint a committee to make the partition and the proceedings of

such committee, and of the Court in its action upon the report of the committee, shall be in all respects the same as those in this Code provided for partition of real estate by action. Such partition may be made although some of the original heirs or devisees have conveyed their shares to other persons; and such shares shall be set to the persons holding the same as they would have been to the heirs or devisees. The whole estate may be assigned to one or more of the heirs or may be sold under the directions of the Court as provided in this Code in relation to partition of real estate by action. The fees of the committee shall be the same as those provided in this Code for committees for partition of real estate by action.

SEC. 763. *Expenses of partition may be paid from the estate.*—If, at the time of partition or distribution of the estate, the executor or administrator has retained sufficient effects in his hands which may lawfully be applied for that purpose, the expenses of such partition or distribution may be paid by such executor or administrator when it appears equitable to the Court and not inconsistent with the intention of the testator; otherwise, they shall be paid by the parties in proportion to their respective shares or interests in the premises, and the apportionment shall be settled and allowed by the Court, and, if any person interested in the partition does not pay his proportion or share, the Court may issue an execution in the name of the executor or administrator against the party not paying, for the sum assessed.

SEC. 764. *Recording the decrees of partition of estate.*—Certified copies of final orders of the Court, relating to the estate or the partition thereof, shall be recorded in the registry of land titles of the province where the land is situated.

CHAPTER XLI.

ADOPTION AND CUSTODY OF MINORS.

SEC. 765. *How a child may be adopted.*—An inhabitant of the Philippine Islands, not married, or a husband and wife jointly, may petition the Court of First Instance of the province in which they reside for leave to adopt a minor child; but a written consent must be given for such adoption by the child, if of the age of fourteen years, and by each of his or her living parents who is not hopelessly insane or intemperate, or has not abandoned such child, or if there are no such parents, or if the parents are unknown, or have abandoned such child, or if they are hopelessly insane or intemperate, then by the legal guardian, or if there is no such guardian, then by a discreet and suitable person appointed by the Court to act in the proceedings as the next friend of such child; but when such child is an inmate of an orphan asylum or children's home, organized under the laws of the Philippine Islands, and has been previously abandoned by its parents or guardians, or voluntarily surrendered by its parents or guardians to the trustees or directors of an asylum or children's home, then the written consent of the President of the Board of Trustees or Directors of such asylum must be given. Provided nevertheless, that nothing herein contained shall authorize a guardian to adopt his ward before the termination of the guardianship and the final settlement and approval of his accounts as guardian by the Court.

SEC. 766. *Adoption by step-father.*—Any inhabitant of the Philippine Islands being the husband of any woman who has a minor child

by a former husband, may petition the Court of First Instance of the province in which he resides for leave to adopt such minor child and for a change in the name of such child; but the written consent must be given to such adoption by the child, if of the age of fourteen years, and by the mother of such child, if she is not hopelessly insane or intemperate, or if such mother is hopelessly insane or intemperate, then by the legal guardian of such child, or if there is no such guardian, then by a discreet and suitable person appointed by the Court to act in the proceedings as the next friend of such child or children.

SEC. 767. *Order of the Court.*—When the foregoing provisions are complied with, if the Court is satisfied with the ability of the petitioner to bring up and educate the child properly, having reference to the degree and condition of the child's parents and the fitness and propriety of such adoption, it shall make an order setting forth the facts and declaring that from that date said child, to all legal intents and purposes, is the child of the petitioner and that its name is thereby changed. The order shall be recorded in the records of the Court.

SEC. 768. *Effect of the order.*—The natural parents, except when such child is adopted under the provisions of the second preceding section, shall, by such order, be divested of all legal rights and obligations in respect to the child, and the child shall be free from all legal obligations of obedience and maintenance with respect to them. Such child shall be to all intents and purposes the child and legal heir of the person so adopting him or her, entitled to all the rights and privileges, and subject to all the obligations of a child of such person begotten in lawful wedlock. Provided nevertheless, that the child so adopted shall still remain the legal heir of his father and mother, and in case of the death of the child, his father and mother and relatives by nature, and not by adoption, shall remain his legal heirs.

SEC. 769. *Illegitimate child.*—If the child to be adopted is illegitimate, the consent of his father to the adoption shall not be required.

SEC. 770. *Order as to vagrant, incorrigible, neglected or abused child.*—When the parent or parents of any minor child shall be unable through vagrancy, negligence, or misconduct to support such child, or if able, shall neglect or refuse to support such child, or when such parent or parents shall unlawfully beat or otherwise habitually maltreat such child, or cause or allow it to engage in common begging, the Court of First Instance of the province in which the parents live or in which the child is found, if vagrant, upon complaint by affidavit of some reputable citizen of the province in behalf of such child, setting forth the facts bringing the case within this section, may issue a summons requiring such parent or parents to appear and answer such complaint, and if the parent or parents cannot be found, the summons may require the Fiscal of the province to appear in the interest of his parent or parents; and if, upon hearing all the matters complained of, the Court find the same to be true and that it is for the best interest of such child to be taken from such parent or parents, the Court may make an order to that effect and it may order the placing of such child in any suitable orphan asylum or children's home, or with some other benevolent society, to be taken and cared for and placed in homes found for them, by adoption or otherwise, by such asylum, children's home or society.

SEC. 771. *Children of parents separated or divorced.*—When husband and wife are living separate and apart from each other, or are divorced, and the question as to the care, custody and control of the

offspring of their marriage, is brought before a Court of First Instance, by petition or otherwise, or rises as an incident to any other proceeding, the father and mother of such offspring shall stand upon an equality before the Court as to the care, custody and control of the offspring so far as it relates to their being either father or mother of the children. The Court, upon hearing the testimony of either or both of said parents and such other testimony as the Court deems pertinent, shall decide which one of them shall have the care, custody and control of such offspring, taking into account that which will be for the best interest of the children; provided that if such offspring be ten years of age or more they be allowed to choose which parent they prefer to live with, unless the parent so selected by said child be unfitted to take charge of such child by reason of moral depravity, habitual drunkenness, incapacity, or poverty, in which case the Court shall determine the custodian of such child. If upon such hearing it should be proven to the Court that both parents are improper persons to have the care, custody and control of such child, the Court may, in its discretion, either designate some reputable and discreet person to take charge of such child, or may commit it to any asylum, children's home or other similar benevolent society within the Islands. The Court may order either or both parents to support or help support said child, irrespective of who may be its custodian. The Court shall have full power and authority to make any order or decree that is just and reasonable, permitting the parent who is deprived of such care and custody of said child to visit it and to have temporary custody thereof.

SEC. 772. *Appeal.*—Either parent may appeal from the order of the Court, made in accordance with the last preceding section, to the Supreme Court in the manner provided for appeals in special proceedings.

CHAPTER XLII.

APPEALS IN SPECIAL PROCEEDINGS.

SEC. 773. *An appeal from allowance or disallowance of claim.*—Any executor or administrator may appeal to the Court of First Instance from the allowance of any claim against the estate by the committee appointed for the purpose of allowing claims against the estate of deceased persons, or from the disallowance, in whole or in part, of any offset presented by the executor or administrator to such claim; any creditor may appeal to the Court of First Instance from the disallowance of the whole or any part of his claim by such committee, or the allowance of the whole or a part of any claim in offset to his claim against the estate by such committee.

SEC. 774. *If administrator does not appeal, heir or creditor may.*—If the executor or administrator does not appeal from the allowance of any claim against the estate by the committee, or the disallowance in whole or in part by it of any offset in behalf of the estate against such claim, any heir or creditor may appeal to the Court of First Instance from such allowance or disallowance, and prosecute the appeal in the name of the executor or administrator, upon filing in Court a bond to the administrator or executor to be approved by the Court, conditioned that he will prosecute the appeal to effect, and indemnify the administrator or executor against all costs and expenses, by reason of the appeal, and will likewise pay to the claimant such

costs as may be ultimately awarded to him by reason of such appeal. The bond shall be available for such claimant as well as for the executor or administrator.

SEC. 775. *Perfecting appeal.*—The appeal provided in the two preceding sections shall be perfected by filing with the Clerk of the Court of First Instance that has jurisdiction of the estate, within twenty-five days after the committee's report is filed therein, a statement that the person so appealing is dissatisfied with the action of the committee in respect to the item or items complained of, and appeals therefrom to the Court.

SEC. 776. *Proceedings in Court of First Instance on such appeal.*—Upon the lodging of such appeal with the Clerk, the disputed claim shall stand for trial in the same manner as any other action in the Court of First Instance, the creditor being deemed to be the plaintiff, and the estate the defendant, and pleadings as in other actions shall be filed.

SEC. 777. *Supreme Court have final jurisdiction.*—The Supreme Court shall have final jurisdiction of actions named in the last preceding section, by bills of exception, as in other actions. Its final determination shall be certified to the Court of First Instance as in other actions, and shall determine the amount of the claim or offset.

SEC. 778. *Appeal from settlement of account of administrator, executor, trustee or guardian.*—Any person legally interested in a final order, or decree, or judgment of a Court of First Instance settling the account of an executor, administrator, trustee, or guardian, may appeal from such order, decree, or judgment, to the Supreme Court, and such appeals shall be heard by the Supreme Court, in the manner provided in this Code. All items of the account shall be open on the appeal. The decision of the Supreme Court thereon shall be final.

SEC. 779. *Method of perfecting such appeal.*—The person thus appealing shall perfect his appeal within twenty-one days after the entry of the order, decree, or judgment by the Court of First Instance, by filing with the Clerk of that Court a statement in writing that he appeals to the Supreme Court from such order, decree, or judgment. The Clerk shall thereupon transmit to the Supreme Court a certified transcript of the account embraced in the order, decree, or judgment, and of the order, decree, or judgment appealed from, and of the appeal.

SEC. 780. *Bond for appeal.*—Before an appeal is allowed the person appealing under the two preceding sections shall give a satisfactory bond to the Court, conditioned that he will prosecute the appeal to effect and pay the intervening damages and costs occasioned by such appeal.

SEC. 781. *Appeal in case of allowance or disallowance of wills.*—Any person interested in the allowance or a disallowance of a will by a Court of First Instance, may appeal to the Supreme Court from such allowance or disallowance, by filing with the Court of First Instance an application for an appeal, within twenty days after the entry of the judgment allowing or disallowing the will, and by the execution and filing of a bond such as is provided in the preceding section. Upon the filing of such appeal and bond, it shall be the duty of the Clerk forthwith to transmit to the Supreme Court a certified copy of the will, and of all the evidence taken upon the trial, and of the judgment of the Court thereon, and also the original will itself, in case any question of the handwriting is involved in the controversy. In case the original will is transmitted to the Supreme Court, the Clerk of the Court of First Instance shall retain in his files a certified copy thereof.

SEC. 782. *Appeal from decree of distribution.*—If there shall be a controversy before the Court of First Instance as to who the lawful heirs of the deceased person are, or as to the distributive share to which each person is entitled under the law, the testimony as to such controversy shall be taken in writing by the Judge, under oath, and signed by the witnesses. Any party in interest whose distributive share is affected by the determination of such controversy, may appeal from the judgment of the Court of First Instance determining such controversy, to the Supreme Court, within the time and in the manner provided in the last preceding section, and it shall thereupon be the duty of the Clerk of the Court of First Instance forthwith to transmit to the Supreme Court a certified copy of all the testimony taken upon that issue, and of the judgment of the Court thereon.

SEC. 783. *Appeals allowed in other cases affecting settlement of estates.*—Any person legally interested in any other order, decree, or judgment of a Court of First Instance in the exercise of its jurisdiction in special proceedings in the settlement of the estates of deceased persons, or the administration of guardians and trustees, may appeal to the Supreme Court from such order, decree, or judgment, when such order, decree, or judgment constitutes a final determination of the rights of the parties so appealing, and the appeal shall be effected in the manner provided in the two preceding sections; provided that no appeal shall be allowed from the appointment of a special administrator.

PART III.

CHAPTER XLIII.

FORMS AND FEES.

SEC. 784. *Forms.*—The following forms may be used in Civil Courts in the Philippine Islands in actions and special proceedings, and shall, as near as circumstances will permit, be adopted and used and shall be sufficient in law; but alterations may be made and allowed by rules of Court, and pleadings and process not in these forms, but in substantial compliance with the law, shall be sufficient. Form number 1 shall be changed to adapt it to the Court in which it is to be used.

1. *Form of general heading for all written pleadings in an action.*

United States of America, Philippine Islands. In the Court of First Instance for the province of

Between A. B., Plaintiff, and C. D., Defendant.

(Or, in the matter of) (when the proceeding is not in an action).

2. *Form of complaint to recover money lent.*—The plaintiff says, that:

1. On the day of 19.., at, he lent the defendant the sum of \$..... repayable on demand (or, on the day of, 19..) with interest on the same from the said day of, 19.., until payment at the rate of per centum per annum.

2. The defendant has not paid the said sum or any interest thereon or any part of the same (except as follows);

3. The plaintiff prays judgment for the said sum of \$....., remaining unpaid, with interest from the said day of, 19.., at the above rate, together with the costs of the action.

3. *For money received to plaintiff's use.*—The plaintiff says, that:

1. On or about the day of, 19.., the defendant received \$., (or, a certain bank check or draft upon the bank of amounting to \$.) from one E. F., for the use of the plaintiff;

2. The defendant has not paid (or delivered) the same;

3. The plaintiff prays judgment for \$. with interest at per cent. from the day of, 19.., together with the costs of the action.

4. *For price of goods sold by a factor.*—The plaintiff says, that:

1. On the day of, 19.., at, he delivered to the defendant (here state the goods delivered) for sale on commission;

2. On the day of, 19.., (or, on some day unknown to the plaintiff before the day of 19..) the defendant sold the said merchandise for \$.

3. The commission and expenses of the defendant thereon amounted to \$.

4. On the day of, 19.., the plaintiff demanded from the defendant the proceeds of said merchandise.

5. The defendant has not paid the same.

6. The plaintiff prays judgment, for said sum of \$., with interest from said day of, 19.., at the rate of six per cent. per annum together with the costs of the action.

5. *For goods sold at a fixed price and delivered.*—The plaintiff says, that:

1. On the day of, 19.., at, he sold and delivered to the defendant (here describe the goods sold and delivered);

2. The defendant promised to pay \$. for said goods on delivery (or, state manner in which payment was to be made);

3. The defendant has not paid the same.

4. (Demand for judgment as in previous forms).

6. *For goods sold at a reasonable price and delivered.*—The plaintiff says, that:

1. On the day of, 19.., at, he sold and delivered to the defendant (here state the goods sold and delivered), but no express agreement was made as to price.

2. The said goods were reasonably worth \$.

3. The defendant has not paid the same.

4. (Demand for judgment as in previous forms).

7. *For goods made at defendant's request and not accepted.*—The plaintiff says, that:

1. On the day of, 19.., at, the defendant agreed with the plaintiff that the plaintiff should make for the defendant (here describe the articles), and that the defendant should pay for the same upon delivery thereof \$.;

2. The plaintiff made the said goods, and on the day of, 19.., offered to deliver the same to the defendant, and has ever since been ready and willing so to do.

3. The defendant has not accepted the goods or paid for the same;

4. (Demand for judgment).

8. *For deficiency upon re-sale of goods sold at auction.*—The plaintiff says, that:

1. On the day of, 19.., at, the plaintiff put up at auction (sundry articles of merchandise) subject to the condition that all goods not paid for and removed by the purchaser thereof immediately after the sale should be resold by auction on his account, of which condition the defendant had notice;

2. The defendant purchased (describe the articles), at the said auction at the price of \$. ;
3. The plaintiff was ready and willing to deliver the same to the defendant on the said date, of which the defendant had knowledge;
4. The defendant did not take away the said goods purchased by him nor pay therefor, at the time of said purchase nor since;
5. On the same day at the same place, the plaintiff resold the said goods on account of the defendant at public auction for \$. ;
6. The expenses attendant upon such resale amounted to \$. ;
7. The defendant has not paid the deficiency thus arising, amounting to \$. ;
8. (Demand for judgment).
9. *For services at a fixed price.*—The plaintiff says, that:
 1. On the day of , 19. . . , at , the defendant (employed plaintiff as clerk at salary of \$. per year, (or otherwise employed him, as the case may be);
 2. From the said date until the day of , 19. . . , the plaintiff (served the defendant as clerk, or, otherwise, as the case may be);
 3. The defendant has not paid the said salary (except the sum of \$.);
 4. (Demand for judgment).
10. *For rent reserved in lease.*—The plaintiff says, that:
 1. The plaintiff, by deed, let to the defendant a piece of land (or certain buildings) for years (or, months or days, as the case may be), to hold from the day of , 19. . . , at \$. a year, payable quarterly (or, upon other terms, as the case may be);
 2. Of such rent quarters are due and unpaid, amounting to \$. ;
 3. (Demand for judgment).
11. *For use and occupation at a reasonable rent.*—The plaintiff says, that:
 1. The defendant used and occupied the (land, or, buildings, located at), belonging to the plaintiff from the day of , 19. . . , but no agreement was made as to amount of payment for the use of said premises;
 2. The use of the said premises for the said period was reasonably worth \$.
 3. Defendant has not paid the same.
 4. (Demand for judgment).
12. *For carriage of goods.*—The plaintiff says, that:
 1. On the day of , 19. . . , the plaintiff at the request of the defendant, carried in his ship (wagons, railroad cars, by hand, or otherwise as the case may be) certain goods (stating them) from to
 2. The defendant promised to pay the plaintiff the sum of \$. as freight thereon.
 3. The defendant has not paid the same or any part thereof.
 4. (Demand for judgment).
13. *Payee against maker of promissory note.*—The plaintiff says, that:
 1. On the day of , 19. . . , at , the defendant, by his promissory note, now overdue, promised to pay to the plaintiff \$. on the day of , 19. . . , (or days after date).
 2. The said note was in the words and figures following: (here copy note).

3. The defendant has not paid the same (except \$..... on the day of, 19..).

4. (Demand for judgment).

14. *First endorsee against maker of note.*—The plaintiff says, that:

1. On the day of, 19.., at, the defendant, by his promissory note, now overdue, promised to pay to the order of \$..... on the day of, 19.., (or days after date).

2. The said endorsed the same to the plaintiff.

3. The said note and endorsements are in the words and figures following: (here copy);

4. The defendant has not paid the same;

5. (Demand for judgment).

15. *Subsequent endorsee against maker.*—The plaintiff says, that:

1. On the day of, 19.., at, the defendant, by his promissory note, now overdue, promised to pay to the order of E. F. \$..... on the day of, 19.., (or, days after date);

2. The same was by endorsement of the said E. F. (and others, if there were other endorsers) transferred to the plaintiff;

3. The said note and endorsements were in the words and figures following: (here copy);

4. The defendant has not paid the same;

5. (Demand for judgment).

16. *First endorsee against first endorser.*—The plaintiff says, that:

1. On the day of, at, E. F., by his promissory note, now overdue, promised to pay to the order of the defendant \$..... on the day of, 19.., (or, days after date);

2. The defendant endorsed the same to the plaintiff;

3. The said note and endorsement were in the words and figures following: (here copy);

4. On the day of, 19.., the same was duly presented for payment, but was not paid (or, state facts excusing want of presentment);

5. The defendant had due notice thereof;

6. The defendant has not paid the same;

7. (Demand for judgment).

17. *Subsequent endorsee against maker, first and second endorser.*—The plaintiff says, that: •

1. On the day of, 19.., at, the defendant, C. D., by his promissory note, now overdue, promised to pay to the order of the defendant, E. F., \$..... on the day of, 19.., (or days after date);

2. The said E. F. endorsed the same to the defendant, G. H., who endorsed it to plaintiff;

3. The said promissory note and the endorsements thereon were in the words and figures following: (here copy);

4. On the day of, 19.., the same was presented (or, state facts excusing want of presentment) to the said C. D. for payment, but was not paid;

5. The said E. F. and G. H. had due notice thereof;

6. The defendants, or either of them have not paid the same;

7. (Demand for judgment).

18. *On a marine insurance policy on a vessel lost by the perils of the sea.*—The plaintiff says, that:

1. The plaintiff was the owner of (or, had an interest in) the ship at the time of its loss as hereinafter mentioned;

2. On the day of, 19.., the defendant, in consideration of \$...... to him paid (or, which the plaintiff then promised to pay) executed to him a policy of insurance upon said ship, whereby he promised to pay the plaintiff days after the proof of loss and interest, all loss and damage accruing to him by reason of the destruction or injury of the said ship during its next voyage from to, whether by perils of the sea or by fire or by other causes therein mentioned, not exceeding \$......;

3. The said vessel, while proceeding on the voyage mentioned in the said policy, was on or about the.....day of....., 19.., totally lost by the perils of the sea, (or otherwise);

4. The plaintiff's loss thereby was \$;

5. The plaintiff duly performed all the conditions of the said policy on his part;

6. The defendant has not paid the said loss;

7. (Demand for judgment);

19. *Action on a fire insurance policy.*—The plaintiff says, that:

1. The plaintiff was the owner of (or, had and an interest in) a dwelling house (or, other building) known as No, street in the city of....., at the time of its destruction (or injury) by fire, as hereinafter mentioned;

2. On the..... day of, 19.., at, in consideration of \$...... paid to it (or....., promised to be paid to it) the defendant executed to the plaintiff a policy of insurance on said premises for the amount of \$......;

3. On the..... day of, 19.., the said (dwelling house, or other building) was totally destroyed (or, greatly damaged) by fire;

4. The plaintiff's loss thereby was \$......;

5. The plaintiff has duly performed all the conditions of said policy on his part.

6. The defendant has not paid the said loss;

7. (Demand for judgment).

20. *For breach of agreement to convey land.*—The plaintiff says:

1. On the day of, 19.., at, the plaintiff and defendant entered into an agreement, in writing, under their hands, (here state the terms of agreement);

2. On the..... day of, 19.., (the date mentioned in the agreement, if any), the plaintiff demanded the conveyance of the said property from the defendant and tendered the said sum of \$......, to the defendant, and all conditions were fulfilled, and all things happened and that the time elapsed necessary to entitle the plaintiff to have the said agreement performed by the defendant on his part;

3. The defendant has not executed any conveyance of the said property to the plaintiff;

4. (Here state damages, ordinary and special).

5. The plaintiff prays Judgment for \$......, compensation for breach of said agreement, together with the costs of the action.

21. *For breach of contract to serve.*—The plaintiff says:

1. On the day of, 19.., at, the plaintiff and defendant mutually agreed that the plaintiff should employ the defendant at (an annual or other) compensation of \$......, and that the defendant should serve the plaintiff (as clerk or otherwise), for the term of.....;

2. The plaintiff has always been ready and willing to perform his part of the said agreement, and on the.....day of....., 19.., offered to do so;

3. The defendant entered upon the service of the plaintiff on the

above mentioned day, but afterwards, on the day of, 19. . ., without just cause refused longer to serve the plaintiff aforesaid;

4. (Here state damages, ordinary or special);

5. (Demand for judgment).

22. *For breach of warranty of chattels.*—The plaintiff says:

1. On the of, 19. . ., at, the defendant warranted to the plaintiff (a steam engine, or other chattel), to be in good working order, and thereby induced the plaintiff to purchase the same of him, and to pay him (or to promise to pay him) \$. therefor;

2. The said (steam engine or other chattel) was not then in good working order, whereby the plaintiff incurred expense in having the same (engine) repaired, and lost the profit which would otherwise have accrued to him while the (engine) was under repair;

3. The expense incurred in such repair was \$., and the loss of profit which would otherwise have accrued to him while the engine was under repair was \$.

4. (Demand for judgment).

23. *Trespass on land.*—The plaintiff says:

1. On the day of, 19. . ., at, the defendant entered upon certain land of the plaintiff, known as (insert brief description of the premises) and depastured the same with cattle, trod down the grass, cut the timber, and otherwise injured the same;

2. The damages sustained by the plaintiff by reason thereof amount to \$.

3. (Demand for judgment).

24. *For the conversion of chattels.*—The plaintiff says:

1. On the day of, 19. . ., at, the plaintiff was in possession of certain goods, (described in the schedule hereto annexed) (or say, was in possession of 100 barrels of flour, for instance) of the value of \$.

2. On that day, at the defendant converted the same to his own use and wrongfully deprived the plaintiff of the possession of the same;

3. (Demand for judgment).

25. *For damages and an injunction for carrying on a noxious manufactory.*—The plaintiff says:

1. The plaintiff is, and for years has been, possessed of certain lands called situated at;

2. Continually since the day of, 19. . ., the defendant has wrongfully caused to issue from certain smelting works owned by the defendant large quantities of offensive and unwholesome smoke and other vapors and noxious matter, which spread themselves over and upon the said lands, and corrupt the air and settle on the surface of the said lands, and still continues to do so;

3. Thereby the trees, hedges, herbage and crops of the plaintiff, growing on the said lands, were damaged and deteriorated in value, and the cattle and live stock of the plaintiff on said lands became unhealthy and divers on them were poisoned and died;

4. By reason of the facts aforesaid, the plaintiff was unable to depasture the said lands with cattle and sheep, as he otherwise might have done, and was obliged to remove his cattle, sheep and farming stock therefrom, and has been prevented from having so beneficial and healthy a use and occupation of the said lands as he otherwise would have had;

5. The damages sustained by the plaintiff by reason of the said wrongful acts of the defendant amount to \$.

6. The plaintiff prays judgment for the said sum of \$. damages, and that a final injunction may issue restraining the defendant from a continuance of said wrongful acts or any of them, and for the costs of the action.

26. *For assault and battery, with special damage.*—The plaintiff says:

1. On the. day of., 19. . ., at., the defendant assaulted and beat the plaintiff;

2. The plaintiff was thereby disabled from attending to his business (for a period stated), and was compelled to pay \$. for medical attendance and nursing, and has been ever since disabled from using his right arm (or otherwise state the damage, as the case may be);

3. By reason of the premises, the plaintiff sustained damage to the amount of \$. in all;

4. (Demand for judgment);

27. *For Libel.*—The plaintiff says:

1. The plaintiff is and was on aid before the. day of., 19. . ., a merchant doing business in the city of.;

2. On the. day of., 19. . ., at., the defendant published in a certain newspaper called. (or otherwise show how published), the following words concerning the plaintiff (here insert the words of the publication);

3. The defendant meant thereby and in said publication charged that the plaintiff had been guilty of (here insert the meaning of the charge);

4. The said publication was false and malicious;

5. By reason of such false and malicious publication, the plaintiff was injured to the amount of \$.;

6. (Demand for judgment);

28. *To recover possession of land, and for damages.*—The plaintiff says:

1. The defendant on the. day of., 19. . ., unlawfully took possession of certain land (or building) belonging to the plaintiff, being (here describe the premises);

2. The defendant has retained possession of the said land from the said. day of. and still retains possession thereof, and withholds the same from the plaintiff;

3. The plaintiff has sustained damages to the amount of \$. in loss of profits and otherwise from the unlawful retention of said premises by the defendant;

4. The plaintiff prays judgment for the possession of said land, and for said sum of \$. damages and profits, and for costs of the action.

29. *For moveable property wrongfully taken.* The plaintiff says:

1. On the. day of., 19. . ., at., the plaintiff owned (here state fact showing the right to the possession) the goods mentioned in the schedule hereto annexed (or describe the goods), the value of which is \$.;

2. From that day until the commencement of this action the defendant has detained the same from the plaintiff;

3. Before the commencement of this action, to wit, on the. day of., 19. . ., at. the plaintiff demanded the same of the defendant, but he wrongfully refused to deliver them;

4. The plaintiff prays judgment for the possession of said goods, or for \$. damages, in case such possession cannot be had, and for \$. damages for the detention thereof, and for costs of the action,

30. *For specific performance.*—The plaintiff says:

1. On the.....day of....., 19.., the defendant was absolutely entitled to the parcel of land described in the agreement hereto annexed;

2. On the same day the plaintiff and defendant entered into an agreement under their hands, a copy of which is hereto annexed;

3. On the.....day of....., 19.., at....., the plaintiff tendered \$..... to the defendant and demanded a conveyance of said property;

4. The defendant then and there refused to convey the same to the plaintiff;

5. The defendant has not executed such conveyance;

6. The plaintiff is still ready and willing to pay the purchase money for the said property to the defendant;

7. The plaintiff prays judgment that the defendant be ordered to execute to the plaintiff a conveyance of said property in accordance with the terms of said agreement, and damages to the amount of \$..... for withholding the same, and for costs of the action.

31. *Answer, general denial.*—The defendant denies each and every allegation in each and every paragraph of the plaintiff's complaint.

32. *More specific answer.*—For answer to the plaintiff's complaint, the defendant says:

1. He admits (or denies) the first paragraph;

2. He admits (or denies) the second paragraph; etc.

33. *Answer of duress to action on promissory note.*—For answer to the plaintiff's complaint, the defendant says:

1. He admits each paragraph thereof;

2. For special defense the defendant says that the promissory note sued on was extorted from the defendant by threats of bodily harm (or during imprisonment brought about by the plaintiff for that purpose) and was executed by the defendant under fear of the same (or from fear while in prison). (In either case state particulars);

3. Said note was executed by the defendant without any consideration therefor.

34. *Accord and satisfaction.*—For answer to the plaintiff's complaint, the defendant says:

1. He admits each paragraph of the complaint;

2. For special defense the plaintiff says:

a. That on the day of, 19...., at, the defendant delivered to the plaintiff the promissory note of (.....)

b. That the plaintiff then and there accepted the same in full satisfaction and discharge of the claim set up in his complaint.

35. *Statute of limitations.*—For answer to the plaintiff's complaint, the defendant says:

1. He admits each paragraph of the complaint;

2. For special defense the defendant says, that the cause of action set forth in plaintiff's complaint did not accrue within..... years before the filing of the said complaint.

36. *Demurrer stating grounds therefor.*—The defendant demurs to the complaint; and he shows the following causes for demurrer, to wit:

1st.

2d.

3d.

(Setting out each cause separately).

37. *Demurrer to answer.*—The plaintiff demurs to the answer (or to the answer of defendant,), and he shows the following causes for demurrer, to wit:

38. *Subpoena*.—To of, Greeting:

You are hereby commanded to be and appear at (the Court of First Instance) in and for the province of on the day of, 19....., at o'clock in the forenoon (or afternoon) then and there to testify in the action of against there pending.

Fail not, under penalty of the law.

Witness the Honorable Judge of said Court, this day of, 19.....
..... Clerk.

39. *Subpoena duces tecum*.—To of Greeting:

You are hereby required to appear before the (Court of First Instance) in and for the province of (or other Court, as the case may be) on the day of, 19....., at o'clock in the forenoon (or afternoon) and to bring with you into Court the following described (book, deed, writing or other document); it being necessary to use the same as testimony in a cause there pending, wherein is plaintiff and is defendant.

Hereof fail not, under penalty of the law.

Witness the Honorable Judge of said Court, this day of, 19.....
..... Clerk.

40. *Summons*.—To of in the Province of

You are hereby required to enter your appearance in the clerk's office of the above named Court at in the said province of within twenty days after the service of this summons upon you, exclusive of the day of such service, if it is served on you in the said province of; otherwise within forty days; and to answer the complaint of the said plaintiff which is hereto attached and herewith served upon you, within the time fixed by the rules of said Court. If you fail to appear within the time aforesaid, the plaintiff will take judgment against you by default and demand from the said Court the relief applied for in said complaint.

Witness the Honorable, Judge of said Court, this day of, 19.....
..... Clerk.

41. *Officer's return of service*.—United States of America, Philippine Islands, Province of

I have this day served a copy of the within complaint and process upon personally, (or state the other manner of service employed). Dated this day of, 19.....

..... Governor,
(or sheriff), or Deputy of Governor.

42. *Order of attachment of property*.—United States of America, Philippine Islands, Province of To the Governor or Sheriff, or any of his deputies of the province of Greeting:

Whereas of (or as agent or attorney, of for the plaintiff) has complained on oath to, one of the Judges of the Supreme Court (or Judge of the Court of First Instance of the province, as the case may be), that of is justly indebted to the said (plaintiff),

in the amount of \$ and that said (defendant) is a nonresident (or is about to abscond from the Islands, etc.,) (reciting the affidavit), and whereas security has been given by the plaintiff according to law; we, therefore, command you, that you attach the estate, real and personal, of the said defendant in your province, to the value of the said demands and costs of suit, and that you safely keep the same according to law, unless the defendant gives security to pay such judgment as may be recovered in the said action, in the manner provided by law, and that you summon the said defendant, if to be found in your province, to appear before the Court of First Instance (or other Court) of the said province, on the day of to answer the above complaint, a copy of which is hereto annexed, and do you have there in said Court then this writ with your proceedings endorsed thereon.

Witness my hand this day of, 19.....
 Judge.

An order for arrest of the person of the defendant may be in the same form, with the necessary modifications.

43. *Ordinary execution.*—United States of America, Philippine Islands, Province of

To the Governor (or Sheriff) of said province, and their lawful deputies;
 Greeting:

We command you that of the goods and chattels of (the defendant) you cause to be made the sum of \$..... damages, together with interest thereon from the date of this execution until the date of payment, at the rate of six per cent. per annum; and the further sum of \$..... for costs of suit, together with your lawful fees for the service of this execution, all in money of the United States (or insular currency, as the case may be) which, the plaintiff, recovered in our Court of First Instance for the said province on the day of 19....., against (the defendant) for damages, interest and costs, and that you render the same to the said (the plaintiff), aside from your own fees on this execution, and do you likewise return this writ into Court within days from date, with your proceedings endorsed hereon. But, if sufficient personal property cannot be found whereof to satisfy this execution and lawful fees thereon, then we command you of the lands and buildings of the said defendant, to make the said sums of money in the manner required by law, and to make return of your proceedings with this writ within days from date.

Witness the Honorable Judge of said Court, this day of, 19.....
 Clerk.

FEEES.

SEC. 785. *Lawful to demand specific fees only.*—It shall be lawful for the Clerk of the Supreme Court, the Clerks of Courts of First Instance and commissioners appointed by the Courts of First Instance, Assessors in Courts of First Instance and in Courts of Justices of the Peace, Governors as Officers of the Court, Sheriffs, Bailiffs, Justices of the Peace, Notaries Public and other officers and persons hereinafter mentioned, together with their assistants and deputies to demand receive and take the several fees hereinafter mentioned and

allowed for any business by them respectively done by virtue of their several offices, and no more.

SEC. 786. *Clerk of the Supreme Court.*—For filing bill of exceptions or an appeal, entering appearance of all the parties, entering all orders of the Court in the action or proceeding, filing and docketing all motions, docketing of case on all proper dockets and indexing the same, entering the final judgment or decree, recording the final judgment or decree and certificate of judgment or decree to the lower Court, taxing the costs, administering all necessary oaths or affirmations in the action or proceeding, recording the opinion of the Court, issuing all necessary process in the action or proceeding not herein otherwise provided for, for each action or special proceeding, twelve dollars; but if the record of the decree or judgment or the opinion of the Court contains more than three hundred and fifty words, then an additional fee shall be charged of five cents for each additional one hundred words in the record.

For furnishing transcripts of the record or copies of any record, decree, judgment or entry of which any person is entitled to demand and receive a copy, for each one hundred words, five cents. For each certificate not on process, twenty-five cents. For every search for anything above a year's standing and reading the same, twenty-five cents.

For a commission on all money coming into his hands by law or order of the Court and caring for the same, one half of one per cent. on all sums not exceeding one thousand dollars, and one quarter of one per cent. upon all sums in excess of one thousand dollars, and one eighth of one per cent. on all sums in excess of ten thousand dollars.

For any other services as clerk not provided for in this section, if such there be, such sum as the Judges of the Supreme Court shall fix by general rules.

SEC. 787. *Fees to be paid by the advancing party.*—The fees of the Clerk of the Supreme Court shall be paid to him, at the time of the entry of the action in the Supreme Court by the party who enters the action in the Supreme Court, by bill of exceptions, or appeal, or otherwise, and the Clerk shall in all cases give a receipt for the same and shall enter the amount received upon his book, specifying the date when received, person from whom received, name of action in which received and amount received. If the fees are not paid, the Court may refuse to proceed with the action until they are paid and may dismiss the bill of exceptions or appeal for failure to prosecute if the fees are not paid within a reasonable time and after reasonable notice.

SEC. 788. *Clerks of Courts of First Instance.*—For filing all complaints, answers, motions, amendments and pleadings, for making all entries upon proper dockets, for entering all appearances, for entering all judgments, orders and decrees, for issuing all processes, preliminary and final, approving all bonds to be by him approved, filing same, for administering all oaths or affirmations, certifying the same, taxing costs, making necessary entries on indexes and for all other services performed by him, his deputies or assistants, in any one action, eight dollars. For all clerical services in the allowance of wills, granting letters of administration, appointment of guardians, trustees, settlement of the accounts of executors, administrators, guardians, trustees, and recording final and interlocutory orders, judgments and decrees therein, filing all inventories and appraise-

ments and for all other work as Clerk pertaining to any one estate, twelve dollars; but when any record of a final decree or judgment of the Court in a special proceeding, including an allowance of an account, or of an inventory of property, contains more than three hundred and fifty words, for each one hundred words in addition to three hundred and fifty words in such record, five cents. For all services as referee or as commissioner to take testimony under appointment by the Court, such sum as the Judge shall allow, but the allowance shall be proportionate to the other fees in this section provided. For certifying the official act of a Justice of the Peace or other certificate, with seal, twenty-five cents. For filing and recording all papers relating to an adoption, in each case of adoption, three dollars. For certified copies of any paper, record, decree, judgment or entry of which any person is entitled to demand and receive a copy, for each one hundred words, five cents. For all copies of record, or bills of exception, or testimony or of other documents for transmission to the Supreme Court, five cents for each one hundred words.

For a commission on all money coming into his hands by law or order of Court and caring for the same, one half of one per cent. on all sums not exceeding one thousand dollars, and one quarter of one per cent. upon all sums in excess of one thousand dollars, but not in excess of ten thousand dollars, and one eighth of one per cent. on all sums in excess of ten thousand dollars. For any other services as Clerk, not provided for in this section, if such there be, such sum as the Judges of the Supreme Court shall fix by general rules.

SEC. 789. *Governors, Sheriffs, and other persons serving process.*— For executing process, preliminary and final judgments and decrees of any Court, for each mile of travel in the service of process, reckoned from the place of service to the place to which the process is returnable, six cents; for serving an attachment against the property of defendant, one dollar, together with a reasonable allowance to be made by the Court for expenses, if any, necessarily incurred in caring for the property attached; for arresting each defendant, fifty cents; for serving summons and copy of complaint for each defendant, one dollar; but if the complaint exceeds three hundred and fifty words, then for each additional one hundred words, five cents; but in special proceedings, testamentary or administrative, where several members of a family residing at the same place are defendants, the fee for each defendant shall be fifty cents; for serving subpoenas, for each witness served, ten cents besides travel fees; for each copy of any process necessarily deposited in the office of the registrar of deeds, five cents for each one hundred words, but not less than fifty cents in each case; for taking bonds or other instruments of indemnity or security, for each, twenty-five cents; for executing a writ of process to put a person in possession of real estate, one dollar; for attending with prisoner on *habeas corpus* trial, each day one dollar; for transporting each prisoner on *habeas corpus* or otherwise, when required, for every mile going and returning, ten cents; for furnishing food for prisoner, for each day, twenty cents; for advertising sale besides printer's charge, fifty cents; for taking inventory of goods levied upon, to be charged only when the inventory is necessary, a sum fixed by the Court not exceeding the actual reasonable cost of same to be shown by vouchers; for summoning assessors, six cents for each assessor summoned besides travel; for levying an execution on property, one dollar.

On all money collected by him by order or any decree, execution, attachment, or any other process, the following sums, to wit:

On the first one hundred dollars or less, two per centum; on the

second one hundred dollars, one and one half per centum; on all sums between two hundred dollars and one thousand dollars, one per centum; on all sums in excess of one thousand dollars, one half per centum.

SEC. 790. *Justice of the Peace.*—For each action tried, including entry of action, judgment and record and swearing all witnesses, one dollar; for each summons or subpoena containing one name, twenty cents; for each additional name therein, four cents; for issuing execution, twenty-five cents; for administering oath upon any affidavit or other paper with certificate of oath, twenty cents; for an appeal, with proceedings, taking bond, making and forwarding transcript of record, seventy-five cents; for each certificate not otherwise provided for, fifteen cents; for writing and certifying deposition, including the administration of oath to the witness, five cents for each one hundred words in the deposition and certificate; for certified copies of any record or proceeding of which any person is entitled to receive a copy, five cents for each one hundred words.

A Justice of the Peace upon receiving payment of fees allowed to him by law, must render to the person or persons so paying an itemized account thereof.

SEC. 791. *Notaries Public.*—Until the abolition of the existing Spanish notarial system and the establishment of a new system, as in this Code provided, Notaries Public shall receive compensation for their services as per fees provided by the Spanish law now in force. After the establishment of the new notarial system, Notaries Public shall receive the following fees only for their services:

For protesting bill or note for non-acceptance or non-payment and giving notice, seventy-five cents; for registering such protest and making record, twenty-five cents; for attesting letters of attorney with seal, twenty-five cents; for notarial affidavit to an account or other writing, with seal, twenty-five cents; for each oath or affirmation, with seal, twenty cents; for taking proof of debts to be sent abroad, twenty-five cents; for a certified copy of record and affidavit of its correctness, fifty cents; for writing depositions and affidavits, five cents for each one hundred words; for taking proof or acknowledgment of any writing concerning real or personal estate and certificate thereof, for each party, twenty-five cents.

SEC. 792. *Other officers taking depositions.*—Other officers taking depositions shall receive the same compensation as above provided for Notaries Public for taking and certifying depositions.

SEC. 793. *Witness fees.*—Witnesses in the Supreme Court and in Courts of First Instance, either in actions or special proceeding, shall be entitled to one peso per day and five cents for each mile going to the place of trial from their homes by the nearest route of usual travel; but mileage shall be charged but once in the action unless witness is compelled to attend more than one term of Court, nor shall any allowance be made for mileage except that travelled within the Philippine Islands.

Witnesses before Justices of the Peace, Municipal Courts and other inferior tribunals shall be allowed one half peso per day and the travel fees above provided and no more.

Fees to which witness may be entitled in a civil action shall be allowed, on the affidavit of the witness, stating the number of days he has attended, the amount of mileage to which he is entitled, to be taken and preserved by the Clerk of the Court, Justice of the Peace or other officer before whom the witness was called to testify, and a certificate of the allowance shall be given to the witness. But on final taxation

of costs the truth of the affidavit may be contested and this allowance may be set aside in whole or in part as the facts require. A witness shall not be allowed compensation for his attendance in more than one case or on more than one side of the same case at the same time, but may elect in which of several cases or on which side of a case, when he is summoned by both sides, to claim his attendance; a person who is compelled to attend Court on other business shall not be paid as a witness.

SEC. 794. *Other fees to be fixed by general rules of the Supreme Court.*—If it shall appear that other legal services are required of Clerks of Court, Governors of provinces as Officers of the Court, Sheriffs or Bailiffs, than those for which specific fees have been provided in this chapter, Judges of the Supreme Court shall by general rules provide for a scale of fees for such other services, which scale shall be proportionate to the fees in this chapter provided for similar services,

CHAPTER XLIV.

FINAL PROVISIONS.

SEC. 795. *Repeal of existing codes, etc.*—All codes, statutes, acts, decrees and orders and parts thereof, heretofore promulgated, enacted or enforced in the Philippine Islands, prescribing the procedure in civil actions or special proceedings in any Court or tribunal are hereby repealed, and the procedure in all civil actions and special proceedings in all Courts and tribunals shall hereafter be in accordance with the provisions of this act. Provided nevertheless:

1. That the proceedings for the trial of the action now pending in the Supreme Court to determine the right to the ownership and control of the property of the College of San José shall be conducted in accordance with the special provisions for that action made by Act No. 69;

2. That the procedure in all actions and special proceedings now pending in the Supreme Court may be in accordance with the existing Spanish procedure, except in so far as the Supreme Court may determine that the provisions of this Act can conveniently be applied to such actions and proceedings;

3. That all actions and special proceedings now pending in Courts of First Instance, the trial of which has been commenced and not finished, under the existing Spanish procedure, may be completed in accordance with that procedure in Courts of First Instance and in the Supreme Court, except in so far as the Judge of the Court of First Instance, or the Supreme Court, may determine that the provisions of this Act can conveniently be applied to such actions and proceedings;

4. That no action now pending in a Court of First Instance, the trial of which has not already been commenced, shall be discontinued or abated because not commenced in accordance with the provisions of this Act; but all future procedure in such actions and special proceedings shall be in accordance with the provisions of this Act, so far as this Act may be conveniently applicable to the conduct of such actions or proceedings;

5. That the Supreme Court shall not reverse or annul the proceedings in any Court of First Instance in actions or special proceedings now pending therein, because of want of conformity in the proceedings to the provisions of this Act, unless such want of conformity

shall have impaired a substantial right of the party attempting to set aside such proceedings;

6. That nothing in this Act contained shall be so construed as to divest or injuriously affect any property right that has already become vested under existing law.

SEC. 796. *When to take effect.*—This act shall take effect on the first day of September 1901.

[No. 191.]

AN ACT appropriating twenty-one thousand three hundred and seventy-five dollars (\$21,375.00), or so much thereof as may be necessary, in money of the United States, to be paid the office of the Collector of Customs of the Islands and of the Chief Port for certain expenses during the third quarter of the year 1901.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The sum of twenty-one thousand three hundred and seventy-five dollars (\$21,375.00) in money of the United States, or so much thereof as may be necessary, is hereby appropriated out of any funds in the Insular Treasury not otherwise appropriated, for the following expenses of the office of the Collector of Customs of the Islands and of the Chief Port during the third quarter of the year 1901:

For repairs and supplies for such launches and boarding boats as are or may be assigned to the Customs Service, two thousand dollars (\$2,000.00). Coal for customs launches, four thousand dollars (\$4,000.00). For salaries and wages as follows: Fifteen inspectors of class 8, hereby authorized, five thousand two hundred and fifty dollars (\$5,250.00); one cutter crew and necessary boarding boat crews, five thousand dollars (\$5,000.00); fifteen clerks and inspectors of sub-districts not exceeding three hundred dollars (\$300.00) per annum each, eleven hundred and twenty-five dollars (\$1,125.00); temporary clerks at ports where army officers have not yet been relieved and where inspectors of sub-districts are not stationed, one thousand dollars (\$1,000.00); extra compensation for the presidentes engaged in customs work, not exceeding one hundred and eighty dollars (\$180.00) per annum for each presidente, two thousand dollars (\$2,000.00). Such extra compensation to the presidentes over and above the compensation received by them from the proper municipal treasuries is hereby declared lawful, anything in the Municipal Code to the contrary notwithstanding. For hire of necessary land transportation for inspectors of sub-districts, two hundred dollars (\$200.00). For rent of offices at interior ports, eight hundred dollars (\$800.00).

SEC. 2. Funds appropriated by this act shall be disbursed in local currency upon the basis of two dollars of local currency to one dollar in money of the United States.

SEC. 3. The public good requiring the speedy enactment of this appropriation bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 4. This act shall take effect on its passage.

Enacted, August 9, 1901.

[No. 192.]

AN ACT authorizing certain employés for the Board of Health for the Philippine Islands.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The following employés are hereby authorized for the Board of Health for the Philippine Islands, at the salaries named, the same to be payable monthly in currency of the United States:

IN MANILA.

Office of the Commissioner of Public Health. One stenographer and typewriter, at one hundred dollars (\$100.00) per month; one interpreter, at one hundred dollars (\$100.00) per month, who shall also serve in the offices of the Chief Health Inspector and the Secretary of the Board when so directed by the Commissioner of Public Health; and one messenger, at fifteen dollars (\$15.00) per month.

Office of the Chief Health Inspector. One clerk, at one hundred dollars (\$100.00) per month, and one messenger, at fifteen dollars (\$15.00) per month.

Office of the Secretary of the Board. One chief clerk, at one hundred and sixteen dollars and sixty-seven cents (\$116.67) per month; one clerk, class D, at fifty dollars (\$50.00) per month; one registrar of records, at one hundred dollars (\$100.00) per month; and one burial permit clerk, at twenty-five dollars (\$25.00) per month.

Division of Sanitary Inspection. Two medical inspectors, at one hundred and fifty dollars (\$150.00) per month each, who shall also be available for emergency work in the provinces; two sanitary inspectors, at seventy-five dollars (\$75.00) per month each; five district sanitary inspectors, at thirty dollars (\$30.00) per month each; fifty-four sub-district sanitary inspectors, at twenty-five dollars (\$25.00) per month each; and also five additional district sanitary inspectors, at thirty dollars (\$30.00) per month each, and thirty-six additional sub-district sanitary inspectors, at twenty-five dollars (\$25.00) per month each, or so many thereof as may be necessary during the period from January 1st to July 1st of each year and at other times during epidemics of contagious diseases.

At the Plague and Smallpox Hospitals. One physician, at seventy-five dollars (\$75.00) per month; two nurses, at twenty-five dollars (\$25.00) per month each; two nurses at fifteen dollars (\$15.00) per month each; two cooks, at twelve dollars and fifty cents (\$12.50) per month each; one driver of vehicle for transportation of patients, at ten dollars (\$10.00) per month; two servants, at seven dollars and fifty cents (\$7.50) per month each; two laundresses, at seven dollars and fifty cents (\$7.50) per month each.

At the San Lazaro Hospital, Women's Department. One physician in charge, at one hundred and fifty dollars (\$150.00) per month; one house physician, at seventy-five dollars (\$75.00) per month; one matron, at twenty-five dollars (\$25.00) per month; one chief nurse at twenty dollars (\$20.00) per month; six nurses, at ten dollars (\$10.00) per month each; one cook, at twenty dollars (\$20.00) per month; one assistant cook, at ten dollars (\$10.00) per month; one cook's police, at six dollars (\$6.00) per month; four laundresses, at seven dollars and fifty

cents (\$7.50) per month each; four servants, at seven dollars and fifty cents (\$7.50) per month each.

At the San Lazaro Hospital, Lepers' Department. One superintendent, at one hundred dollars (\$100.00) per month; one assistant superintendent, at seventy-five dollars (\$75.00) per month; one house physician at seventy-five dollars (\$75.00) per month; one cook at twenty dollars (\$20.00) per month; one assistant cook, at ten dollars (\$10.00) per month; one driver of vehicle for transportation of patients, at ten dollars (\$10.00) per month; four nurses, at ten dollars (\$10.00) per month each; two laundresses, at seven dollars and fifty cents (\$7.50) per month each; three servants, at five dollars (\$5.00) per month each, also one dispensing clerk for both departments, at seventy-five dollars (\$75.00) per month.

Veterinary Department. One city veterinarian, at one hundred and fifty dollars (\$150.00) per month; one assistant veterinarian, at one hundred and thirty-three dollars and thirty-three cents (\$133.33) per month; one meat inspector, at seventy-five dollars (\$75.00) per month; two assistant meat inspectors, at thirty dollars (\$30.00) per month each; one keeper of quarantined cattle, at fifteen dollars (\$15.00) per month; one driver of disinfecting cart, at seven dollars and fifty cents (\$7.50) per month.

Vaccine Institute. One director, at seventy-five dollars (\$75.00) per month; one assistant director, at thirty dollars (\$30.00) per month; one clerk, at ten dollars (\$10.00) per month; and one servant, at seven dollars and fifty cents (\$7.50) per month.

Public Vaccinators. Twelve vaccinators, at fifteen dollars (\$15.00) per month each; and eight additional vaccinators, at fifteen dollars (\$15.00) per month each, or so many thereof as may be necessary for six months from the date of this act.

Experimental Station for the Manufacture of Anti-Toxic Serums. One director at seventy-five dollars (\$75.00) per month; and one assistant director, at forty dollars (\$40.00) per month.

Disinfecting Plant. One engineer and fireman, at twenty-five dollars (\$25.00) per month.

Biological Laboratory. One assistant bacteriologist, at one hundred dollars (\$100.00) per month; one curator, at twenty-five dollars (\$25.00) per month; one janitor, at twenty dollars (\$20.00) per month; one servant, at seven dollars and fifty cents (\$7.50) per month.

Chemical Laboratory. One chemist, at one hundred and fifty dollars (\$150.00) per month; one assistant chemist, at seventy-five dollars (\$75.00) per month; and one servant, at seven dollars and fifty cents (\$7.50) per month.

District Municipal Physicians. Seven city physicians, at sixty-two dollars and fifty cents (\$62.50) per month each.

Municipal Midwives. Eight midwives, at ten dollars (\$10.00) per month each.

Municipal Dispensary. One pharmacist, at fifty dollars (\$50.00) per month; one assistant pharmacist, at thirty dollars (\$30.00) per month; and one servant, at seven dollars and fifty cents (\$7.50) per month.

Public Cemeteries. One superintendent at La Loma Cemetery, at thirty dollars (\$30.00) per month; one superintendent at Paco Cemetery, at thirty dollars (\$30.00) per month; fifteen gravediggers, at seven dollars and fifty cents (\$7.50) per month each.

City Morgue. One janitor at twenty-five dollars (\$25.00) per month, and one servant at ten dollars (\$10.00) per month.

IN THE PROVINCES.

One superintendent of public vaccination and inspector of infectious diseases for the provinces of Bontoc and Lepanto, at one hundred dollars (\$100.00) per month.

Vaccine Institutes at Aparri, Iloilo and Nueva Cáceres. Three directors of vaccine institutes, at fifty dollars (\$50.00) per month each; three assistant directors of vaccine institutes, at (\$25.00) per month each.

SEC. 2. The public good requiring the speedy enactment of this act, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, August 9, 1901.

[No. 193.]

AN ACT making temporary provision for the performance of the duties of Registrar of Property by the Fiscal in provinces not yet organized under the Provincial Government Act.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. In any province not yet organized under the Provincial Government Act, the Fiscal of the province, whether temporarily appointed by the Judge of the Court of First Instance, or temporarily or permanently appointed by the Civil Governor, is hereby authorized to perform the duties of Registrar of Property of the province for which he is Fiscal, pending the appointment of a Registrar of Property for the province under a new system of land registration. It shall be his duty to take possession of all the books and papers relating to the office of Registrar of Property, and to make an orderly arrangement thereof, and to make diligent search for such books and papers belonging to the office as are not found therein.

He shall receive for the performance of such duties the fees prescribed by law for the performance of the same duties by a Registrar of Property, and the fees shall belong to the Fiscal.

SEC. 2. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, August 10, 1901.

[No. 194.]

AN ACT conferring jurisdiction on Justices of the Peace and Presidentes to make preliminary investigations of criminal offenses, and amending General Order No. 58 of the Military Governor of the year 1900.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Every Justice of the Peace in the Philippine Islands is hereby invested with authority to make preliminary investigation of

any crime alleged to have been committed within his municipality, jurisdiction to hear and determine which is by law now vested in the Judges of Courts of First Instance. It shall be the duty of every Justice of the Peace, when written complaint under oath has been made to him that a crime has been committed within his municipality and there is reason to believe that any person has committed the same, which complaint the Justice believes to be well founded, or when he has knowledge of facts tending to show the commission of a crime within his municipality by any person, to issue an order for the arrest of the accused and have him brought before the Justice of the Peace for such preliminary examination.

The order of arrest shall be directed and delivered to any officer authorized by law to make arrests, signed by the Justice of the Peace, shall contain the name of the accused, if known, and the offense with which he is charged. The form of the written complaint may be substantially as follows:

The United States against A. B. .
 -----Justice of the Peace for the Municipality
 of -----, Province of -----, the ----- day of
 -----, 19-----

A. B. is accused by the undersigned of the crime of (*giving its legal appellation, such as murder, arson, robbery or the like*) committed as follows:

That the said A. B. on the ----- day of ----- 19-----
 at the ----- of -----, Province of -----,
 (*here set forth the acts or commissions charged as an offense*) contrary to
 statute in such cases made and provided.
 (Signed)-----

The form of the order of arrest may be substantially as follows:

To any lawful officer, *greeting*:

You are hereby commanded to arrest (*giving the name of the accused*) who stands charged before me with the crime of (*stating the nature of the offense charged*) and to bring him before me as soon as possible, to be dealt with as the law directs. This ----- day of -----, 19-----

(Signed by the name of the Justice of the Peace.)

Neither the complaint nor order of arrest, however, shall be void because of any mere informality or failure to follow the above forms. It shall be the duty of the officer to whom the order of arrest is delivered to arrest the accused forthwith and bring him before the Justice of the Peace as directed in the order.

SEC. 2. When the accused is brought before the Justice of the Peace, it shall be his duty to inform the accused of the charge, give him an opportunity to examine the complaint and the affidavits, if any, of all other witnesses in support thereof. The Justice of the Peace shall thereupon demand of the accused whether he pleads guilty or not guilty to the charge. If he should plead guilty then it shall be the duty of the Justice of the Peace to order that the accused be remanded to jail for safe keeping, to await the action of the Judge or Court of First Instance, or give bail in an amount to be fixed by the Justice of the Peace, with sufficient sureties, for his appearance before the Judge or Court of First Instance, if the case be a

bailable one as provided in General Order No. 58 of the Military Governor, series of 1900. If the accused shall deny his guilt then it shall be the duty of the Justice of the Peace to make preliminary investigation of the charge as speedily as may be consistent with right and justice, but in any event he must begin such investigation within three days of the time the accused was brought before him, unless the accused or complainant shall ask for delay in order that witnesses may be obtained, or for other good and sufficient reason, in which event a continuance for a reasonable time may be allowed. All witnesses, including the complainant, shall be examined under oath and the evidence of each shall be taken down in writing and signed by the witnesses so testifying. The witnesses offered on behalf of the Government or complainant shall be first examined and then those offered on behalf of the accused, who shall be present at every stage of the proceeding. The investigation shall be public and the witnesses shall be examined in the presence of the accused, who shall have a right, either in person or by counsel, to cross examine them if he so desires. The witnesses shall be examined separate and apart from each other if either party demands it. Upon conclusion of the evidence of the other witnesses, the accused may testify under oath, if he so desires, in which case he may be cross examined as any other witness. His evidence shall be reduced to writing and signed by him. If he refuses to sign the same, that fact shall be certified by the Justice of the Peace with the reason for such refusal given by the accused. But the accused shall not be compelled to testify against his wishes and the Justice of the Peace shall so inform the accused before he begins his evidence. In the event the accused declines to testify as a witness, that fact shall not be considered as evidence against him. Upon the conclusion of the preliminary investigation, if the Justice of the Peace is of the opinion that there is reasonable cause to believe that an offense has been committed and that the accused is guilty thereof, he shall so declare and shall adjudge that the accused be remanded to jail for safe keeping to await the action of the Judge or Court of First Instance, unless he give bail for his appearance if the case be bailable, as provided in General Order No. 58. On the other hand, if the Justice of the Peace be of the opinion that no crime has been committed or that there is no reasonable ground to believe the accused guilty thereof, the Justice of the Peace shall order the discharge of the accused. Such discharge, however, shall not operate as a final acquittal of the accused, but he may be again arrested and prosecuted for the same offense.

SEC. 3. In case there shall have been no Justice or Auxiliary Justice of the Peace appointed for any municipality, or in the event of the absence or inability to act of both the Justice and Auxiliary Justice of the Peace, the Presidente of such municipality is hereby vested with all the powers and jurisdiction conferred on Justices of the Peace by this act, to make preliminary investigation of criminal offenses charged against persons within the municipality of such Presidente, and shall make such preliminary investigations as Justices of the Peace are herein required to do, and with like effect, and shall be entitled to the same fees for his services.

SEC. 4. So much of section 50 of said General Order No. 58 as requires Courts of First Instance, or clerks thereof, to forward to the Supreme Court or the Ministerio Fiscal the record of all criminal cases for revision or consideration, except where the death penalty is

imposed as the judgment or part of the judgment of such Court of First Instance, is hereby repealed, and it shall not be necessary to forward to the Supreme Court or the Ministerio Fiscal the record, or any part thereof, of any case in which there shall have been an acquittal, or in which the penalty imposed is not death, unless such case shall have been duly appealed, as provided in such order. The records of all cases in which the death penalty shall have been imposed by any Court of First Instance, whether the defendant shall have appealed or not, shall be forwarded to the Supreme Court for investigation and judgment, as law and justice shall dictate.

SEC. 5. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 6. This act shall take effect on its passage.

Enacted, August 10, 1901.

[No. 195.]

AN ACT to amend Act No. 90.

By authority of the President of the United States, and with the concurrence and approval of the Secretary of War first had, be it enacted by the United States Philippine Commission, that:

SECTION 1. Act No. 90 is hereby amended by striking out the words "Military Governor" and inserting in lieu thereof the words "Civil Governor" whenever the words occur in the act.

SEC. 2. Rule 33 of Act No. 90 is hereby amended so that it shall read as follows:

"Transfers of funds from one disbursing officer to another shall be made only upon the authority of the Civil Governor, the head of the proper civil department, or the officer commanding a Military Department or District, notice of which authorization shall be given forthwith to the Auditor by the Civil Governor or officer giving the authority. When there is a change in disbursing officers, the outgoing officer shall render an account in full, showing the disposition of his unexpended balance, whether transferred to his successor in accordance with the provisions herein contained or deposited with the Treasurer of the Islands."

SEC. 3. This act is passed in conformity with Executive Order of June 21, 1901, transferring certain executive powers from the Military Governor and from the Commission to the Civil Governor, and shall, in its operation relate to July 4, 1901, the date of the actual transfer of such powers, and nothing herein is to be construed as indicating that the said order of June 21st did not impliedly effect the result herein expressly provided by this act.

SEC. 4. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 5. This act shall take effect on its passage.

Enacted, August 12, 1901.

[No. 196.]

AN ACT authorizing the loan of twenty-five thousand dollars (\$25,000) each, in money of the United States, to the provinces of Capiz, Ambos Camarines and Iloilo, for the purpose of enabling these provinces to construct roads and give employment to people suffering from a shortage in the rice supply, and appropriating the necessary amounts therefor.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

WHEREAS, The people of Capiz and of that part of Ambos Camarines known as Camarines Sur, and of Iloilo, are threatened with starvation because of the cattle disease which has carried off ninety per cent. of the cattle and largely interfered with the raising of the rice in these provinces, which furnishes the chief support of the people thereof, and

WHEREAS, It is possible by the construction of much needed roads in the pueblos of these provinces where the suffering and liability to starvation are greatest, to relieve the people from hunger and want, until conditions shall be improved. Now therefore:

SECTION 1. The provincial boards of the provinces of Capiz, Ambos Camarines and Iloilo, are each hereby authorized, by resolution, to borrow from the Insular Government the sum of twenty-five thousand dollars (\$25,000), in currency of the United States, or any part thereof, to be expended under the supervision of the respective provincial boards, by the respective provincial supervisors, upon the construction of needed roads in those parts of the provinces in which the employment given by such construction, and the wages paid for the work thereunder, will relieve the people of the provinces from the danger of starvation. The amounts borrowed hereunder shall be spent for no other purpose than that stated herein. The sums thus borrowed shall be returned to the Insular Treasury by the respective provincial boards in yearly installments of one-fifth of the total amount, the first installments to be due two years from the respective dates of the passage of the resolutions herein authorized by the provincial boards. These loans shall be without interest.

SEC. 2. Such loans shall be made to the three provinces above named to the amount of twenty-five thousand dollars (\$25,000) each, or any less sum to be fixed in the resolution of acceptance by the board of the provinces, upon the receipt of the resolution of the provincial board of each province, which shall be accompanied by a general plan and estimate of the provincial supervisor for the work to be performed, showing the towns between which the roads are to be constructed, the character of the roads, and the extent thereof. The amount loaned shall be paid to the Provincial Treasurer and receipted for by him and shall be by him disbursed upon orders of the Provincial Board as in other cases.

SEC. 3. There is hereby appropriated out of any funds in the Insular Treasury not otherwise appropriated the sum of seventy-five thousand dollars (\$75,000) to comply with the provisions of this act.

SEC. 4. The Provincial Supervisor of each of said provinces shall, in addition to the reports he may make to the Provincial Board, also make a full quarterly report of work done by him or under his supervision by virtue of the provisions of this act.

SEC. 5. All sums paid from the Insular Treasury under this act shall be paid in insular currency at the rate of two dollars in insular currency for one dollar in currency of the United States.

SEC. 6. The public good requiring the speedy enactment of this appropriation bill, the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 7. This act shall take effect on its passage.

Enacted, August 12, 1901.

[No. 197.]

AN ACT amending section 12 of act No. 102 providing for employes in the office of the general superintendent of public instruction.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The second paragraph of section 12, Act No. 102, and all amendments thereof are hereby amended to read as follows:

"There shall be employed in the office of the General Superintendent of Public Instruction, one chief clerk, class 4; one disbursing clerk, class 5; three clerks, class 8; four clerks, class 9; eight clerks, class 10; one clerk, class C; four packers, class K; and such laborers as may be approved by the Secretary of the Department of Public Instruction."

SEC. 2. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, August 12, 1901.

[No. 198.]

AN ACT providing the method for furnishing official transportation to officers and employes of the insular, provincial and municipal governments in the city of Manila, and to and from the city of Manila from and to the provinces.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. After the first of September, 1901, all official transportation in the city of Manila, for the heads of departments and bureaus, or employes thereof, whether of the Insular Government or the Government of the City of Manila, shall be furnished in the following manner and no other:

The Insular Purchasing Agent shall, either from the horses and vehicles the property of the Insular Government which are now on hand, or by purchase, provide quileces or carromatas and horses and harnesses sufficient to provide for actual official needs of all the bureaus or departments, and shall station such vehicles and horses in front of the public buildings in which the departments or bureaus are, to be available during office hours for official use. The vehicles shall be in charge of an agent of the Purchasing Agent, who shall, upon application, assign a carromata or quilez for the particular service to be performed.

SEC. 2. The Purchasing Agent shall provide a suitable stable and

carriage house in which to stable the horses and keep the vehicles at the expense of the Insular Government, and is authorized to employ the stable boss, drivers, stable boys and other employés necessary for this purpose.

SEC. 3. The Purchasing Agent shall on or before September first take possession of all horses and carriages now owned by the Insular Government and furnished for the official use of the heads of departments or bureaus, or of employés thereof, and use such of them as are adapted to carry out the provisions of section 1 hereof. All two-horse carriages and harnesses and also such other vehicles and horses so owned and furnished as are not useful for the purposes of this act, he is authorized and directed to offer at public sale, to be sold to the highest bidder, after advertisement in two newspapers of Manila, one English and one Spanish, for ten days, and the proceeds shall be deposited in the Insular Treasury.

SEC. 4. It is the purpose and intent of this act that quileces and carromatas furnished hereunder shall be used only on official business and not for the convenience or private use of the officers and employés to whom they may be assigned, and in pursuance thereof, use of such vehicles after the usual office hours is strictly prohibited, unless necessity for such use on official business is certified to by the head of the bureau or department. Use of such vehicles for transportation to or from the residence of the head of the department or bureau, or that of any other officer or employé, to his office, in the morning, at noon or in the evening, is not to be regarded as official business and is expressly prohibited.

SEC. 5. In the case of the three members of the Municipal Board of Manila, the City Engineer, the Superintendent of Streets, of Water Supply, of Buildings, the Chief and Assistant Chief of the Fire Department, the Chief and Inspectors of Police, the Chief of the Secret Service, the Prosecuting Attorney, the City Attorney, the City Assessor and Collector, the Chief Deputy Assessor, the Chief Deputy Collector, the Sheriff of Manila, the Superintendent of Schools of Manila, the Chief Inspector of the Board of Health of the Philippine Islands, the Insular Purchasing Agent, the Local Buyer of the Insular Purchasing Agent, the Chief and First Assistant Chief of the Philippine Constabulary, the Cashier of the Custom House, and the Chief of the Stores Division of the Customs Service, and the Assistant Attending Physician for civil employés, who will have constant need of such vehicles for the discharge of their duties, a particular quilez or carromata may be assigned by the Purchasing Agent to be used for official purposes only, as those purposes are defined in section 4, to be stabled and cared for as other vehicles and horses in his charge.

SEC. 6. The Insular Purchasing Agent shall render property accounts to the Auditor for all property coming into his hands by virtue of this act.

SEC. 7. In submitting estimates for the necessary appropriations to carry out the provisions of the foregoing sections, the Purchasing Agent shall divide the expense between the City Government and the Insular Government in proper proportion, to enable the Commission to make the proper appropriations from city and insular funds.

SEC. 8. The Insular Purchasing Agent shall contract with the inter-island transportation lines and with railroad companies for the trans-

portation of such officials as may be required by their official duties to go to and from Manila from and to the provinces, and shall issue transportation requests to such officials upon said companies for passage according to the terms agreed on. The mode of payment for these transportation requests shall be made by settlement warrant, upon certification and settlement of the account by the Auditor, said warrants being hereby made chargeable against the appropriations of the respective departments, bureaus or offices, in behalf of which the transportation is issued, and each department, bureau or office, shall submit for appropriation, with its regular estimates, the amounts which will probably be required for the payment of such transportation expenses.

SEC. 9. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 10. This act shall take effect on its passage.

Enacted, August 12, 1901.

[No. 199.]

AN ACT amending Act No. 22 and Act No. 101, providing for the improvement of the Port of Manila.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Act No. 22 and Act No. 101, amendatory thereof, for improving the Port of Manila, are hereby amended so as to authorize and empower the Chief Engineer, Division of the Philippines, to strengthen and protect the timber bulkheads provided for in section 2 of said Act No. 101 by rip-rap reinforcement and filling so far as may be necessary to make safe and stable the said bulkhead.

SEC. 2. The Chief Engineer is hereby authorized and empowered either to do said work by the purchase of materials and the hire of labor under his own direction and supervision, or to make a contract with another person to furnish said materials and do such work, as in the judgment of the Chief Engineer may best subserve the public interests. In the event the Chief Engineer should deem it best to have said materials purchased and work done by contract, he is hereby authorized and empowered to advertise for bids in two newspapers, one published in the English and one published in the Spanish language, in the city of Manila, for a period of ten days, and shall not be required to advertise in any newspaper in the United States or elsewhere. Bids shall be opened and the contract let as is provided in said Acts Nos. 22 and 101 and before any bid is finally accepted the same shall be approved by the Civil Governor.

SEC. 3. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 4. This act shall take effect on its passage.

Enacted, August 13, 1901.

[No. 200.]

AN ACT to amend section 4 of Act No. 185, regulating the salaries of officers and employés in the municipal service of Manilla.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The second paragraph of section 4, of Act No. 185, be amended so as to read as follows:

“There may be employed in the office of the Superintendent of Streets, Parks, Bridges, Docks and Wharves, one chief clerk of class 7; one clerk of class 8; one clerk of class 9; two clerks of class 10; and one clerk of class C; one chief inspector of class 6; three district inspectors of class 8, two district inspectors of class 9; and two district inspectors of class C; one master of launch crews of class 9; one foreman of stables of class 9; one assistant foreman of stables of class A; one foreman of rock quarry of class A; one engineer of rock quarry of class F; one engineer of road roller of class C; and such engineers, foremen, gardeners, storekeepers, carpenters, masons, blacksmiths, teamsters, launch crews and laborers as may be authorized by law.”

SEC. 2. The public good requiring the speedy enactment of this bill, the same is hereby expedited in accordance with section 2 of “An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws,” passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, August 13, 1901.

[No. 201.]

AN ACT appropriating twenty-seven thousand and forty-three dollars and thirty-two cents (\$27,043.32), or so much thereof as may be necessary, in money of the United States, to pay various expenses of the Insular Government for the third quarter of the year 1901 and other designated periods not provided for in the general appropriation act for the third quarter.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The sum of twenty-seven thousand and forty-three dollars and thirty-two cents (\$27,043.32), or so much thereof as may be necessary, in money of the United States, is hereby appropriated out of any money in the Insular Treasury not otherwise appropriated to pay the following expenses of the Insular Government for the third quarter of the year 1901 and other designated periods:

GENERAL SUPERINTENDENT OF PUBLIC INSTRUCTION.

For 10,000 Visayan-English Primers, three thousand dollars (\$3,000); 49,855 Spanish-English Histories, one thousand, eight hundred and forty-four dollars and sixty-four cents (\$1,844.64); 10 Webster's International Dictionaries, eighty-one dollars (\$81); 10 Webster's Collegiate Dictionaries, thirty dollars (\$30); 10 magic lanterns, four hundred dollars (\$400); office supplies, printing and stationery, ten thousand dollars (\$10,000).

In all, for the General Superintendent of Public Instruction, fifteen thousand, three hundred and fifty-five dollars and sixty-four cents (\$15,355.64), or so much thereof as may be necessary.

QUARTERMASTER, UNITED STATES MILITARY PRISON, BACOLOR.

For the salary of one ex-volunteer captain retained after the expiration of his service by resolution of the Commission, from July 1st to July 11th, sixty dollars and fifty cents (\$60.50); one ex-volunteer lieutenant, retained after expiration of his service by resolution of the Commission, from July 1st to July 31st, one hundred and twenty-eight dollars and thirty-three cents (\$128.33); purchase of mineral oil for August and September, thirty-seven dollars and fifty cents (\$37.50).

In all, for the Quartermaster, United States Military Prison, Bacolor, two hundred and twenty-six dollars and thirty-three cents (\$226.33), or so much thereof as may be necessary.

DEPARTMENT OF PRISONS.

For salaries of one warden at twenty-four hundred dollars (\$2,400) per annum, and one assistant warden at eighteen hundred dollars (\$1,800) per annum, from August 9 to September 30, 1901, six hundred and thirteen dollars and thirty-three cents (\$613.33). For cleaning cess-pools and dry-earth closets, seventeen hundred dollars (\$1,700).

In all, for the Department of Prisons, two thousand, three hundred and thirteen dollars and thirty-three cents (\$2,313.33), or so much thereof as may be necessary.

PROVINCIAL GOVERNMENT OF CEBU.

For maintenance of a leper colony in the Province of Cebu for July, August and September, one thousand, one hundred and fifty-nine dollars and twenty cents (\$1,159.20), or so much thereof as may be necessary.

BOARD OF HEALTH FOR THE PHILIPPINES.

For subsistence of patients in the Small-Pox Hospital, Plague Hospital, and San Lazaro Hospital, eight hundred dollars (\$800), or so much thereof as may be necessary.

MISCELLANEOUS EXPENSES.

For cleaning closets at civil police stations for the month of June, in the Department of Streets, Parks, Fire and Sanitation, under the Provost Marshal General, eight hundred and eighty-nine dollars and sixty cents (\$889.60), or so much thereof as may be necessary.

For salaries from July 1 to August 7, 1901, in Medico-Legal Department, as follows: Two physicians at fifty dollars (\$50) per month each, two practicantes at fifteen dollars (\$15) per month each, one concierge at fifteen dollars (\$15) per month, and one servant at five dollars (\$5) per month; total of salaries, one hundred and eighty-five dollars (\$185), or so much thereof as may be necessary.

For salaries for the month of July, hereby authorized, of four assistant prosecutors of the Courts of First Instance of Manila, who performed actual services without formal authorization of law, four hundred and fifty dollars (\$450).

For F. M. Kiggins, for allowance in lieu of salary for earned leave of absence, three hundred and fifty dollars (\$350).

For the following expenses incurred in the office of the Quartermaster, Provost Marshal General, prior to July 1, 1901: Rent of civil police barracks, 4 Calle Gunao, Quiapo, March 1st to March 31st, one hundred and thirty-seven dollars and fifty cents (\$137.50); rent of quarters for two officers performing services under the Provost Marshal General prior to March 31, 1901, ninety-three dollars and sixty cents (\$93.60); rent of market site on Calle Real, Paco, from October, 1898, to June 30, 1901, twenty-seven dollars (\$27); for repairs to, and and hire of, transportation for officers of the city government for June, three hundred and ninety-five dollars and ninety-five cents (\$395.95); forage for native ponies for the city government for month of June, one hundred and thirty-seven dollars and ten cents (\$137.10).

For expenses incurred in the office of the Quartermaster, Provost Marshal General, from July 1st to August 7th, as follows: Cleaning cess-pools and dry-earth closet in schools, police and fire stations, one thousand dollars (\$1,000); forage and shoeing for native ponies of the city government, five hundred dollars (\$500); hire of transportation for the following offices from July 1st to August 7th: Board of Health, Department of Receipts and Disbursements, Department of Inspection, Adjutant General's Department, Sanitary Department, Chief Surgeon, Separate Brigade, Public Prosecutor, Department of Licenses, Quartermaster's Department, Separate Brigade, Engineer's Department, Assistant Surgeon, Separate Brigade, Inspector General, Separate Brigade, and Department of Police, one thousand, five hundred and ninety-eight dollars and twenty-five cents (\$1,598.25); rent of market site on Calle Real, Paco, two dollars (\$2); total appropriation for expenses incurred in the office of the Quartermaster, Provost Marshal General, three thousand, eight hundred and ninety-one dollars and forty cents (\$3,891.40), or so much thereof as may be necessary.

For salary of C. W. Mead, Engineer Officer of the United States Philippine Commission, engaged in the construction of the Benguet road and the location of the railroad survey, continued by authority of resolution, from July 1st to August 7th, two hundred and sixty-one dollars and nineteen cents (\$261.19.)

For salary of Chief of the Detective Bureau, from July 1st to August 6th, both inclusive, at the rate of three thousand dollars per annum, hereby authorized, three hundred dollars (\$300).

For allowance to Gaspar Zurbito, while engaged in the organization of the municipalities of Masbate, under authority of resolution of the Commission of March 18, 1901, two hundred dollars (\$200), or so much thereof as may be necessary.

For expenses of J. L. Mudge from March 19th to June 10th including advance pay for engineer and fireman of twenty dollars (\$20), hereby authorized, forty-three dollars and eighty-eight cents (\$43.88), or so much thereof as may be necessary.

For expenses incurred by Municipality of San Fernando de la Union for maintaining lighthouse on San Fernando Point from December 15, 1899, to July 15, 1900, one hundred and thirty-four dollars and sixty-five cents (\$134.65), or so much thereof as may be necessary.

For Thomas Hardeman, Treasurer of Pangasinan, for freight and traveling expenses from Manila to Dagupan to assume the duties of his office, thirty-seven dollars and seventy-five cents (\$37.75), or so much thereof as may be necessary.

For Ezra E. Green, Clerk Class 9, Department of Inspection under the Provost Marshal General, for allowance for salary in lieu of earned leave of absence, ninety-nine dollars and sixty-six cents (\$99.66.)

For Lutgardo Lopez, for allowance for salary while working in the Department of Public Works from August 13 to November 30, 1898, hereby authorized, one hundred and seventy-nine dollars and three cents (\$179.03).

For salary of one clerk, Class 10, in the Office of Moro Affairs in the Jolo Archipelago, for the months of August and September, hereby authorized, one hundred and sixty-six dollars and sixty-six cents (\$166.66), or so much thereof as may be necessary.

The appropriation in Act No. 163 under the Office of the Adjutant General, Provost Marshal General, of one thousand dollars (\$1,000) "for payment of services rendered by stenographic reporters recording proceedings of military commissions convened by the Provost Marshal General" is hereby made available for the third quarter of the year 1901.

SEC. 2. Funds appropriated by this act shall be disbursed in Insular currency, upon the basis of two dollars of Insular currency for one dollar money of the United States.

SEC. 3. The public good requiring the speedy enactment of this appropriation bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 4. This act shall take effect on its passage.

Enacted, August 13, 1901.

[No. 202.]

AN ACT amending Act No. 61, authorizing the construction of a highway from Pozorrubio to Baguio in the province of Benguet and repealing Act No. 68 supplementary thereto.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Section 1 of Act No. 61 is hereby amended by striking out the words "Military Governor" in line 5 and substituting therefor the words "Civil Governor" and by striking out the words "Captain Charles W. Mead, 36th Infantry, U. S. V., who has been detailed by the Military Governor for that purpose" and substituting therefor the words "a civil engineer to be appointed by him."

SEC. 2. The Civil Governor shall have power to appoint or designate a Disbursing Officer to disburse the funds appropriated and unexpended for the construction of the Benguet road, and the location of the railroad survey.

SEC. 3. Act No. 68 is hereby repealed.

SEC. 4. The public good requiring the speedy enactment of this bill, the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 5. This act shall take effect on its passage.

Enacted, August 13, 1901.

[No. 203.]

AN ACT extending the provisions of "The Provincial Government Act" and its amendments to the province of La Unión.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All the provisions of an act entitled "A General Act for the Organization of Provincial Governments in the Philippine Islands," enacted February 6, 1901, and its amendments, shall apply to and govern the establishment of a provincial government in that territory in the Island of Luzon, known as the Province of La Unión, with such exceptions, modifications and supplementary provisions as are hereinafter contained.

SEC. 2. The compensation to be paid provincial officers of the Province of La Unión shall be at the following rate per year, money of the United States:

For the Provincial Governor, one thousand eight hundred dollars (\$1,800.00);

For the Provincial Secretary, one thousand three hundred dollars (\$1,300.00);

For the Provincial Treasurer, two thousand dollars (\$2,000);

For the Provincial Supervisor, one thousand seven hundred dollars (\$1,700.00);

For the Provincial Fiscal, one thousand three hundred dollars (\$1,300.00).

The salary of provincial officers shall be payable monthly so that one-twelfth ($\frac{1}{12}$) of the annual salary shall be paid on the last day of each calendar month.

Each provincial officer shall be allowed his necessary and actual traveling expenses, not exceeding two dollars and fifty cents (\$2.50) per day, while absent from the capital of the province on official business. The allowance shall be made by the Provincial Board upon the certificate of the officer that the travel was necessary for the public business, and shall not be paid until the account accompanied by the resolution of the Board approving the same shall be forwarded to the Insular Treasurer and by him approved.

SEC. 3. The bond of the Provincial Treasurer shall be twelve thousand dollars (\$12,000.00), until the first day of March, 1902, when, in view of the collection of the land tax, the Commission may require a new bond or an additional bond to cover the probable increase of the funds of which the Provincial Treasurer shall have custody at any one time. The bond to be given shall be conditioned to secure on the part of the Provincial Treasurer that he shall account for the internal revenue collections coming into his hands as Internal Revenue Collector; the taxes collected by him for each municipality; for the province; and for the Central Government. The form of the bond shall be prescribed by the Insular Treasurer. If upon the request of the Commission the Military Governor shall detail any military officer to fill a provincial office, no bond shall be required of him and no salary shall be paid him.

SEC. 4. The presidentes or alcaldes of the municipalities of the province shall meet on the third Monday in January, April, July, and October to consider improvements needed in the province and for the provincial government, and to make recommendations to the Pro-

vincial Board. The convention shall be called together by the Provincial Secretary and shall elect a chairman for each quarter's session. The Provincial Secretary shall act as secretary of the Convention, and shall certify its recommendations to the Provincial Board.

SEC. 5. The capital of the province shall be, as formerly, at the town of San Fernando.

SEC. 6. This act shall take effect on its passage.

Enacted, August 15, 1901.

[No. 204.]

AN ACT authorizing the City Treasurer and Disbursing Officer under the Provost Marshal General of Manila, to perform certain duties connected with that office down to and including August 6th, 1901.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Major George F. Downey, Paymaster, U. S. Army, acting as City Treasurer and Disbursing Officer under the Provost Marshal General of the city of Manila, is hereby authorized to close up the business of his Department for July, 1901, and for the days from August 1st to August 6th inclusive, 1901, and for that purpose is authorized to draw warrants, to pay the obligations of the Government of Manila under the Provost Marshal General, and to do all the other acts necessary for the settling of the financial affairs of the city of Manila down to and including August 6th, 1901.

SEC. 2. The public good requiring the speedy enactment of this act, the passage of the same is hereby expedited in accordance with Section 2, of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, August 16, 1901.

[No. 205.]

AN ACT extending the provisions of "The Provincial Government Act" and its amendments to the Province of Ilocos Sur.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All the provisions of an act entitled "A General Act for the Organization of Provincial Governments in the Philippine Islands," enacted February 6, 1901, and its amendments, shall apply to and govern the establishment of a provincial government in that territory in the Island of Luzon known as the Province of Ilocos Sur, with such exceptions, modifications and supplementary provisions as are hereinafter contained.

SEC. 2. The compensation to be paid provincial officers of the Province of Ilocos Sur, shall be at the following rate per year, money of the United States:

For the Provincial Governor, one thousand eight hundred dollars (\$1,800.00);

For the Provincial Secretary, one thousand three hundred dollars (\$1,300.00);

For the Provincial Treasurer, two thousand one hundred dollars (\$2,100.00);

For the Provincial Supervisor, one thousand seven hundred dollars (\$1,700.00);

For the Provincial Fiscal, one thousand four hundred dollars (\$1,400.00).

The salary of provincial officers shall be payable monthly so that one twelfth ($\frac{1}{12}$) of the annual salary shall be paid on the last day of each calendar month.

Each provincial officer shall be allowed his necessary and actual traveling expenses, not exceeding two dollars and fifty cents (\$2.50) per day, while absent from the capital of the province on official business. The allowance shall be made by the Provincial Board upon the certificate of the officer that the travel was necessary for the public business, and shall not be paid until the account accompanied by the resolution of the Board approving the same shall be forwarded to the Insular Treasurer and by him approved.

SEC. 3. The bond of the Provincial Treasurer shall be fifteen thousand dollars (\$15,000.00), until the first day of March, 1902, when, in view of the collection of the land tax, the Commission may require a new bond or an additional bond to cover the probable increase of the funds of which the Provincial Treasurer shall have custody at any one time. The bond to be given shall be conditioned to secure on the part of the Provincial Treasurer that he shall account for the internal revenue collections coming into his hands as Internal Revenue Collector; the taxes collected by him for each municipality; for the province; and for the Central Government. The form of the bond shall be prescribed by the Insular Treasurer. If upon the request of the Commission the Military Governor shall detail any military officer to fill a provincial office, no bond shall be required of him and no salary shall be paid him.

SEC. 4. The presidentes or alcaldes of the municipalities of the province shall meet on the third Monday in January, April, July and October to consider improvements needed in the province and for the provincial government, and to make recommendations to the Provincial Board. The convention shall be called together by the Provincial Secretary and shall elect a chairman for each quarter's session. The Provincial Secretary shall act as secretary of the Convention, and shall certify its recommendations to the Provincial Board.

SEC. 5. The capital of the province shall be, as formerly, at the town of Vigan.

SEC. 6. This act shall take effect on its passage and officers may be appointed and qualify at once, but the Government shall not be organized, nor shall the provincial officers receive any salary, until September 1, 1901. The internal revenue of the province shall continue to be collected until September 1, 1901, by the Collector of Internal Revenue, now incumbent.

Enacted, August 16, 1901.

[No. 206.]

AN ACT extending the provisions of "The Provincial Government Act" and its amendments to the Province of Abra.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All the provisions of an act entitled "A General Act for the Organization of Provincial Governments in the Philippine Islands," enacted February 6, 1901, and its amendments, shall apply to and govern the establishment of a provincial government in that territory in the Island of Luzon, known under the Spanish sovereignty as the Province of Abra, except the part thereof lying east of the crest of the Cordillera Central, with such exceptions, modifications and supplementary provisions as are hereinafter contained.

SEC. 2. The compensation to be paid provincial officers of the Province of Abra shall be at the following rate per year, money of the United States:

For the Provincial Governor, one thousand dollars (\$1,000.00);

For the Provincial Secretary, nine hundred dollars (\$900.00);

For the Provincial Treasurer, one thousand, two hundred dollars (\$1,200.00);

For the Provincial Supervisor, nine hundred dollars (\$900.00);

For the Provincial Fiscal, nine hundred dollars (\$900.00).

The salary of provincial officers shall be payable monthly so that one twelfth ($\frac{1}{12}$) of the annual salary shall be paid on the last day of each calendar month.

Each provincial officer shall be allowed his necessary and actual traveling expenses, not exceeding two dollars (\$2.00) per day, while absent from the capital of the province on official business. The allowance shall be made by the Provincial Board upon the certificate of the officer that the travel was necessary for the public business, and shall not be paid until the account accompanied by the resolution of the Board approving the same shall be forwarded to the Insular Treasurer and by him approved.

SEC. 3. The bond of the Provincial Treasurer shall be five thousand dollars (\$5,000.00), until the first day of March, 1902, when, in view of the collection of the land tax, the Commission may require a new bond or an additional bond to cover the probable increase of the funds of which the Provincial Treasurer shall have custody at any one time. The bond to be given shall be conditioned to secure on the part of the Provincial Treasurer that he shall account for the internal revenue collections coming into his hands as Internal Revenue Collector; the taxes collected by him for each municipality; for the province; and for the Central Government. The form of the bond shall be prescribed by the Insular Treasurer. If upon the request of the Commission the Military Governor shall detail any military officer to fill a provincial office, no bond shall be required of him and no salary shall be paid him.

SEC. 4. The presidentes or alcaldes of the municipalities of the province shall meet on the third Monday in January, April, July and October to consider improvements needed in the province and for the provincial government, and to make recommendations to the Provincial Board. The convention shall be called together by the Provincial Secretary and shall elect a chairman for each quarter's session. The

Provincial Secretary shall act as secretary of the Convention, and shall certify its recommendations to the Provincial Board.

SEC. 5. Owing to the fact that there is in the Province of Abra no regularly admitted member of the Bar of the Supreme Court of the Islands, it shall not be a necessary qualification of the Provincial Fiscal that he be a member of such bar.

SEC. 6. The capital of the province shall be, as formerly, at the town of Bangued.

SEC. 7. This act shall take effect on its passage, and officers may be appointed and qualify at once, but the Government shall not be organized nor shall the provincial officers receive any salary until September 1, 1901.

Enacted, August 19, 1901.

[No. 207.]

AN ACT extending the provisions of "The Provincial Government Act" and its amendments to the Province of Ilocos Norte.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All the provisions of an act entitled "A General Act for the Organization of Provincial Governments in the Philippine Islands," enacted February 6, 1901, and its amendments, shall apply to and govern the establishment of a provincial government in that territory in the Island of Luzon, known as the Province of Ilocos Norte with such exceptions, modifications and supplementary provisions as are hereinafter contained.

SEC. 2. The compensation to be paid provincial officers of the Province of Ilocos Norte shall be at the following rate per year, money of the United States:

For the Provincial Governor, one thousand, eight hundred dollars (\$1,800.00);

For the Provincial Secretary, one thousand, three hundred dollars (\$1,300.00);

For the Provincial Treasurer, two thousand, one hundred dollars (\$2,100.00);

For the Provincial Supervisor, one thousand, seven hundred dollars (\$1,700.00);

For the Provincial Fiscal, one thousand, three hundred dollars (\$1,300.00).

The salary of provincial officers shall be payable monthly so that one-twelfth ($\frac{1}{12}$) of the annual salary shall be paid on the last day of each calendar month.

Each provincial officer shall be allowed his necessary and actual traveling expenses, not exceeding two dollars and fifty cents (\$2.50) per day, while absent from the capital of the province on official business. The allowance shall be made by the Provincial Board upon the certificate of the officer that the travel was necessary for the public business, and shall not be paid until the account accompanied by the

resolution of the Board approving the same shall be forwarded to the Insular Treasurer and by him approved.

SEC. 3. The bond of the Provincial Treasurer shall be fifteen thousand dollars (\$15,000.00), until the first day of March, 1902, when, in view of the collection of the land tax, the Commission may require a new bond or an additional bond to cover the probable increase of the funds of which the Provincial Treasurer shall have custody at any one time. The bond to be given shall be conditioned to secure on the part of the Provincial Treasurer that he shall account for the internal revenue collections coming into his hands as Internal Revenue Collector; the taxes collected by him for each municipality; for the province; and for the central government. The form of the bond shall be prescribed by the Insular Treasurer. If, upon the request of the Commission, the Military Governor shall detail any military officer to fill a provincial office, no bond shall be required of him and no salary shall be paid him.

SEC. 4. The presidentes or alcaldes of the municipalities of the province shall meet on the third Monday in January, April, July and October to consider improvements needed in the province and for the provincial government, and to make recommendations to the Provincial Board. The convention shall be called together by the Provincial Secretary and shall elect a chairman for each quarter's session. The Provincial Secretary shall act as Secretary of the Convention, and shall certify its recommendations to the Provincial Board.

SEC. 5. The capital of the province shall be, as formerly, at the town of Laoag.

SEC. 6. This act shall take effect on its passage and officers may be appointed and qualify at once, but the government shall not be organized, nor shall the provincial officers receive any salary, until September 1, 1901. The internal revenue of the province shall continue to be collected until September 1, 1901, by the Collector of Internal Revenue, now incumbent.

Enacted, August 20, 1901.

[No. 208.]

AN ACT providing a clerk of class 7 for the office of the chief of the Insular Constabulary.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. In addition to the other employes provided by law in the office of the Chief of the Insular Constabulary there shall be a clerk of class 7.

SEC. 2. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, August 22, 1901.

[No. 209.]

AN ACT extending the provisions of "The provincial Government Act" and its amendments to the province of Cagayan.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All the provisions of an act entitled "A General Act for the Organization of Provincial Governments in the Philippine Islands," enacted February 6, 1901, and its amendments shall apply to and govern the establishment of a provincial government in that territory in the Island of Luzon, known as the Province of Cagayan with such exceptions, modifications and supplementary provisions as are hereinafter contained, including the Batanes and Babuyane islands lying to the north of Luzon.

SEC. 2. The compensation to be paid provincial officers of the Province of Cagayan, shall be at the following rate per year, money of the United States:

For the Provincial Governor, one thousand, eight hundred dollars (\$1,800.00);

For the Provincial Secretary, one thousand, three hundred dollars (\$1,300.00).

For the Provincial Treasurer, two thousand, one hundred dollars (\$2,100.00);

For the Provincial Supervisor, one thousand, seven hundred dollars (\$1,700.00);

For the Provincial Fiscal, one thousand, three hundred dollars (\$1,300.00).

The salary of provincial officers shall be payable monthly so that one-twelfth ($\frac{1}{12}$) of the annual salary shall be paid on the last day of each calendar month.

Each provincial officer shall be allowed his necessary and actual traveling expenses, not exceeding three dollars (\$3.00) per day, while absent from the capital of the province on official business. The allowance shall be made by the Provincial Board upon the certificate of the officer that the travel was necessary for the public business, and shall not be paid until the account accompanied by the resolution of the Board approving the same shall be forwarded to the Insular Treasurer and by him approved.

SEC. 3. The bond of the Provincial Treasurer shall be fifteen thousand dollars (\$15,000.00), until the first day of March, 1902, when, in view of the collection of the land tax, the Commission may require a new bond or an additional bond to cover the probable increase of the funds of which the Provincial Treasurer shall have custody at any one time. The bond to be given shall be conditioned to secure on the part of the Provincial Treasurer that he shall account for the internal revenue collections coming into his hands as Internal Revenue Collector; the taxes collected by him for each municipality; for the province; and for the central government. The form of the bond shall be prescribed by the Insular Treasurer. If, upon the request of the Commission, the Military Governor shall detail any military officer to fill a provincial office, no bond shall be required of him and no salary shall be paid him.

SEC. 4. The presidentes or alcaldes of the municipalities of the province shall meet on the third Monday in January, April, July and

October to consider improvements needed in the province and for the provincial government, and to make recommendations to the Provincial Board. The convention shall be called together by the Provincial Secretary and shall elect a chairman for each quarter's session. The Provincial Secretary shall act as secretary of the Convention, and shall certify its recommendations to the Provincial Board.

SEC. 5. The capital of the province shall be, as formerly, at the town of Tuguegarao.

SEC. 6. This act shall take effect on its passage, and officers may be appointed and qualify at once, but the government shall not be organized, nor shall the provincial officers receive any salary, until September 1, 1901. The internal revenue of the province shall continue to be collected until September 1, 1901, by the Collector of Internal Revenue now incumbent.

Enacted, August 22, 1901

[No. 210.]

AN ACT extending the provisions of "The provincial government act" and its amendments to the province of Isabela.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All the provisions of an act entitled "A General Act for the Organization of Provincial Governments in the Philippine Islands," enacted February 6, 1901, and its amendments, shall apply to and govern the establishment of a provincial government in that territory in the Island of Luzon, known as the Province of Isabela, with such exceptions, modifications and supplementary provisions as are hereinafter contained.

SEC. 2. The compensation to be paid provincial officers of the Province of Isabela, shall be at the following rate per year, money of the United States:

For the Provincial Governor, one thousand, five hundred dollars (\$1,500.00):

For the Provincial Secretary, nine hundred dollars (\$900.00);

For the Provincial Treasurer, one thousand, eight hundred dollars (\$1,800.00):

For the Provincial Supervisor, one thousand, five hundred dollars (\$1,500.00):

For the Provincial Fiscal, one thousand, two hundred dollars (\$1,200.00).

The salary of provincial officers shall be payable monthly so that one-twelfth ($\frac{1}{12}$) of the annual salary shall be paid on the last day of each calendar month.

Each provincial officer shall be allowed his necessary and actual traveling expenses, not exceeding three dollars (\$3.00) per day, while absent from the capital of the province on official business. The allowance shall be made by the Provincial Board upon the certificate of the officer that the travel was necessary for the public business; and shall not be paid until the account accompanied by the resolution of the Board approving the same shall be forwarded to the Insular Treasurer and by him approved.

SEC. 3. The bond of the Provincial Treasurer shall be twelve thousand dollars (\$12,000.00), until the first day of March, 1902, when, in view of the collection of the land tax, the Commission may require a new bond or an additional bond to cover the probable increase of the funds of which the Provincial Treasurer shall have custody at any one time. The bond to be given shall be conditioned to secure on the part of the Provincial Treasurer that he shall account for the internal revenue collections coming into his hands as Internal Revenue Collector; the taxes collected by him for each municipality; for the province; and for the Central Government. The form of the bond shall be prescribed by the Insular Treasurer. If, upon the request of the Commission, the Military Governor shall detail any military officer to fill a provincial office, no bond shall be required of him and no salary shall be paid him.

SEC. 4. The presidentes or alcaldes of the municipalities of the province shall meet on the third Monday in January, April, July and October to consider improvements needed in the province and for the provincial government, and to make recommendations to the Provincial Board. The convention shall be called together by the Provincial Secretary and shall elect a chairman for each quarter's session. The Provincial Secretary shall act as secretary of the convention, and shall certify its recommendations to the Provincial Board.

SEC. 5. The capital of the province shall be, as formerly, at the town of Ilagan.

SEC. 6. This act shall take effect on its passage, and officers may be appointed and qualify at once, but the government shall not be organized, nor shall the provincial officers receive any salary, until September 10, 1901. The internal revenue of the province shall continue to be collected until September 10, 1901, by the Collector of Internal Revenue now incumbent.

Enacted, August 24, 1901.

[No. 211.]

AN ACT extending the provisions of "The provincial government act" and its amendments to the Province of Zambales.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All the provisions of an act entitled "A General Act for the Organization of Provincial Governments in the Philippine Islands," enacted February 6, 1901, and its amendments, shall apply to and govern the establishment of a provincial government in that territory in the Island of Luzon, known as the Province of Zambales, with such exceptions, modifications and supplementary provisions as are hereinafter contained.

SEC. 2. The compensation to be paid provincial officers of the Province of Zambales shall be at the following rate per year, money of the United States:

For the Provincial Governor, one thousand, five hundred dollars (\$1,500.00);

For the Provincial Secretary, one thousand dollars (\$1,000.00);

For the Provincial Treasurer, one thousand, eight hundred dollars (\$1,800.00);

For the Provincial Supervisor, one thousand, five hundred dollars (\$1,500.00);

For the Provincial Fiscal, one thousand, one hundred dollars (\$1,100.00).

The salary of provincial officers shall be payable monthly so that one twelfth ($\frac{1}{12}$) of the annual salary shall be paid on the last day of each calendar month.

Each provincial officer shall be allowed his necessary and actual traveling expenses, not exceeding two dollars and fifty cents (\$2.50) per day, while absent from the capital of the province on official business. The allowance shall be made by the Provincial Board upon the certificate of the officer that the travel was necessary for the public business, and shall not be paid until the account accompanied by the resolution of the Board approving the same shall be forwarded to the Insular Treasurer and by him approved.

SEC. 3. The bond of the Provincial Treasurer shall be twelve thousand dollars (\$12,000.00), until the first day of March, 1902, when, in view of the collection of the land tax, the Commission may require a new bond or an additional bond to cover the probable increase of the funds of which the Provincial Treasurer shall have custody at any one time. The bond to be given shall be conditioned to secure on the part of the Provincial Treasurer that he shall account for the internal revenue collections coming into his hands as Internal Revenue Collector; the taxes collected by him for each municipality; for the province; and for the Central Government. The form of the bond shall be prescribed by the Insular Treasurer. If, upon the request of the Commission, the Military Governor shall detail any military officer to fill a provincial office, no bond shall be required of him, and no salary be paid him.

SEC. 4. The presidentes or alcaldes of the municipalities of the province shall meet on the third Monday in January, April, July and October to consider improvements needed in the province and for the provincial government, and to make recommendations to the Provincial Board. The convention shall be called together by the Provincial Secretary and shall elect a chairman for each quarter's session. The Provincial Secretary shall act as secretary of the Convention, and shall certify its recommendations to the Provincial Board.

SEC. 5. The capital of the province shall be, as formerly, at the town of Iba.

SEC. 6. This act shall take effect on its passage, and officers may be appointed and qualify at once, but the government shall not be organized, nor shall the provincial officers receive any salary until September 10, 1901. The internal revenue of the province shall continue to be collected until September 10, 1901, by the Collector of Internal Revenue, now incumbent.

Enacted, August 28, 1901.

[No. 212.]

AN ACT extending the time on which act No. 190, providing a code of procedure in civil actions and special proceedings in the Philippine Islands, shall take effect, from the first day of September, to the first day of October, 1901.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Section 796, of Act No. 190, entitled, "An Act Providing a Code of Procedure in Civil Actions and Special Proceedings in the Philippine Islands," is hereby amended so as to read as follows:

"This Act shall take effect on the first day of October, 1901."

SEC. 2. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, August 31, 1901.

[No. 213.]

AN ACT repealing act No. 45, entitled, "An act imposing a customs tax upon exports of Mexican money."

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Act No. 45, entitled, "An Act Imposing a Customs Tax upon Exports of Mexican Money," enacted November 12, 1900, is hereby repealed.

SEC. 2. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, August 31, 1901.

[No. 214.]

AN ACT amending the Manila Charter.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The time within which the owners of taxable real estate in the city of Manila are required to make a statement of the real estate owned by them, as set forth in section 46 of the Charter, is hereby extended from September first until September sixteenth, 1901.

SEC. 2. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, August 31, 1901.

[No. 215.]

AN ACT establishing and regulating accountability for public property in the Philippine Archipelago.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

RESPONSIBILITY FOR PUBLIC PROPERTY.

SECTION 1. Every officer or agent who has public property in his charge shall be deemed to be responsible for the value of the same, until relieved from such responsibility pursuant to the provisions of this act.

RETURNS, HOW MADE.

SEC. 2. Every officer or agent accountable for public property shall make returns of the same to the Auditor for the Archipelago, in such manner as may be prescribed, quarterly as of the 31st day of March, the 30th day of June, the 30th day of September and the 31st day of December of each year, and within ten days after the close of the period for which rendered.

RELIEVED OFFICER SHALL RENDER FINAL ACCOUNT.

SEC. 3. When an officer or agent is relieved, he shall likewise render an account of all property with which he may be chargeable at the time of such relief, showing by proper returns and vouchers the disposition of the same.

RESPONSIBILITY FOR LOSS OR DAMAGE.

SEC. 4. An officer or agent responsible for public property will be charged for any damage to or for loss or destruction of the same, until he shows to the satisfaction of the Auditor by his own affidavit or certificate, or by one or more depositions, or by the report of an inspector or committee designated as hereinafter provided, that the damage, loss or destruction was occasioned by unavoidable causes, without fault or neglect on his part.

CAUSES OF DAMAGE AND LOSS DEFINED.

SEC. 5. Causes of damage to and of loss and destruction of property shall be classified as follows: First, unavoidable causes, being those over which the responsible officers had and could have had no control; second, avoidable causes, being those due to carelessness, wilfulness or neglect.

HOW LOSSES AND DAMAGES SHALL BE COLLECTED.

SEC. 6. The money value of the property for which such officer or agent is held responsible shall be collected as follows: In case of an officer or agent paid from insular or provincial funds the money will be deducted from his pay by the proper disbursing officer, upon written notice by the Auditor for the Archipelago to make such deduction. Money so deducted will be deposited by the disbursing officer, in the case of insular property, with the Treasurer of the

Archipelago, as a miscellaneous receipt, a proper account thereof being rendered to the Auditor. In the case of provincial property the deduction will be deposited with the Provincial Treasurer, and a report made thereof to the Auditor.

When a bonded officer is held responsible for the loss or destruction of property, suit may be instituted for the recovery of the value of the same, as provided in Rule 30 of Act 90, in case of the failure of the proper disbursing officer to recover the amount for which such bonded officer is liable within three months after notice has been given by the Auditor to such disbursing officer, as provided in this section.

In case of an officer or agent paid from the United States Army appropriations, report will be made by the Auditor for the Archipelago to the Secretary of War in order that proper action may be taken for the collection of the amount in which such officer is held responsible.

An officer or agent may voluntarily pay to an officer designated by the Auditor to receive the same, the full amount of his liability for property lost or destroyed, and thereby remove all stoppage of his pay.

PROPERTY CHARGEABLE AGAINST A DECEASED OFFICER.

SEC. 7. In case of the death of an officer or agent accountable for public property, the Civil or the Provincial Governor, as the property may pertain, shall appoint a committee or an inspector to make an inventory of the public property for which the deceased was accountable and make the necessary returns to the Auditor. The Civil or Provincial Governor, as the case may relate, will designate an official to take charge of such property until a successor is appointed. In case the officer was bonded, his sureties shall have the right to representation on any such committees or to cooperate with an inspector.

HOW PROPERTY MAY BE DROPPED.

SEC. 8. Articles of minor value, or of a destructible nature, such as brooms, brushes, stationery, etc., may be dropped from returns *in reasonable quantities* on the certificate of the accountable officer or agent that such articles have been worn out or expended in the service.

ACTION BY COMMITTEE.

SEC. 9. When property has become unserviceable through fair wear and tear, or otherwise, the same will be submitted for the action of a committee of not less than three disinterested persons, to be appointed by the Civil or by the Provincial Governor, as the property may relate, who will investigate, report upon and fix the responsibility. The committee will rigidly scrutinize the evidence, and will not recommend the relief of officers or agents from responsibility unless fully satisfied that the person charged with the care and custody of the property has performed his whole duty in endeavoring to protect or preserve it. The proceedings of the committee will be prepared in triplicate and forwarded direct to the Civil or to the Provincial Governor, as the business may relate, for consideration, who, upon approval or otherwise, will forward one copy to the Auditor and two copies to the accountable officer.

ACTION BY AN INSPECTOR.

SEC. 10. When it is not practicable to convene a committee of three in very remote places, as provided by the preceding section, the accountable officer or agent may make application to the Civil or to the Provincial Governor, as the property may pertain, who may appoint a disinterested person as inspector to act as provided in the preceding section.

ARTICLES DROPPED TO BE ENUMERATED AND PRICE STATED.

SEC. 11. When such committee or inspector recommends that the accountable officer or agent be allowed to drop any property, or that he be relieved from responsibility therefor, the articles shall be specially enumerated in the proceedings and the price of each article acted upon and the total value of all the articles shall be stated in the proceedings.

HOW CONDEMNED PROPERTY MAY BE SOLD.

SEC. 12. Such committee or inspector is authorized to condemn and order any unserviceable property sold. In such case the property will be disposed of by an officer designated by the Civil or Provincial Governor, as the business may relate, at auction, for cash, on due public notice conspicuously posted in four or more public places for ten days, to the highest bidder and in such market as the public interest may require. In case the Civil or Provincial Governor shall so order, the sale of the property shall also be advertised one or more times in a newspaper of general circulation, if any, in the province or city in which the sale is to be made. The official making the sale may suspend it when in his opinion better prices may be obtained, except in case of condemned animals, the disposition of which is hereinafter provided for.

The auctioneer's certified, detailed account of the sale, giving the name of the purchaser of each article and the price paid therefor, with the vouchers for the reasonable and necessary expense attending it, which should be deducted from the proceeds, will be reported, on the forms prescribed, to the Auditor, through the head of the department, bureau or office to which the property pertained.

WHO SHALL NOT BUY CONDEMNED PROPERTY.

SEC. 13. Property which has been condemned and ordered sold by a committee or inspector shall not be purchased by an officer or agent who was responsible therefor at the time of condemnation, or by any officer or agent who bore any part in such condemnation.

ANIMALS, HOW SOLD.

SEC. 14. Horses, mules, carabao, or other public animals inspected and condemned as unfit for service shall be advertised for sale and disposed of within fifteen days from date of advertisement.

DISEASED ANIMALS MAY BE KILLED.

SEC. 15. By order of the accountable officer or agent, infected or diseased public animals may be killed to prevent contagion or terminate suffering; articles infected with contagious or infectious disease, and stores which have become so deteriorated as to endanger health or injure other stores may be destroyed; but in every case of this character disinterested witnesses as to the facts will be procured and a committee or inspector will be requested to proceed in accordance with the provisions of section 9 of this act.

TRANSFERS OF PUBLIC PROPERTY.

SEC. 16. A transfer of public property involves a change of possession and accountability. The transferring officer or agent will furnish the receiving officer or agent with invoices and receipts in duplicate, accurately enumerating the property, giving its value, and the latter, after verifying the same, shall date, sign and return the receipts. The transactions shall appear on the property returns rendered by each officer or agent.

SCHOOL BOOKS AND SCHOOL SUPPLIES.

SEC. 17. School books and school supplies shall be invoiced, upon requisition, to the various Division Superintendents, by the General Superintendent of Education. The Division Superintendent shall likewise issue, upon requisition, school books and supplies to the schools in his division, taking the teachers' receipts for same, which will be filed as vouchers to the returns of the Division Superintendents to the Auditor.

Furniture and other non-expendable school property will be issued by the various Division Superintendents to the teachers on memorandum receipt, and returns for such property will be made by such Division Superintendents to the Auditor, quarterly as hereinbefore provided.

PROVINCIAL SUPERVISOR MAY ACT IN CERTAIN CASES.

SEC. 18. When there is no Division Superintendent to act as prescribed in the preceding section, the Provincial Supervisor shall act in his stead.

PROPERTY FOR TRANSPORTATION.

SEC. 19. An officer or agent who turns over supplies to another for transportation in the best condition in which it is possible to put them, is relieved from any further responsibility therefor by the receipt of the officer or agent to whom they were entrusted for transportation, which receipt, appended to a certified invoice, may be filed as a temporary voucher with the returns of the invoicing officer, in place of receipts from the officer to whom the supplies were invoiced.

DISPUTES OVER PROPERTY TRANSPORTATION, HOW SETTLED.

SEC. 20. In cases where property has been turned over to a responsible agent for shipment or other purposes and a dispute arises as to

the amount of property turned over, or in case of loss of or damage to property in transit, the agent will be called upon for such evidence as he may have to submit, and the officer or agent turning over such property will submit also such evidence as he may have, and the responsibility will be determined by a committee or an inspector asked for by the receiving officer or agent, as provided in section 9 of this act. The action of the committee or inspector, when approved by the Civil or by the Provincial Governor, as the business may relate, shall be filed as a voucher with the property return of the receiving officer.

DEFECTS AND SHORTAGE IN PROPERTY RECEIVED.

SEC. 21. Upon the receipt of public property by an officer or agent, he will make careful examination to ascertain its quality and condition, but will not break original packages until issues are to be made, unless he has reason to believe the contents defective. Should he discover defect or shortage, he will apply for the action of a committee or of an inspector to fix the responsibility. The same rule will be observed in regard to packages when first opened for issue and for property damaged or missing while in store.

PROPERTY FOR TRANSPORTATION TO BE MARKED.

SEC. 22. Officers turning over property for transportation will plainly mark each package with the name and address of the consignee, list of its contents, its weight, and in order to distinguish it from other property, insular property will be marked "Public Civil Property;" provincial property will be marked "Provincial Property----- Province," the name of the province being inserted.

TRANSPORTATION OF PROPERTY.

SEC. 23. The Insular Purchasing Agent shall contract with inter-island transportation lines and with railroad companies on behalf of the various civil departments, bureaus and offices for the transportation of such property and supplies as may require shipment by them to and from Manila from and to provincial points. The shipment may be made by the Insular Purchasing Agent or the proper officer of the department, as convenience may require and according to the custody of the property to be shipped, but payment for such transportation shall be made by settlement warrant, upon certification and settlement of the account by the Auditor, said warrant being hereby made chargeable against the appropriations of the respective departments, bureaus or offices in behalf of which the expense for transportation is incurred, and each department, bureau or office shall submit for appropriation, with its regular estimates, the amounts which will probably be required for the payment of such cost of transportation.

Original bills of lading shall be filed with all accounts for transportation service.

The date of shipment, shipping point, destination, name of consignor and consignee, weight (or quantity), rate, kind of property, receipt of consignee with condition of property when delivered to him, and amount charged, should be shown on bill of lading or otherwise for each shipment.

The kind of property and the use for which intended should be detailed sufficiently to indicate clearly the classification and rate of charge, and the appropriation chargeable with the cost of transportation. Transportation should be provided to ultimate destination on through bills of lading whenever practicable.

The expense of shipments in behalf of a province shall be borne by such province and paid, as provided by law, by the Provincial Treasurer to the transportation companies.

APPLICATION OF SECTION 9.

SEC. 24. In all cases of property accountability not covered by preceding sections, the responsibility will be determined in a manner similar to that prescribed in section 9.

PROPERTY BOOK TO BE KEPT.

SEC. 25. A property book shall be kept in each department, bureau or office by the officer or agent who receipts and is responsible for the property in the same. This book shall show all property purchased, received, transferred, condemned, lost or destroyed. The property book shall also contain, in general, all information that may be necessary to make up the quarterly return of public property. The property book will not be removed from the office but will form a part of its permanent record.

INSTRUCTIONS RELATIVE TO INSPECTION AND CONDEMNATION.

SEC. 26. Inspectors and committees appointed under the provisions of this act shall exercise due care in examining property submitted to them for condemnation, and in making recommendations regarding the disposition of such property. It is hereby provided that articles "to be continued in the service" are such as are still serviceable. Those "to be dropped" are such as cannot be sold at the station. If worthless, they shall be so far destroyed as to prevent their future presentation. Articles "to be sold" are such as are of no further public use.

Property once condemned and ordered dropped from the returns shall not be again presented for inspection. Inspectors or committees will cause the destruction of all property condemned as worthless and without money value at or near the place of inspection. The action of an inspector or committee on property of this nature will be final.

WHO SHALL BE MEMBERS OF COMMITTEES, AND INSPECTORS.

SEC. 27. The designation of the traveling examiners of the Auditor and of the Treasurer as inspectors under the provisions of this act is hereby authorized. No person shall be eligible to appointment as a member of a committee, or as an inspector, under the provisions of this act, who is not employed in the Insular or Provincial government service in an official or clerical capacity, except as provided by section 9 in the case of the property for which a person deceased was accountable.

ORDNANCE, ORDNANCE STORES, ETC.

SEC. 28. Ordnance and ordnance stores which are now or may hereafter become the property of the government of the Archipelago, and supplies and equipment for the Insular Constabulary purchased from Insular revenues, shall be accounted for to the Auditor under such regulations, not inconsistent with the provisions of this act, as the Auditor may prescribe.

APPLICATION OF ACT.

SEC. 29. The provisions of this act shall apply to all property heretofore received, purchased, transferred or found at stations, for which returns have not been rendered, and shall embrace property belonging to the Insular government, to the various Provincial governments, and to the city of Manila.

SEC. 30. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 31. This act shall take effect on its passage.

Enacted, August 31, 1901.

[No. 216.]

AN ACT providing for the disposition of fees received by Provincial Treasurers in performing the duties of Registrar of Property, and of Clerks of Courts for performing the duties of Notary Public.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All fees received by Provincial Treasurers for performing the duties of Registrars of Property for the province, in accordance with sub-section H, of section 9, of Act No. 133 amending the Provincial Government Act, shall belong to the Provincial Government, and the additional clerical force, if any, needed for the performance of such duties, shall be paid from the Provincial Treasury.

SEC. 2. All fees received by Clerks of Courts for the performance of the duties of notaries public, in accordance with Act No. 162, shall be paid into the Insular Treasury, like other fees collected by Clerks of Courts. The clerical force of the office of Clerks of Courts shall be available to assist the Clerks in the performance of their duties as notaries public, in the same manner as in the performance of their other duties.

SEC. 3. A Provincial Treasurer, in the performance of the duties of Registrar of Property, shall be entitled to the legal advice of the Provincial Fiscal. A Clerk of a Court of First Instance outside the city of Manila, shall be entitled to receive the advice of the Provincial Fiscal, in the performance of his duties as ex-officio notary public. Clerks of Courts within the city of Manila shall be entitled to receive the advice of the City Attorney, in the performance of their duties as ex-officio notaries public.

SEC. 4. Fees collected prior to the passage of this act of the kind described in sections 1 and 2 by the Provincial Treasurers and Clerks

of Courts respectively, shall belong to the officers collecting them, but the additional clerical force heretofore required for the work of the Provincial Treasurers as Registrars and such ex-officio notaries shall be paid from the fees so collected.

SEC. 5. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 6. This act shall take effect on its passage.

Enacted, September 2, 1901.

[No. 217.]

AN ACT amending act No. 198 regulating the method of official transportation in the city of Manila and elsewhere.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Act No. 198 is hereby amended as follows:

By substituting in the first line of section 1 the words "first of October, 1901," in place of the words "first of September, 1901;" by substituting in the first and second lines of section 3 the words "October first" in place of the words "September first."

SEC. 2. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, September 2, 1901.

[No. 218.]

AN ACT creating a Bureau of Public Lands.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. There is hereby created under the Department of the Interior an Insular Bureau of Public Lands which shall have charge of all of the public domain of the government of the Philippine Islands, except so far as control thereof may be necessary to the functions of the Forestry and Mining Bureaus which shall not be affected by this act. Under the supervision of the Bureau of Public Lands shall be executed all instruments for the sale or conveyance of the public lands when authorized by law.

SEC. 2. There shall be a Chief of the Bureau of Public Lands who shall receive an annual salary of three thousand, two hundred dollars (\$3,200) payable monthly in money of the United States.

SEC. 3. The duties of the Chief of the Bureau of Public Lands shall be:

1. To collect and safely keep all existing Spanish records relating to the public lands or their conveyances.

2. After due consideration to submit to the Philippine Commission a plan for the organization of the bureau framed as nearly as may be after the organization of the Public Land Office in the United States with such variations as may be required by the differing conditions having regard to the former land system under the Spanish sovereignty and also a plan for the general survey of the public lands.

3. To supervise the surveys of all public lands that may be required by law.

4. To cause an investigation to be made as to the extent and quality of the public lands in all the islands of the Archipelago and to report the same to the head of the department.

5. To discharge all other duties in connection with the public lands assigned to him by the Secretary of the Interior.

SEC. 4. There shall be a Chief Clerk of the Bureau of Public Lands of class 7.

SEC. 5. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 6. This act shall take effect on its passage.

Enacted, September 2, 1901.

[No. 219.]

AN ACT authorizing the Collector of Customs of the Islands to select a responsible person or company, of good character, to land passengers and their baggage from incoming ships.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The Collector of Customs of the Islands and of the Chief Port is hereby authorized to select one person to do all the business of landing for hire at the port of Manila from incoming ships, passengers and baggage at reasonable rates, and to issue an exclusive license authorizing such traffic to the person so selected for the period of one year.

SEC. 2. The person shall be selected after the Collector of Customs shall have advertised for bids of the prices at which the work of landing will be done, the bids to cover the cost of landing passengers per person and luggage per piece, large and small. The person offering to do the work at the lowest prices, who shall be, in the opinion of the Collector, of good character and responsible, shall be selected. The person so selected shall, before entering upon the discharge of his duties, enter into a bond to the Philippine Government for the benefit of whom it may concern, that he will acquire a sufficient equipment of launches and other means of conveniently landing passengers and baggage, that he will land all the passengers and all the baggage required during the entire years following the execution of the bond and that he will promptly pay all losses of baggage or other property accruing to the passengers through negligence in performing the contract, the amount and liability therefor to be finally determined by the Collector of Customs, provided that nothing herein shall exclude the right of

passengers to recover for personal injury in the ordinary tribunals. The amount of the bond shall be fixed by the Collector and the sufficiency thereof shall be approved by him.

SEC. 3. Nothing herein contained shall prevent the landing of passengers and baggage gratuitously, the intent of this act being to limit the business for hire of landing passengers and baggage to the person selected in accordance with this act. The word "person" used in this act shall be held to include firm or company.

SEC. 4. The Collector of Customs shall have complete supervision over the execution of the contract, shall make reasonable regulations in regard thereto, and shall have the power upon breach of the contract or regulations to revoke the license before the expiration of the contract and award a new contract to another person in accordance with section 2.

SEC. 5. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 6. This act shall take effect on its passage.

Enacted, September 5, 1901.

[No. 220.]

AN ACT to amend section 24 of the Civil Service Act by requiring that amendments to the rules adopted by the Board shall be approved by the Civil Governor.

By authority of the President of the United States be it enacted by the United States Philippine Commission, that:

SECTION 1. Section 24 of the Civil Service Act is hereby amended by striking out the following sentence: "The rules to be prepared and certified by the Board shall be promulgated by executive order of the Military Governor," and inserting in lieu thereof the following: "The rules to be prepared and certified by the Board shall not take effect until approved by the Civil Governor, when they shall be promulgated by his executive order."

SEC. 2. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, September 5, 1901.

[No. 221.]

AN ACT providing a provincial fiscal for the Province of Masbate and repealing section 6 of Act 105.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. There shall be in the Province of Masbate a provincial fiscal, whose salary shall be eight hundred dollars (\$800) a year, in money of the United States.

SEC. 2. Section 6 of Act No. 105, making applicable the General Provincial Act to the Province of Masbate, is hereby repealed.

SEC. 3. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 4. This act shall take effect on its passage.

Enacted, September 5, 1901.

[No. 222.]

AN ACT providing for the organization of the Departments of the Interior, of Commerce and Police, of Finance and Justice, and of Public Instruction.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Whereas, the President of the United States, through the Secretary of War, has directed the establishment of four departments, to-wit: the Department of the Interior, the Department of Commerce and Police, the Department of Finance and Justice, and the Department of Public Instruction and has appointed persons to be secretaries or heads of such departments. Now, therefore,

The Department of the Interior shall embrace within its executive control the Bureau of Health, the Quarantine Service of the Marine Hospital Corps, the Bureau of Forestry, the Bureau of Mining, a Bureau of Agriculture, a Bureau of Fisheries, the Weather Bureau, a Bureau of Pagan and Mohammedan Tribes, the Bureau of Public Lands, the Bureau of Government Laboratories, and the Bureau of Patents and Copyrights.

SEC. 2. The Department of Commerce and Police shall have under its executive control a Bureau of Island and Inter-Island Transportation, the Bureau of Post Offices, the Bureau of Telegraphs, the Bureau of Coast and Geodetic Survey, a Bureau of Engineering and Construction of Public Works other than Public Buildings, a Bureau of Insular Constabulary, a Bureau of Prisons, a Bureau of Light Houses, a Bureau of Commercial and Street Railroad Corporations and all Corporations except Banking.

SEC. 3. The Department of Finance and Justice shall embrace within its executive control the Bureau of the Insular Treasury, the Bureau of the Insular Auditor, the Bureau of Customs and Immigration, the Bureau of Internal Revenue, the Insular Cold Storage and Ice Plant, a Bureau of Banks, Banking, Coinage and Currency, and the Bureau of Justice.

SEC. 4. The Department of Public Instruction shall embrace under its executive control the Bureau of Public Instruction, a Bureau of Public Charities, Public Libraries and Museums, the Bureau of Statistics, a Bureau of Public Records, a Bureau of Public Printing, and a Bureau of Architecture and Construction of Public Buildings.

SEC. 5. The secretaries of the departments described in the foregoing sections shall exercise the executive control therein conferred, under the general supervision of the Civil Governor. The executive control vested by law, however, in the central government over provincial and municipal governments and the civil service, shall be exer-

cised directly by the Civil Governor through the Executive Secretary.

SEC. 6. The officers and subordinates of each department shall consist of the secretary and such assistant clerks and other employes as may be provided by law. The official correspondence of the head of each department may be recorded by direction of the head of the department in the office of the Executive Secretary, and such clerical work as may be needed in each of the departments and as may be conveniently done in the office of the Executive Secretary shall be there done by direction of the head of each department.

SEC. 7. Nothing in this act contained in respect to the executive control by the department of Finance and Justice over the office of Insular Auditor and the office of Insular Treasurer shall affect the powers of those officers conferred by Act No. 90, and the independence of judgment to be exercised by the Auditor in auditing and adjudicating the validity of accounts presented to him in accordance with law.

SEC. 8. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 9. This act shall take effect on its passage.

Enacted, September 6, 1901.

[No. 223.]

AN ACT amending the Provincial Government Act No. 83, as amended by Act No. 133.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Section 11 of Act No. 83 is hereby amended by adding thereto the following:

"Whenever the Provincial Fiscal is absent from the province, or fails or refuses to discharge his duty by reason of illness or other cause, or by reason of personal interest in a prosecution or other matter is disqualified to act therein as Provincial Fiscal, the Judge of the Court of First Instance for the province is authorized and required to appoint a temporary Provincial Fiscal, who shall be paid out of the provincial treasury the same compensation per day as that provided by law for the regular provincial fiscal for the days actually employed. The fiscal thus temporarily appointed shall discharge all the duties of the Provincial Fiscal as provided by law which the regular Provincial Fiscal fails or is unable to perform. The Provincial Fiscal of any province may, by authority of the Provincial Board, have a Deputy Fiscal, and a clerk or clerks, to be appointed by the Provincial Fiscal, at such salaries, out of the Provincial Treasury, as may be allowed, with the concurrence of the Insular Treasury; provided, that after the first of March, 1902, such clerk or clerks shall be selected in accordance with the rules and restrictions of the Civil Service Act."

SEC. 2. Section 32 of the Provincial Government Act, as amended by Act No. 133, shall be amended by substituting for the figures 24 in the next to the last line of said section the figures 74.

SEC. 3. Said Provincial Government Act as amended shall be further amended by adding the following additional sections:

"SEC. 39. No provincial official shall leave his province without obtaining permission so to do from the Civil Governor.

"SEC. 40. The actual and necessary traveling expenses of the deputies, subordinates and other employés of provincial officers engaged in traveling in the province on official business shall be paid from the provincial treasury when authorized by the provincial board and approved by the Insular Treasurer. The same limitation as to the amount of expenses per day which applies to the traveling expenses of the provincial officers shall apply to those herein authorized.

"SEC. 41. In applying the statutory limitation upon the amount per day which can be actually expended and reimbursed to provincial officers and their subordinates for expenses in traveling on official business for the province, under any one of the special acts organizing the various provinces, the total actual traveling expenses for each quarter shall be added together and divided by the number of days of the quarter during which the officer or his subordinate has been absent on public business in the province from the capital thereof; and if the amount per day thus calculated and averaged for the quarter does not exceed the limitation of maximum per diem expenses authorized in special acts, the whole amount actually expended shall be allowed to the officer or his subordinate.

"SEC. 42. The regulations and general orders of the Military Governor prescribing the internal revenue taxes are hereby amended in so far as to abolish the urbana taxes, from and after the first of January, 1902, in all provinces organized under the General Provincial Act, and in all municipalities organized under the Municipal Code, whether within organized provinces or not.

"SEC. 43. In all cases in which by the special provincial acts provision is made for the meetings of the presidentes of the municipalities of the province at the capital of the Province, the actual expenses of the presidentes for the necessary travel from their respective municipalities to the capital for their attendance at the meeting in the capital and for their return to their respective municipalities shall be paid out of the Provincial Treasury by order of the Provincial Board; but the expenses shall not exceed the maximum limitation imposed by law upon the traveling expenses of provincial officials."

SEC. 4. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 5. This act shall take effect on its passage.

Enacted, September 6, 1901.

[No. 224.]

AN ACT providing certain conditions of service in the insular, provincial and municipal branches of the Philippine Government.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. It shall be a condition of the contract of employment of any person in the Insular, Provincial or Municipal branch of the

Philippine Government, for whose transportation from the United States to these Islands any expense has been incurred on the part of the Insular, Provincial or Municipal branch of the Philippine Government by way of salary for the time consumed in coming from the United States to the Philippine Islands or for actual traveling expenses, that such person shall serve at least two years in the position to which appointed, unless transferred from such position in the interest of good administration, or unless dismissed or separated from the service by competent authority.

SEC. 2. A breach of the condition provided in the foregoing section shall entitle the proper officer to withhold payment of all salary due to the person employed and violating the condition and shall debar such person from ever entering again the public service of the Philippine Government in any of its branches. No return transportation shall be furnished to such employé. In such case, an action shall lie on the petition of the Attorney-General for the recovery of the amount expended by the government for the expenses reimbursed, and the salary paid for the period before the arrival of the employé in the Islands.

SEC. 3. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 4. This act shall take effect on its passage.

Enacted, September 6, 1901.

[No. 225.]

AN ACT to amend section 99 of the municipal code.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Section 99 of the Municipal Code is hereby amended by adding thereto the following:

"In case the Military Governor shall not designate a person to act as Provincial Treasurer in accordance with the foregoing, then the functions required to be performed by the Provincial Treasurer in respect to the municipality, its officers and the assessment and collection of taxes therein in this code shall be performed by the Collector of Internal Revenue of the district in which the municipality as organized under the Code shall be situate."

SEC. 2. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, September 6, 1901.

[No. 226.]

AN ACT appropriating two thousand, three hundred and eighty-three dollars and ninety-six cents (\$2,383.96), in money of the United States, for the provincial government of Cebú.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

Whereas, there were collected in the Province of Cebú two thousand, three hundred and eighty-three dollars and ninety-six cents (\$2,383.96) from the people of the Island of Cebú before the establishment of an American government in that island; and the money thus collected was turned over to the Collector of Customs and by him deposited in the Insular Treasury as customs receipts.

SECTION 1. There is hereby appropriated, out of any funds in the Insular Treasury not otherwise appropriated, the sum of two thousand, three hundred and eighty-three dollars and ninety-six cents (\$2,383.96), in money of the United States, to be paid to the Provincial Treasurer of the Province of Cebú to be by him deposited in the Provincial Treasury, there to be used as provincial funds, in accordance with law.

SEC. 2. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, September 6, 1901.

[No. 227.]

AN ACT changing the name of the pueblo of Pineda, in the province of Rizal, to that of Pasay.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Upon the application of the Municipal Council for the pueblo of Pineda, in the Province of Rizal, the name of such pueblo is changed from Pineda to Pasay.

SEC. 2. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, September 6, 1901.

[No. 228.]

AN ACT appropriating three hundred and twenty-one thousand and sixty-six dollars and fifty-two cents (\$321,066.52), or so much thereof as may be necessary, in money of the United States, to pay the various expenses of the municipal government of Manila for the period from August 7th to September 30th, 1901, inclusive.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The sum of three hundred and twenty-one thousand and sixty-six dollars and fifty-two cents (\$321,066.52), or so much thereof

as may be necessary, in money of the United States, is hereby appropriated out of any money in the Insular Treasury, not otherwise appropriated, to pay the following expenses of the Municipal Government of Manila for the period from August 7th to September 30th, inclusive.

DEPARTMENT OF FIRES AND BUILDING INSPECTION.

For salaries authorized by Act No. 185, four thousand and eighty-nine dollars (\$4,089); office furniture and fixtures, five hundred dollars (\$500); office supplies, three hundred dollars (\$300); for the purchase of "English Volunteer Fire Brigade Steam Fire Engine," two thousand dollars (\$2,000); twenty-seven (27) American horses at two hundred and fifty dollars (\$250) each, six thousand, seven hundred and fifty dollars (\$6,750); forage for eighteen native ponies, three hundred dollars (\$300); veterinary service and shoeing, one hundred dollars (\$100); equipment of firemen, five hundred dollars (\$500); hire of telephones, thirty dollars (\$30); emergency funds for repairs, to apparatus, breakage, illumination, oils, etc., two hundred dollars (\$200).

In all for the Department of Fires and Building Inspection fourteen thousand, seven hundred and sixty-nine dollars (\$14,769), or so much thereof as may be necessary.

DEPARTMENT OF POLICE.

For salaries of the staff and of the office force of the Chief of Police, authorized by Act No. 185, three thousand, six hundred and eighty-four dollars (\$3,684); salaries of the Metropolitan Police, authorized by Act No. 185, including the pay of forty (40) sergeants at one hundred dollars (\$100) per month each, thirty-nine (39) roundsmen at eighty-five dollars (\$85) per month each, and four hundred and ninety (490) patrolmen at seventy-five dollars (\$75) per month each, from August 7 to August 31, 1901, hereby authorized, and of thirty-two (32) sergeants at one hundred dollars (\$100) per month each, thirty-two (32) roundsmen at eighty-five dollars (\$85) per month each, and four hundred (400) patrolmen at seventy-five dollars (\$75) each, for the month of September, hereby authorized, seventy-three thousand, seven hundred and seven dollars (\$73,707); for salaries of the native police, authorized by Act No. 185, including the pay of thirty-six (36) sergeants at twenty-five dollars (\$25) per month each, thirty-seven (37) roundsmen at twenty dollars (\$20) per month each, and five hundred and sixty-nine (569) patrolmen at fifteen dollars (\$15) per month each, from August 7 to September 30, 1901, hereby authorized, nineteen thousand, four hundred and forty dollars (\$19,440).

For salaries in the Department of Secret Service, authorized by Act No. 185, two thousand, nine hundred and fifty-five dollars (\$2,955); contingent expenses for Secret Service, nine hundred dollars (\$900); miscellaneous expenses, including medicines for native police; contingent expenses for the Department of Police; meals for civil prisoners; printing and stationery, three thousand, two hundred and forty dollars (\$3,240).

In all, for the Department of Police, one hundred and three thousand, nine hundred and twenty-six dollars (\$103,926), or so much thereof as may be necessary.

LAW DEPARTMENT.

For salaries in the office of the City Attorney, authorized by Act No. 185, two thousand, one hundred and thirty-three dollars (\$2,133); stationery and office supplies, two hundred and fifty dollars (\$250).

For salaries in the office of the Prosecuting Attorney, authorized by Act No. 185, two thousand, two hundred and thirty dollars and fifty cents (\$2,230.50); stationery and office supplies, two hundred and fifty dollars (\$250).

For salaries of two Judges of the Municipal Court at three thousand dollars (\$3,000) per annum each, and two clerks, class 10, twelve hundred dollars (\$1,200); contingent expense fund for Chinese and Japanese interpreters, etc., twenty dollars (\$20).

For the wages of janitors and laborers as follows: One janitor of the Supreme Court Building at twenty dollars (\$20) per month; three laborers in the Supreme Court building at ten dollars (\$10) per month each; two laborers in the Courts of First Instance at ten dollars (\$10) per month each; two laborers in the Justice of the Peace Courts at ten dollars (\$10) per month each, and two laborers in the Municipal Courts at ten dollars (\$10) per month each; total for wages, one hundred and ninety-three dollars and thirty-four cents (\$193.34).

For hire of carromatas for the Sheriff in his official duties from August 7th to September 30th, at three dollars (\$3.00) per day, one hundred and sixty-five dollars (\$165).

For miscellaneous expenses of the Sheriff, fifty dollars (\$50).

For salaries of two Justices of the Peace at one thousand dollars (\$1,000) per annum each, and two clerks, class I, three hundred and ninety dollars (\$390).

For deficiency salaries of various clerks retained between August 7 and August 31, 1901, one hundred and sixty-four dollars and seventy-four cents (\$164.74).

In all, for the Law Department, seven thousand, nine hundred and ninety-seven dollars and fifty-eight cents (\$7,997.58).

DEPARTMENT OF ASSESSMENTS AND COLLECTIONS.

For salaries and wages, authorized by Act No. 185, nine thousand, one hundred and ninety-six dollars and fifty cents (\$9,196.50); printing and binding, one thousand, six hundred dollars (\$1,600); incidental expenses and repairs, seventy-five dollars (\$75); forage and shoeing, expenses for moving furniture, fixtures, books, etc., and actual and necessary transportation for the collectors and employes of the office on official business, four hundred and ninety dollars and seventy cents (\$490.70). For hire of telephones, seven dollars and twenty cents (\$7.20); for salaries of emergency clerks necessary for the purpose of assessing real estate in Manila, hereby authorized, five clerks at one hundred and twenty-five dollars (\$125) per month each; twenty clerks, class 9; twenty clerks, class I, and ten clerks at fifteen dollars (\$15) per month each, and for emergency clerks, not to exceed twenty at fifteen dollars (\$15) per month each, for the issuance of certificates of registration, five thousand, three hundred and sixty-two dollars and fifty cents (\$5,362.50).

For miscellaneous expenses in the equipping and numbering of public vehicles, including drivers' badges, number plates, etc., one thousand, six hundred and sixty dollars (\$1,660).

For deficiency salaries of three clerks retained in the service of the City Assessor and Collector between the dates of August 7 and August 23, 1901, one hundred and twenty-three dollars and thirty-four cents (\$123.34).

In all, for the Department of Assessments and Collections, eighteen thousand, five hundred and fifteen dollars and twenty-four cents (\$18,515.24), or so much thereof as may be necessary.

DEPARTMENT OF ENGINEERING AND PUBLIC WORKS.

For salaries in the office of the City Engineer, authorized by Act No. 185, two thousand, five hundred and ninety-two dollars and forty-five cents (\$2,592.45).

For emergency clerks in the Department of Building Inspection as follows:

One Chief Inspector, class 7, for twenty-four (24) days; one inspector, class 9, for twenty-four (24) days; two inspectors, class 9, for one month and twenty-four days; one clerk, class F, for one month and twenty-four days; and one clerk, class I, for twenty-four days; and two clerks, class I, for one month and twenty-four days; total salaries for emergency clerks, seven hundred and twenty-eight dollars and sixty-seven cents (\$728.67).

For building materials; for carpenters, blacksmiths and machinists' tools, thirteen hundred dollars (\$1,300); transportation of materials, and materials for numbering houses, two hundred dollars (\$200); stationery and printing; for the purchase and repair of office furniture; drawing and surveying instruments, and for labor and material for making map of Manila, one thousand dollars (\$1,000).

For labor in keeping Santolan Road in repair, six hundred dollars (\$600); hire of labor and transportation for the Luneta sea wall, one thousand dollars (\$1,000); paving blocks and labor for the completion of the repairs on the Bridge of Spain, and materials for sundry repairs, eight thousand dollars (\$8,000). For new gratings for the Matadero Market, six hundred and fifty dollars (\$650); for repairs, interior fittings and labor on the Quinta Market, six thousand, five hundred dollars (\$6,500); for repairs, interior fittings and labor on the Divisoria Market, seven thousand and fifty dollars (\$7,050); for materials and labor on the Herran Market, one thousand dollars (\$1,000).

In all, for the Department of Engineering and Public Works, thirty thousand, six hundred and twenty-one dollars and twelve cents (\$30,621.12).

OFFICE OF THE SUPERINTENDENT OF WATER SUPPLY AND SEWERS.

For salaries, authorized by Act No. 185, two thousand, seven hundred and ninety-nine dollars (\$2,799); salaries and wages of unclassified employes, hereby authorized, as follows: three pipefitters at twenty-five dollars (\$25) per month each; one carpenter at fifteen dollars (\$15) per month; one blacksmith at twenty dollars (\$20) per month; one mason at fifteen dollars (\$15) per month; fifteen pipemen at fifteen dollars (\$15) per month each; fifteen pipemen at twelve dollars and fifty cents (\$12.50) per month each; twelve laborers at twelve dollars (\$12) per month each; one driver at ten dollars (\$10) per month; one

mason at twenty dollars (\$20) per month; six laborers at twelve dollars (\$12) per month each; three oilers at twenty dollars (\$20) per month each; three firemen at sixteen dollars (\$16) per month each; one blacksmith at twenty-two dollars and fifty cents (\$22.50) per month; two laborers at seventeen dollars and fifty cents (\$17.50) per month each; two mechanics at forty dollars (\$40) per month each; one carpenter at fifteen dollars (\$15) per month; and twenty-eight laborers at twelve dollars (\$12) per month each; total for salaries for unclassified employes, two thousand, four hundred and eighty-four dollars (\$2,484).

For the purchase and transportation of coal, two thousand dollars (\$2,000); labor and material for operating and repairing pumping station, pipeline and reservoir, two thousand dollars (\$2,000); labor and material for repairing, improving and increasing the city water service, one thousand dollars (\$1,000); miscellaneous supplies, two thousand dollars (\$2,000); stationery, blank forms, emergency transportation, coolie hire and general office expenses, five hundred dollars (\$500); for the purchase of two carretelas, two sets of harness, two ponies, to transport material for work in the city, two hundred and ninety dollars (\$290); horse feed, thirty dollars (\$30).

In all, for the Department of Water Supply and Sewers, thirteen thousand, one hundred and three dollars (\$13,103) or so much thereof as may be necessary.

OFFICE OF SUPERINTENDENT OF BUILDINGS AND ILLUMINATION.

For salaries, authorized by Act No. 185, one thousand, one hundred and sixteen dollars (\$1,116); for wages of janitors in the City Hall, Matadero Market, Lemery School, and for laborers in the City Hall, Internal Revenue building, police stations, school houses, Matadero Market, and for four carpenters, two thousand, two hundred and three dollars and sixty cents (\$2,203.60).

For rent of school houses, one thousand, six hundred and eighty-four dollars and eighty cents (\$1,684.80); rent of Metropolitan Police Stations, eight hundred and twenty-nine dollars (\$829); rent of native police stations, nine hundred and thirty-two dollars and fifty cents (\$932.50); rent of market sites, quarantine station and city morgue, one hundred and fifteen dollars and sixteen cents (\$115.16); rent of No. 148 Calle Cabildo from August 7 to August 31, 1901, formerly occupied by the Provost Marshal General and staff, one hundred and sixty dollars (\$160); cleaning cess-pools and dry-earth closets, one thousand, four hundred and fifty dollars (\$1,450); repairs to markets and municipal buildings, six hundred dollars (\$600); incidental expenses, two hundred and thirty-six dollars (\$236); maintenance of electric light in the harbor and on streets, in police stations, public markets, Luneta band stands, maintenance of lights in school houses and police stations, and materials and repairs to existing electric light installations, and for new and additional installations, six thousand, four hundred and ninety dollars and fifteen cents (\$6,490.15); for rent and service of telephones, and increase in telephone service and for removing telephones, two hundred and twenty-eight dollars and forty-three cents (\$228.43).

In all, for the Department of Buildings and Illumination, sixteen thousand, and forty-five dollars and sixty-four cents (\$16,045.64), or so much thereof as may be necessary.

OFFICE OF THE SUPERINTENDENT OF STREETS, PARKS, BRIDGES, DOCKS
AND WHARVES.

For salaries, authorized by Act No. 185 and Act No. 200, three thousand, nine hundred and twenty-four dollars (\$3,924).

For the salaries of the following employés hereby authorized:

In the office of the Superintendent: One storekeeper at thirty-five dollars (\$35) per month, sixty-three dollars (\$63).

In the Department of Streets: Five foremen at fifty dollars (\$50) per month each; eight foremen at thirty-five dollars (\$35) per month each; thirty foremen at fifteen dollars (\$15) per month each; six mechanics at thirty cents (30 cts.) per day each, and seven hundred and eighty laborers at twenty-five cents (25 cts.) per day each; total, twelve thousand, five hundred and eighty-eight dollars (\$12,588).

In the Department of Parks: One foreman at thirty-five dollars (\$35) per month; four foremen at fifteen dollars (\$15) per month each; five gardeners at twelve dollars and fifty cents (\$12.50) per month each; five mechanics at forty cents (40 cts.) per day each; and one hundred laborers at twenty-five cents (25 cts.) per day each; total, one thousand, seven hundred and sixty-eight dollars and fifty cents (\$1,768.50).

In the Department of Markets: One inspector at one hundred dollars (\$100) per month, one foreman at thirty dollars (\$30) per month, one foreman at twelve dollars and fifty cents (\$12.50) per month, and thirty laborers at twenty-five cents (25 cts.) per day each; total, six hundred and sixty-nine dollars (\$669).

In the Stone Quarry: One assistant engineer at twenty dollars (\$20) per month, and fifty laborers at fifty cents (50 cts.) per day each; total, one thousand, four hundred and eleven dollars (\$1,411).

In the Department of Night Labor on Streets: One foreman at fifteen dollars (\$15) per month, and sixteen laborers at forty cents (40 cts.) per day each; total, three hundred and seventy-nine dollars (\$379).

For Crews of Launches: One captain at thirty dollars (\$30) per month, one engineer at thirty dollars (\$30) per month; one assistant engineer at twenty-five dollars (\$25) per month; one steersman at twenty dollars (\$20) per month; two firemen at fifteen dollars (\$15) per month each; and three sailors at ten dollars (\$10) per month each; total, two hundred and ninety-seven dollars (\$297).

In the Disposal of Garbage at Crematories: Two engineers of crematories at fifteen dollars (\$15) per month each; two steersmen of scows at fifteen dollars (\$15) per month each; one foreman at fifteen dollars (\$15) per month; and twenty-six laborers at twenty-five cents (25 cts.) per day each; total, four hundred and ninety-two dollars and fifty cents (\$492.50).

In the Department of Transportation: One blacksmith at seventy-five dollars (\$75) per month; nine teamsters at sixty dollars (\$60) per month each; twenty-five teamsters at fifty dollars (\$50) per month each; and twenty-five teamsters at twenty dollars (\$20) per month each; total, four thousand, two hundred and fifty-seven dollars (\$4,257).

For hire of one hundred bulls, carts and drivers for cleaning streets, six thousand, seven hundred and ninety-two dollars and fifty cents (\$6,792.50); repairs to city bridges, three thousand, five hundred dollars (\$3,500); hire of crews of bancas for transporting broken stone from stone quarries to Manila, seven hundred and fifty dollars (\$750); removing night soil from markets, three hundred and twenty-five dollars (\$325);

transporting road materials, two hundred and seventy dollars (\$270); forage, shoeing, etc., one thousand, nine hundred and thirty-one dollars and forty cents (\$1,931.40); for purchase of road material, fifteen thousand dollars (\$15,000); repairs to drains, three thousand dollars (\$3,000); rent of site of Paco crematory, twenty-seven dollars (\$27); emergency expenses for repairs to bancas, tools, etc., and for office expenses, one thousand and fifteen dollars (\$1,015); for salaries of emergency clerks retained between August 7 and August 15, 1901, three hundred and thirty-six dollars and twenty cents (\$336.20).

In all, for the office of Superintendent of Streets, Parks, Bridges, Docks and Wharves, fifty-eight thousand, seven hundred and ninety-six dollars and ten cents (\$58,796.10).

MUNICIPAL BOARD.

For salaries of the President, two members and Secretary of the Board, two thousand, four hundred and seventy-five dollars (\$2,475); one Secretary to the Advisory Board at fourteen hundred dollars per annum (\$1,400), one hundred and seventy-eight dollars and eighty-nine cents (\$178.89); for fees for the members of the Advisory Board at the regular meetings, two hundred and twenty dollars (\$220); for salaries in the office of the Secretary of the Board, authorized by Act No. 185, including the substitution of one interpreter and translator, class 6, hereby authorized in lieu of one interpreter and translator, class 9, one thousand, three hundred and thirty-eight dollars and twenty cents (\$1,338.20); for salaries in the office of the Disbursing Officer for the Municipal Board, authorized by Act No. 185, one thousand, one hundred and forty-eight dollars and ten cents (\$1,148.10); for printing, binding and office supplies, nine hundred dollars (\$900); for advertising and incidental expenses; for repairs to and installation of office furniture and fixtures, three hundred and fifty dollars (\$350); one typewriter, one hundred and twenty-five dollars (\$125); for salaries of emergency clerks retained from August 7th to August 15th, seven hundred and twenty-four dollars and twenty-eight cents (\$724.28).

In all, for the Municipal Board, seven thousand, four hundred and fifty-nine dollars and forty-seven cents (\$7,459.47).

OFFICER IN CHARGE OF THE SANTA CRUZ BRIDGE.

For concrete, fifteen thousand dollars (\$15,000); for steel work, five thousand dollars (\$5,000); for side walks, curbing and approaches, six thousand, seven hundred and thirty-five dollars (\$6,735); painting, nine hundred dollars (\$900); for macadam for approaches, earth for fillings, and wood paving, eleven thousand, nine hundred and forty-six dollars and fifty cents (\$11,946.50).

In all, for the Officer in Charge of the Santa Cruz Bridge, thirty-nine thousand, five hundred and eighty-one dollars and fifty cents (\$39,581.50).

CITY SUPERINTENDENT OF SCHOOLS.

For salaries of native teachers, six thousand, eight hundred and sixty dollars and thirty-seven cents (\$6,860.37); books, stationery and printing, one hundred and twenty dollars (\$120); furniture, two thousand, two hundred and fifty dollars (\$2,250); forage for horses and

wages of driver of official vehicle, thirty-one dollars and fifty cents (\$31.50); installing and equipping chemical laboratory and making other general improvements and repairs in municipal grammar schools, five hundred dollars (\$500); miscellaneous expenses, four hundred and ninety dollars (\$490).

In all, for the City Superintendent of Schools, ten thousand, two hundred and fifty-one dollars and eighty-seven cents (\$10,251.87).

Total appropriation for all purposes, in money of the United States, three hundred and twenty-one thousand, and sixty-six dollars and fifty-two cents (\$321,066.52), or so much thereof as may be necessary.

SEC. 2. Funds appropriated by this act shall be disbursed in insular currency upon the basis of two dollars of insular currency for one dollar money of the United States.

SEC. 3. The amount herein appropriated for the use of the city of Manila is to be regarded as part contribution of the Insular Government to the expenses of the city of Manila from and after August 7, 1901, under the obligation of the Insular Government in accordance with the Charter of the city, and the Insular Government is to be credited accordingly.

SEC. 4. The public good requiring the speedy enactment of this appropriation bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 5. This act shall take effect on its passage.

Enacted, September 7, 1901.

[No. 229.]

AN ACT appropriating two hundred and sixty thousand, three hundred and thirty-one dollars and sixty-nine cents (\$260,331.69), in money of the United States, or so much thereof as may be necessary, to pay various expenses of the Insular Government for the third quarter of the year 1901, and other designated periods, not provided for in the general appropriation act for the third quarter.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The sum of two hundred and sixty thousand, three hundred and thirty-one dollars and sixty-nine cents (\$260,331.69), in money of the United States, or so much thereof as may be necessary, is hereby appropriated out of any money in the Insular Treasury not otherwise appropriated to pay the following expenses of the Insular Government for the third quarter of the year 1901 and other designated periods:

EXECUTIVE SECRETARY.

For increase in office force from September 1st, hereby authorized, as follows: One clerk, class 6, and one clerk, class 7, two hundred and eighty-three dollars and thirty-three cents (\$283.33); allowance in lieu of salary for earned leave of absence for two clerks, one hundred and seventy-eight dollars and sixty-seven cents (\$178.67); miscellaneous expenses in the office of the Executive Secretary, electric lighting,

repairs and expense in the care of the Ayuntamiento building, three thousand dollars (\$3,000).

In all, for the office of the Executive Secretary, three thousand, four hundred and sixty-two dollars (\$3,462), or so much thereof as may be necessary.

UNITED STATES PHILIPPINE COMMISSION.

For reimbursement for an amount paid by the Disbursing Officer of the Commission, by direction of the Commission, for expenses incurred in the survey of the Rio Grande de Mindanao, one hundred and fifty dollars (\$150); for the hire of vessel for the Commission on its trip to the northern provinces for the purpose of organization, seventeen days at four hundred dollars (\$400) per day, six thousand, eight hundred dollars (\$6,800).

In all, for the United States Philippine Commission, six thousand, nine hundred and fifty dollars (\$6,950), or so much thereof as may be necessary.

DEPARTMENT OF JUSTICE.

For deficiency salaries as follows:

The Supreme Court: One employé, class 9, from August 1 to September 30, 1901, hereby authorized; one employé, class H, and one employé, class J; total, three hundred and twenty-six dollars and sixty-six cents (\$326.66).

Court of First Instance for Manila:

Increase in the salary of two employés, from September 1 to September 30, 1901, to class 7, and one assistant clerk at nine hundred dollars (\$900) per annum; total, one hundred and forty-one dollars and sixty-six cents (\$141.66).

Courts of First Instance for the First District:

One employé, class 10, and one fiscal for Ilocos Norte, from July 1 to August 31, 1901, at eleven hundred and twenty-five dollars (\$1,125) per annum, total, four hundred and eighteen dollars and five cents (\$418.05).

Courts of First Instance for the Third District:

One assistant clerk for Pangasinan at one hundred and fifty dollars (\$150) per annum, twelve dollars and fifty cents (\$12.50).

Courts of First Instance for the Fourth District:

One assistant clerk for Pampanga at three hundred dollars (\$300) per annum; two messengers at one hundred and twenty dollars (\$120) per annum each; one interpreter, class J, and two employés, class I; total, one hundred and ninety-five dollars and sixty-six cents (\$195.66).

Courts of First Instance for the Fifth District:

Two employés at one hundred and eighty dollars (\$180) per annum each; one employé, class J; one employé, class G, and three messengers at one hundred and twenty dollars (\$120) per annum each; total, one hundred and fifteen dollars (\$115).

Courts of First Instance for the Sixth District:

One assistant clerk for Laguna at six hundred dollars (\$600) per annum; one fiscal for Laguna at twelve hundred dollars (\$1,200) per annum; one assistant clerk for Cavite at three hundred dollars (\$300) per annum; one assistant clerk for Tayabas (Lucena) at four hundred and eighty dollars (\$480) per annum; one assistant clerk for Tayabas

(Mauban) at four hundred and eighty dollars (\$480) per annum; four employés, class J; four messengers at one hundred and twenty dollars (\$120) per annum each, and one employé for the District at six hundred dollars (\$600) per annum; total, seven hundred and seventy-one dollars and sixty-seven cents (\$771.67).

Courts of First Instance for the Eighth District:

One employé, class 10; three employés, class J; two employés at one hundred and eighty dollars (\$180) per annum each; two employés at one hundred and fifty dollars (\$150) per annum each, and one employé at one hundred and twenty dollars (\$120) per annum; total, three hundred and forty-four dollars and forty-four cents (\$344.44).

Courts of First Instance for the Ninth District:

One interpreter, class 10; one employé at three hundred dollars (\$300) per annum; three employés at ninety-six dollars (\$96) per annum each; and two messengers at ninety dollars (\$90) per annum each; total, one hundred and forty-seven dollars and thirty-three cents (\$147.33).

Courts of First Instance for the Eleventh District:

One assistant clerk for Cebú at six hundred dollars (\$600) per annum; one interpreter for the District, class C; two employés, class H; one employé, class J; one messenger at sixty dollars (\$60) per annum; total, two hundred and eight dollars and thirty-three cents (\$208.33).

Courts of First Instance for the Thirteenth District:

One employé at one hundred and eighty dollars (\$180) per annum and six messengers at one hundred and twenty dollars (\$120) per annum each; total, eighty-four dollars and ninety-eight cents (\$84.98).

Temporary Court for Negros:

One interpreter, class 9; one clerk, class D; two clerks, class J; two clerks at one hundred and eighty dollars (\$180) per annum each; one messenger at one hundred and forty-four dollars (\$144) per annum; and one messenger at one hundred and twenty dollars (\$120) per annum; total, three hundred and forty-two dollars (\$342).

Office of the Attorney General:

For increase in the salary of one clerk, from August 1 to September 30, 1901, at fourteen hundred dollars (\$1,400) per annum, and for salary of one clerk, class I, for the same period; total, eighty-three dollars and thirty-three cents (\$83.33).

For salary of one interpreter for the Court of First Instance of Cavite, from September 1, 1900, to June 30, 1901, at thirty-six dollars (\$36) per annum, thirty dollars (\$30).

For Judge Geo. Whitsett, for traveling expenses from Manila to Zamboanga and Joló, for reimbursement for transportation charges on court property; for the purchase of two desks and stationery, two hundred and twenty-two dollars and forty-five cents (\$222.45).

For T. E. Lacayo, clerk of the Courts of First Instance for the Fourteenth District, for traveling expenses of himself and family, and for transportation of furniture from Manila to Zamboanga and Joló, eighty-nine dollars (\$89).

For Antonio Sanz Conda, Fiscal of the Fourteenth District, for traveling expenses for himself and wife, and for transportation of furniture from Manila to Zamboanga, seventy-three dollars and seventy-five cents (\$73.75).

For Judge Warren H. Ickis, for traveling expenses for himself and family, and for transportation of furniture from Manila to Zamboanga, eighty-nine dollars (\$89).

For R. E. McFie, clerk of the Courts of First Instance for the Thirteenth District, for traveling expenses from Manila to Zamboanga, forty dollars (\$40).

For Santiago Molina, Fiscal of the Thirteenth District, for traveling expenses from Manila to Zamboanga, forty dollars (\$40).

For Judge Juan de Leon, traveling expenses from Iloilo to Manila and Tacloban, forty-five dollars (\$45).

For supplies purchased for the Courts of First Instance for Manila and for the Sheriff's offices in Manila, prior to the qualification of the Insular Purchasing Agent, two hundred and two dollars and thirty-two cents (\$202.32).

For supplies for the Courts of First Instance for the Thirteenth District, stationery, furniture, seats, etc., two thousand dollars (\$2,000).

In all, for the Department of Justice, six thousand and twenty-three dollars and thirteen cents (\$6,023.13), or so much thereof as may be necessary.

TREASURER OF THE PHILIPPINE ARCHIPELAGO.

For salaries of employés taken over with the San Lazaro Estate, hereby authorized, as follows: one clerk at seven hundred and fifty dollars (\$750) per annum; one clerk, class H, and one clerk at two hundred and ten dollars (\$210) per annum; total, two hundred and twenty dollars (\$220); for premiums on surety bonds of treasurers of provinces, clerks of the courts and employés of civil departments, seven thousand, thirty-one dollars and eighty-eight cents (\$7,031.88); cost of card filing case and files, two hundred and fifty dollars (\$250).

In all, for the Treasurer of the Philippine Archipelago, seven thousand, five hundred and one dollars and eighty-eight cents (\$7,501.88), or so much thereof as may be necessary.

AUDITOR FOR THE PHILIPPINE ARCHIPELAGO.

For the continuation of temporary clerks, authorized by Act 163, and for bringing up arrears of work, fifteen hundred dollars (\$1,500), or so much thereof as may be necessary.

COLLECTOR OF CUSTOMS OF THE ISLANDS AND OF THE CHIEF PORT.

For the employment of six additional laborers at one hundred and fifty dollars (\$150) per annum each, hereby authorized, from July 27 to September 30, 1901, one hundred and sixty-two dollars and fifty cents (\$162.50); transportation for the Superintendent of the Warehouse Division, for July, August and September, one hundred and twenty-four dollars and fifty cents (\$124.50).

In all, for the Collector of Customs of the Islands and of the Chief Port, two hundred and eighty-seven dollars (\$287), or so much thereof as may be necessary.

DIRECTOR GENERAL OF POSTS.

For salaries for the Manila Post Office, authorized by Act 181, including in addition thereto, one clerk, class 8, and twelve messengers at one hundred and twenty dollars (\$120) per annum each, whose temporary employment is hereby authorized until the establishment of the free

mail delivery system, eighteen thousand, eight hundred and forty-seven dollars and fifty cents (\$18,847.50); for salaries of postmasters outside of Manila post office, authorized by Act 102 and Act 118, and for the salary of one clerk, class 8, Iloilo; one clerk, class 8, Cavite; one clerk, class 8, Cebú; one clerk, class 10, Iloilo; one clerk, class A, Dagupan; one clerk, class H, Iloilo, and eighteen clerks at an aggregate of one hundred and sixty-six dollars and sixty-seven cents (\$166.67) per month; total, ten thousand, five hundred and fifteen dollars (\$10,515); for compensation of postmasters appointed under the provisions of sections 3 and 4 of Act 181, two thousand dollars (\$2,000); for sea transportation of foreign mails, twelve hundred dollars (\$1,200); for inland mail transportation, one thousand dollars (\$1,000); rent and light of post offices, two thousand, five hundred dollars (\$2,500); to reimburse postmasters and other employés in post offices for 75% of one fourth of the annual premiums on bonds required during the quarter, four hundred dollars (\$400); miscellaneous expenses, two thousand dollars (\$2,000); for rent of building occupied as a post office at Calumba, from September 1, 1900, to June 30, 1901, seventy dollars (\$70); for miscellaneous expenses for the quarter ending June 30, 1901, forty-nine dollars and eighty-three cents (\$49.83); for reimbursement of employés in the office of the Director General of Posts for 75% of one fourth of the annual premium on bonds required during the quarter ending September 30, 1901, thirty-five dollars (\$35).

In all, for the Director General of Posts, thirty-eight thousand, six hundred and seventeen dollars and thirty-three cents (\$38,617.33), or so much thereof as may be necessary.

COLLECTOR OF INTERNAL REVENUE FOR THE PHILIPPINE ISLANDS.

For regular supplies, one thousand, four hundred and twenty-five dollars and seventy-five cents (\$1,425.75); deficiency rents and repairs from October, 1900, to September 30, 1901, one hundred and ninety-two dollars (\$192); tax refunds, two hundred and eighty-three dollars and thirty-three cents (\$283.33); incidental expenses from April 1 to September 30, 1901, eighty-nine dollars and sixteen cents (\$89.16); transportation from April 1 to September 30, 1901, two hundred and seventeen dollars and eighty cents (\$217.80); deficiency salaries and wages from August, 1900, to September 30, 1901, five thousand, three hundred and sixty-nine dollars and seventy-seven cents (\$5,369.77).

In all, for the Collector of Internal Revenue for the Philippine Islands, seven thousand, five hundred and seventy-seven dollars and eighty-seven cents (\$7,577.87), or so much thereof as may be necessary.

INSULAR PURCHASING AGENT.

For salaries of employés in the office and warehouse, hereby authorized, as follows: One clerk, class 6; one clerk, class 7; three clerks, class 9; total, five hundred and eighty-three dollars and thirty-three cents (\$583.33); extra allowance for disbursing clerk, sixteen dollars and sixty-seven cents (\$16.67); repairs to and rent of office and warehouse for the month of September, six hundred dollars (\$600); total for the expenses of the office and warehouse, twelve hundred dollars (\$1,200).

For salaries in the Printing Department for the month of Septem-

ber, 1901, hereby authorized, as follows: One foreman, class 9; one compositor, class 10; one printer and bookbinder, class A; one pressman, class A, and ten laborers, class H; total one thousand, two hundred and sixty-six dollars and sixty-six cents (\$1,266.66); supplies, three hundred dollars (\$300); total for the Printing Department, one thousand, five hundred and sixty-six dollars and sixty-six cents (\$1,566.66).

For salaries in the coal yards for the month of September, 1901, hereby authorized, as follows: One foreman and weigher, class 9; two watchmen, class C; six laborers at one hundred and eighty dollars (\$180) per annum each; total, three hundred and ten dollars (\$310); extra labor, one hundred dollars (\$100); material and labor for fencing yard, two hundred dollars (\$200); total for the coal yard, six hundred and ten dollars (\$610).

For salaries in the Transportation Department, hereby authorized, as follows: From August 17 to September 30, 1901, one foreman, class 9; for the month of September three teamsters, class C; five drivers and stablemen at ten dollars (\$10) per month each; total, three hundred and seventy-six dollars and sixty-seven cents (\$376.67); for forage, five hundred and seventy-five dollars (\$575); repairs and incidental expenses, five hundred dollars (\$500); total, for the transportation department, one thousand, four hundred and fifty-one dollars and sixty-seven cents (\$1,451.67).

For traveling expenses of the Insular Purchasing Agent from Manila to Hongkong and return on official business, two hundred dollars (\$200).

In all, for the Insular Purchasing Agent, five thousand and twenty-eight dollars and thirty-three cents (\$5,028.33), or so much thereof as may be necessary.

PHILIPPINES CONSTABULARY.

For uniforms, caps, campaign shoes and straw hats, eight thousand, nine hundred and fifty dollars (\$8,950); stationery, office furniture, office supplies and printing, three thousand dollars (\$3,000); illuminating oil, lubricants, candles and cleaning material, three hundred dollars (\$300); forage for animals, four thousand dollars (\$4,000); ice and janitor's supplies, twenty dollars (\$20); subsistence for enlisted men while in campaign, six hundred dollars (\$600); cablegrams and special messengers and post office expenses, one hundred dollars (\$100); traveling expenses other than transportation of officers and men traveling under orders, five hundred dollars (\$500); rents and repairs of headquarters and barracks, one thousand, seven hundred and fifty dollars (\$1,750); transportation of officers and enlisted men traveling under orders, two thousand dollars (\$2,000); transportation of animals and supplies, two thousand dollars (\$2,000); for salaries and wages, as follows: Three assistant chiefs at two thousand, seven hundred and fifty dollars (\$2,750) per annum each; thirty first class inspectors at fourteen hundred dollars (\$1,400) per annum each, hereby authorized; thirty-five 2d class inspectors at one thousand, and fifty dollars (\$1,050) per annum each, hereby authorized; thirty-five 3d class inspectors at nine hundred and fifty dollars (\$950) per annum each, hereby authorized; thirty-five 4th class inspectors at eight hundred dollars (\$800) per annum each, hereby authorized; thirty 1st sergeants at three hundred dollars (\$300) per annum each, hereby authorized; eighty

sergeants at two hundred and forty dollars (\$240) per annum each, hereby authorized; one hundred and eighty corporals at one hundred and eighty dollars (\$180) per annum each, hereby authorized; one thousand privates at one hundred and twenty dollars (\$120) per annum each, hereby authorized; total, thirty-nine thousand, seven hundred and fifty-eight dollars and thirty-four cents (\$39,758.34); for salaries of employes in offices, guard-houses and arsenals, hereby authorized, as follows: Three assistant chiefs at forty dollars (\$40) per month each; thirty-five senior inspectors of provinces at twenty dollars (\$20) per month each; one hundred other inspectors at fifteen dollars (\$15) per month; total, two thousand, three hundred and twenty dollars (\$2,320); for salaries of employes and clerks, hereby authorized, as follows: One chief clerk, class 6; one assistant chief clerk, class 8; one clerk, class 7; one clerk, class 9; two employes at one hundred and fifty dollars (\$150) per annum each; two employes at one hundred and twenty dollars (\$120) per annum each; total, one thousand and ninety dollars (\$1,090); extra compensation for disbursing clerk for August and September, 1901, thirty-three dollars and thirty-three cents (\$33.33); extra compensation at two hundred dollars (\$200) per annum each, for three (3) 2d class inspectors, acting as disbursing clerks, fifty dollars (\$50); employment of such 2d class inspectors as disbursing clerks is hereby authorized, anything in Act 145 to the contrary notwithstanding; for per diem at five dollars (\$5) per day each, from August 1 to September 30, 1901, for the Chief and 1st Assistant Chief in lieu of all expenses, except cost of official transportation and to compensate them for all commutation and allowances from which the present incumbents are excluded as officers of the Regular Army by reason of their detail for civil duty, six hundred and ten dollars (\$610). Cost of transportation herein provided for shall be construed to include subsistence when the same is included in transportation by commercial steamship lines.

Miscellaneous expenses, three hundred dollars (\$300); newspaper periodicals and professional books, fifty dollars (\$50).

In all, for the Philippines Constabulary, sixty-seven thousand, four hundred and thirty-one dollars and sixty-seven cents (\$67,431.67), or so much thereof as may be necessary.

BOARD OF HEALTH FOR THE PHILIPPINE ISLANDS.

For the salaries authorized by Act No. 192, including the salaries of twelve chief sanitary inspectors at seventy-five dollars (\$75) per month, and thirty-three sanitary inspectors at twenty-five dollars (\$25) per month each, hereby authorized, in lieu of the two sanitary inspectors at seventy-five dollars (\$75) per month each, and five district sanitary inspectors at thirty-five dollars (\$35) per month each, and fifty-four sub-district sanitary inspectors at twenty-five dollars (\$25) per month each, authorized by Act No. 192, nine thousand, two hundred and twenty-three dollars and forty-three cents (\$9,223.43).

For salaries in the leper colony at Cebu, from August 9 to September 30, 1901, hereby authorized, as follows: One physician at fifty dollars (\$50) per month; one cook at fifteen dollars (\$15) per month; one assistant cook at seven dollars and fifty cents (\$7.50) per month, and four servants at five dollars (\$5) per month each; total, one hundred and sixty dollars and thirty-one cents (\$160.31); for subsistence

of one hundred and ninety-three lepers and attendants for same, one thousand and forty dollars (\$1,040).

For salaries in the Palestina Leper Colony, from August 9 to September 30, 1901, hereby authorized, as follows: One physician at thirty-seven dollars and fifty cents (\$37.50) per month; one cook at ten dollars (\$10) per month; one assistant cook at seven dollars and fifty cents (\$7.50) per month, and two servants at five dollars (\$5) per month each; total, one hundred and twelve dollars and sixty-six cents (\$112.66); subsistence for patients and attendants, two hundred and sixty dollars (\$260). For subsistence of patients and necessary attendants in the leper department of San Lazaro Hospital, six hundred and ninety dollars (\$690); for repairs and necessary labor in the same department, fifty dollars (\$50). For three additional servants, from September 1 to 30, 1901, in the Vaccine Station, Manila, at seven dollars and fifty cents (\$7.50) per month each, hereby authorized, twenty-two dollars and fifty cents (\$22.50); for miscellaneous expenses in the same department, one hundred and twenty-five dollars (\$125). For miscellaneous expenses in the Vaccine Station at Iloilo, one hundred dollars (\$100). For miscellaneous expenses in the Experimental Station for Rhinderpest, fifty dollars (\$50). For miscellaneous expenses in the Biological Laboratory, one hundred dollars (\$100). For miscellaneous expenses in the Chemical Laboratory, twenty-five dollars (\$25). Printing, four hundred and fourteen dollars (\$414); rental of three vehicles from August 9 to September 30, 1901, and two vehicles from September 1 to 30, 1901, at one dollar and fifty cents (\$1.50) per day each, three hundred and twenty-four dollars (\$324). For subsistence of patients in the plague and small pox hospitals and for various miscellaneous expenses, one hundred and thirty-two dollars (\$132). For salaries of the following additional employés, hereby authorized, in the San Lazaro Hospital, Women's Department: Two servants, from September 1 to 30, 1901, at six dollars (\$6) per month each; four servants from September 1 to 30, 1901, at five dollars (\$5) per month each; one porter from September 1 to 30, 1901, at seven dollars and fifty cents (\$7.50) per month, and one assistant porter from September 1 to 30, 1901, at six dollars (\$6) per month; total forty-five dollars and fifty cents (\$45.50). For subsistence of patients in the San Lazaro Hospital, Women's Department, one thousand, seven hundred and thirty dollars (\$1,730); for labor and repairs for the same department, three hundred dollars (\$300). For miscellaneous expenses for the Veterinary Department, fifty dollars (\$50); for miscellaneous expenses and repairs to the steam disinfecting plant, thirty dollars (\$30). For miscellaneous expenses for the Municipal Dispensary one hundred and twenty-five dollars (\$125). For miscellaneous expenses in the public cemeteries, two hundred and thirty-seven dollars and fifty cents (\$237.50). Telegrams and cablegrams and for rent of telephone, one hundred and ten dollars and forty cents (\$110.40). Reimbursement to Contract Surgeon E. A. Southall for transportation on official business from March 20 to April 30, 1901, sixty-one dollars and fifty cents (\$61.50). For salaries of three municipal physicians from August 9 to 31, 1901, at forty dollars (\$40) per month each, continued through necessity of service, fifty-one dollars and ninety-nine cents (\$51.99). Three disinfecting carts from August 9 to September 30, 1901, two hundred and forty-seven dollars and fifty cents (\$247.50). Salary of one assistant chemist in the Chemical Laboratory, August 7 to August

15, 1901, fourteen dollars and fifty-eight cents (\$14.58). For the salaries in the Vaccine Station at Iloilo, from July 1 to August 8, 1901: One director at fifty dollars (\$50) per month, and one assistant director at twenty-five dollars (\$25) per month, ninety-four dollars and ninety-nine cents (\$94.99). Miscellaneous expenses in the same department, seventy-three dollars and thirty-three cents (\$73.33). For salaries, for August 7 and 8, 1901, for all departments of the Insular Board of Health, two hundred and twenty-five dollars and eighty cents (\$225.80). For subsistence of aged and insane and orphans in the Hospicio de San José of Manila, four thousand, nine hundred and seventy dollars and sixty-three cents (\$4,970.63). For subsistence of forty-two pensioners, from August 7 to September 30, 1901, in the Collegio de Santa Isabel, five hundred dollars and twelve cents (\$500.12). For per diem at five dollars (\$5) per day, from August 1 to September 30, 1901, for the Commissioner of Public Health in lieu of all expenses except cost of official transportation and to compensate him for all commutation and allowances from which the present incumbent is excluded as an officer of the Regular Army by reason of his detail for civil duty, three hundred and five dollars (\$305). Cost of transportation herein provided for shall be construed to include subsistence when the same is included in transportation by commercial lines.

In all, for the Board of Health for the Philippine Islands, twenty-two thousand and two dollars and seventy-four cents (\$22,002.74), or so much thereof as may be necessary.

GENERAL SUPERINTENDENT OF PUBLIC INSTRUCTION.

For increase in the office force, authorized by Act 197, seven hundred and fifty-six dollars and ninety-five cents (\$756.95); for the substitution of one clerk, class 8, in lieu of one clerk, class 9, from September 1, 1901, hereby authorized, sixteen dollars and sixty-seven cents (\$16.67); one driver of official vehicle for the month of August, ten dollars (\$10); transportation of school books and supplies five hundred dollars (\$500); wages of laborers handling supplies and moving office, two hundred and fifty dollars (\$250); for expenses in repairing, furnishing and conducting temporary quarters for teachers in the Exposition Grounds, ten thousand, three hundred and twenty-five dollars (\$10,325); for extra janitor service in the Nautical School from May 1 to September 30, 1901, at fifteen dollars (\$15) per month, seventy-five dollars (\$75); text books in the Nautical School, sixty-two dollars and fifty cents (\$62.50). Assistance for schools at Muntinlupa, Province of Rizal, from April 15 to June 30, 1901, seventy-five dollars (\$75); for salaries in the Nautical School, as follows: One teacher of English at one thousand dollars (\$1,000) per annum; one instructor at six hundred and fifty dollars (\$650) per annum; one instructor at six hundred dollars (\$600) per annum; one instructor at five hundred dollars (\$500) per annum; one rigger at three hundred and sixty dollars (\$360) per annum; one assistant rigger at ninety dollars (\$90) per annum; one secretary at ninety dollars (\$90) per annum; one janitor at one hundred and eighty dollars (\$180) per annum; total, five hundred and twenty dollars and fifty cents (\$520.50); hire of carromata for Superintendent, fifty-four dollars (\$54); incidental expenses, one hundred and eight dollars (\$108). Forty-eight teachers of English in the primary schools in Manila, seven thousand, nine hundred and twenty dollars (\$7,920).

In all, for the General Superintendent of Public Instruction, twenty thousand, six hundred and seventy-three dollars and sixty-two cents (\$20,673.62), or so much thereof as may be necessary.

DEPARTMENT OF PRISONS.

For salaries Bilibid Prison, hereby authorized, as follows: One clerk, class 9; one visiting physician, class 9; three hospital stewards at twenty-five dollars (\$25) per month each; one teamster at ten dollars (\$10) per month; total, five hundred and thirteen dollars (\$513). For salaries of the guard, hereby authorized, as follows: Four native sergeants at twenty dollars (\$20) per month each; eight native corporals at fifteen dollars (\$15) per month each; forty native privates at twelve dollars (\$12) per month each; total, five hundred and forty-four dollars (\$544); general repairs, supplies for native police and for the hospital for the Prison, one thousand, one hundred and eleven dollars and seven cents (\$1,111.07); for the salaries in the Presidio de Manila, hereby authorized, as follows: One superintendent, class 6; one storekeeper, class 9, one interpreter, class D; one overseer, class D; one foreman; class D; one assistant overseer, class I; three keepers, class I; one chaplain at twenty-five dollars (\$25) per month; two clerks, class J, and one laundryman at seven dollars and fifty cents (\$7.50) per month; total, one thousand and thirty-two dollars (\$1,032). For subsistence of prisoners, three thousand, nine hundred and eighteen dollars and seventy-five cents (\$3,918.75); miscellaneous expenses and repairs, two thousand, four hundred and twenty-five dollars and ninety-five cents (\$2,425.95). For salaries in the Cárcel Pública, hereby authorized, as follows: One jailor, class 9; one overseer, class G; one interpreter, class G; one chaplain at twenty-five dollars (\$25) per month; three keepers, class J, and six employés at one hundred and eighty dollars (\$180) per annum each, total, six hundred and twenty-two dollars (\$622); subsistence of prisoners, three thousand, nine hundred and eighty-two dollars (\$3,982); miscellaneous expenses and general repairs, two hundred and seventy-seven dollars and thirty cents (\$277.30). Material for enlarging laundry plant, one thousand, three hundred and sixty-nine dollars (\$1,369); material for the manufacture of flags, twenty-nine dollars and five cents (\$29.05); purchase of cloth for criminals in Bilibid Prison, two thousand, two hundred and fifty dollars (\$2,250); for allowance of dietary purposes in Bilibid Prison, three hundred dollars (\$300); for increase in salary of two clerks from fifteen dollars (\$15) to twenty dollars (\$20) per month each, seventeen dollars (\$17); soap for laundry and bath house, fifty-six dollars (\$56); for forty-two additional guards at twelve dollars (\$12) per month each, from August 20 to September 30, 1901, and two inspectors from September 1 to 30, 1901, hereby authorized, total, eight hundred and eighty-eight dollars and eighty cents (\$888.80); for increase in the salary of the physician from twelve hundred dollars (\$1,200) to two thousand dollars (\$2,000) per annum, hereby authorized, from September 1 to 30, 1901, sixty-six dollars and sixty-seven cents (\$66.67); increase in the salary of the Dispensing Clerk from three hundred dollars (\$300) to nine hundred dollars (\$900) per annum, hereby authorized, from September 1 to 30, 1901, fifty dollars (\$50); for subsistence of fifty American civil prisoners in the Cárcel Pública, five hundred and four dollars (\$504); for material, fixtures and expenses for maintaining electric lights in Bilibid Prison Hospital, twenty-five dollars and sixty cents (\$25.60).

In all, for the Department of Prisons of Manila, nineteen thousand, nine hundred and eighty-two dollars and nineteen cents (\$19,982.19), or so much thereof as may be necessary.

CAPTAIN OF THE PORT OF MANILA.

Launch supplies, sixteen dollars and twenty cents (\$16.20); transportation of stores for light-house service, one hundred and twenty-nine dollars and sixty-one cents (\$129.61); rent of house for light-house keeper at Capul Light-House from December 16, 1901, to June 30, 1901, thirty-nine dollars (\$39).

In all, for the Captain of the Port of Manila, one hundred and eighty-four dollars and eighty-one cents (\$184.81), or so much thereof as may be necessary.

FORESTRY BUREAU.

For increase in the salary of the janitor of the Forestry Bureau from seven dollars and fifty cents (\$7.50) to twelve dollars and fifty cents (\$12.50) per month from September 1, 1901, hereby authorized, and for the substitution of one clerk, class 8, for one clerk, class 9, hereby authorized, twenty-one dollars and sixty-seven cents (\$21.67), or so much thereof as may be necessary.

MINING BUREAU.

For salaries as follows: One former volunteer officer for August and September at one hundred and seventy dollars and sixty-six cents (\$170.66) per month, and one draughtsman at forty dollars per month, hereby authorized for July, August and September, 1901; total, four hundred and sixty-one dollars and thirty-two cents (\$461.32); for printing mining laws, record of mineral test, circulars and blanks, five hundred and seventy dollars (\$570); office supplies, three hundred and fifty-one dollars and ninety-eight cents (\$351.98); miscellaneous expenses, three hundred and sixty-four dollars (\$364).

In all, for the Mining Bureau, one thousand, seven hundred and forty-seven dollars and thirty cents (\$1,747.30), or so much thereof as may be necessary.

PROVINCIAL GOVERNMENT OF BENGUET.

For salaries, as follows:

The Governor at fifteen hundred dollars (\$1,500) per annum, from April 1 to September 30, 1901, seven hundred and fifty dollars (\$750); of the Secretary at one thousand dollars (\$1,000) per annum, from April 1 to September 30, 1901, five hundred dollars (\$500); salary of the Inspector at four hundred dollars (\$400) per annum, from July 1 to September 30, 1901, one hundred dollars (\$100); salary of one clerk, class A, from July 1 to September 30, 1901, two hundred and twenty-five dollars (\$225); one clerk, class A, from August 1 to September 30, 1901, one hundred and fifty dollars (\$150); one clerk at one hundred and eighty dollars (\$180) per annum, from July 1 to September 1, 1901, forty-five dollars (\$45); one clerk at ninety dollars per annum, from July 1 to September 30, 1901, twenty-two dollars and fifty cents (\$22.50); wages of messengers from July 1 to September 30, 1901,

eighteen dollars (\$18). Rent of offices for Provincial Government from July 1 to September 30, 1901, ninety dollars (\$90); expenses of inspector for the month of July, 1901, while on official business, seventeen dollars and ten cents (\$17.10); expenses of the Governor while in Manila upon official business, forty dollars (\$40); maintenance of prisoners from July 1 to September 30, 1901, one hundred and thirty-two dollars and fifty-five cents (\$132.55); traveling expenses of officials and expenses of one clerk from Manila to Benguet, seventy dollars (\$70); for reimbursement to the Governor for the following amounts paid between January 1 and June 30, 1901, mail carriers to Dagupan, ten dollars (\$10); wages of carpenter for making office furniture and timber for government offices, twenty-two dollars and seventy cents (\$22.70); maintenance of prisoners one hundred and seventy-nine dollars and forty-nine cents (\$179.49); Chartered Bank charges for office funds, twenty dollars and sixty-seven cents (\$20.67); traveling expenses of one clerk from Manila, twenty-five dollars and eighty-three cents (\$25.83); salary of interpreter for five days, two dollars and fifty cents (\$2.50); polistas from Naguilian, two dollars and fifty cents (\$2.50).

In all, for the Provincial Government of Benguet, two thousand, four hundred and twenty-three dollars and eighty-two cents (\$2,423.82), or so much thereof as may be necessary.

PROVINCIAL GOVERNMENT OF ABRA.

For the relief of the inhabitants of Pilar Valley suffering from hunger, one thousand dollars (\$1,000), or so much thereof as may be necessary.

INSULAR COLD STORAGE AND ICE PLANT.

Salaries and wages from September 1 to 30, 1901, two thousand, four hundred and forty-eight dollars and eighty-one cents (\$2,448.81), or so much thereof as may be necessary.

CHIEF COMMISSARY, DIVISION OF THE PHILIPPINES.

For the subsistence of nineteen engineers and one translator on the transport *Buford* from San Francisco to Manila, one thousand, one hundred and twenty-one dollars (\$1,121); for subsistence of native scouts from March 1 to September 30, 1901, thirteen thousand, five hundred dollars (\$13,500); for subsistence of native civil employés from March 1 to September 30, 1901, one thousand, six hundred dollars (\$1,600).

In all, for the Chief Commissary, Division of the Philippines, sixteen thousand, two hundred and twenty-one dollars (\$16,221), or so much thereof as may be necessary.

CHIEF QUARTERMASTER, DIVISION OF THE PHILIPPINES.

Final payment for labor and materials furnished in the construction of a Bodega at the Custom House, five thousand dollars (\$5,000); purchase of twelve steel boxes for the Custom House, two hundred and seventy-five dollars (\$275); payment of printers for the civil fund printing plant for the month of July, 1901, two hundred and eighty-three dollars and ninety-five cents (\$283.95); for rail and water transportation

of employes of the Civil Government, of native scouts and supplies of the Civil Government, two hundred and fifty dollars (\$250); purchase of lumber for civil uses, one thousand, six hundred and forty-eight dollars and seventy-five cents (\$1,648.75); installation of a force-pump at the Intendencia Building, fifty-seven dollars and fifty cents (\$57.50); one clerk, class 9, from July 1 to September 30, 1901, in Office of Civil Affairs, 1st District, Department of Northern Luzon, three hundred dollars (\$300); rent of house owned by Da. Paz Ballon de Herrero, from April 15, 1900, to March 30, 1901, at San Isidro, eighty-six dollars and twenty-five cents (\$86.25); rent of house owned by Da. Juana Circa from November 21, 1899, to June 30, 1900, forty-four dollars (\$44); rent of building owned by Da. Concepcion Martinez Canas, from December 19, 1899, to January 29, 1901, and from February 13, 1901, to March 30, 1901, four hundred and forty-seven dollars (\$447); salary of the engineer in charge of the saw mill on Government Farm at San Ramon for July, August and September, 1901, three hundred and seventy-five dollars (\$375).

In all, for the Chief Quartermaster, Division of the Philippines, eight thousand, seven hundred and sixty-seven dollars and forty-five cents (\$8,767.45), or so much thereof as may be necessary.

UNITED STATES MILITARY PRISON, BACOLOR.

For the purchase of laundry soap, fifteen dollars (\$15); purchase of clothing for native convicts, one hundred dollars (\$100).

In all, for the United States Military Prison, Bacolor, one hundred and fifteen dollars (\$115), or so much thereof as may be necessary.

UNITED STATES MILITARY PRISON, LINGAYEN.

For the purchase of plates, cups and spoons, for the use of native prisoners, sixty-seven dollars and thirty-eight cents (\$67.38); for repairs to Lingayen Prison, four hundred and twenty-five dollars and seventy-six cents (\$425.76).

In all, for the United States Military Prison, Lingayen, four hundred and ninety-three dollars and fourteen cents (\$493.14), or so much thereof as may be necessary.

ATTENDING PHYSICIAN FOR CIVIL EMPLOYÉS.

For the salary of Assistant Attending Physician and Surgeon from August 10 to September 30, 1901, at two thousand dollars (\$2,000) per annum, two hundred and eighty-three dollars and thirty-three cents (\$283.33); salary of Dispensing Clerk from August 29th to September 30th, inclusive, at twelve hundred dollars (\$1,200) per annum, one hundred and six dollars and thirty-seven cents (\$106.37); for the hire of one carromata for the Assistant Attending Physician and Surgeon on official business from August 12 to August 31, 1901, twenty-eight dollars and fifty cents (\$28.50); for furniture and proper equipment of office, seventy-nine dollars and fifty cents (\$79.50).

In all, for the Attending Physician for civil employes, four hundred and ninety-seven dollars and seventy cents (\$497.70), or so much thereof as may be necessary.

PHILIPPINE WEATHER BUREAU.

For salary of the Assistant Director of the Philippine Weather Bureau during his leave of absence of one hundred and fifteen (115) days beginning September 1, 1901, four hundred and thirty dollars and nine cents (\$430.09), or so much thereof as may be necessary.

DISTRICT COMMANDER, ISABELA DE BASILAN.

For supplies, four hundred and thirty-four dollars and forty-four cents (\$434.44), or so much thereof as may be necessary.

DISTRICT COMMANDER, POLLOCK, MINDANAO.

For stationery and supplies, twenty dollars (\$20), or so much thereof as may be necessary.

DISTRICT QUARTERMASTER, VIGAN.

Miscellaneous purchases, three hundred and ninety-four dollars and fifty-four cents (\$394.54), or so much thereof as may be necessary.

CITY OF MANILA.

For reimbursement to the Sheriff of Manila for money advanced in the payment for repairs of furniture in the Supreme Court building, forty-eight dollars and sixty-one cents (\$48.61); for additional repairs to furniture in the Supreme Court building and Courts of First Instance, to be expended under direction of the Sheriff of Manila, one hundred dollars (\$100); for repairs to the Supreme Court building, for installation of Courts of First Instance, and re-arranging rooms for the Supreme Court, to be expended under direction of the Sheriff of Manila, one thousand dollars (\$1,000).

In all, for the city of Manila, one thousand, one hundred and forty-eight dollars and sixty-one cents (\$1,148.61), or so much thereof as may be necessary.

MISCELLANEOUS EXPENSES.

For the following expenses incurred in the office of the Provost Marshal General, and in the departments reporting to him:

For salaries of former volunteer officers retained by resolution of the Commission for the period from August 1st to 6th, inclusive, as follows:

In the Department of Police:

One officer at two hundred and ninety-seven dollars and ninety-nine cents (\$297.99) per month; one officer at two hundred and seventy-seven dollars and eighteen cents (\$277.18) per month; two officers at one hundred and eighty dollars (\$180) per month each; one officer at one hundred and seventy-five dollars (\$175) per month; one officer at one hundred and seventy-four dollars (\$174) per month; seven officers at one hundred and sixty-five dollars (\$165) per month each; two officers at one hundred and sixty-one dollars and fifty cents (\$161.50) per month each; one officer at one hundred and fifty-two dollars and thirty-two cents (\$152.32) per month; one officer at one hundred and

fifty-one dollars and sixty-five cents (\$151.65) per month; four officers at one hundred and thirty-seven dollars and fifty cents (\$137.50) per month each, and two officers at one hundred and twenty-eight dollars and thirty-two cents (\$128.32) per month each; total, seven hundred and seventy-four dollars and fifty-five cents (\$774.55).

In the Department of Streets, Parks, Fire and Sanitation:

One officer at two hundred and sixteen dollars (\$216) per month, and one officer at two hundred and one dollars (\$201) per month; total, eighty-three dollars and forty cents (\$83.40).

In the Department of Licenses and Municipal Revenue:

Two officers at two hundred and one dollars (\$201) per month each; total, eighty dollars and forty cents (\$80.40).

In the Department of Illumination:

One officer at two hundred and nineteen dollars and thirty-two cents (\$219.32) per month; total, forty-three dollars and eighty-six cents (\$43.86).

In the office of the Public Prosecutor:

Two officers at one hundred and sixty-one dollars and fifty cents (\$161.50) per month each; total, sixty-four dollars and sixty cents (\$64.60).

In the Department of Municipal Records:

One officer at one hundred and sixty-one dollars and fifty cents (\$161.50) per month; total, thirty-two dollars and thirty cents (\$32.30).

In the Department of Water Supply:

One officer at one hundred and fifty-two dollars and thirty-three cents (\$152.33) per month; total, thirty dollars and forty-six cents (\$30.46).

In the Board of Officers on Preparation of Municipal Ordinances:

Two officers at two hundred and one dollars (\$201) per month each; total, eighty dollars and forty cents (\$80.40).

In the office of the Disbursing Quartermaster, Civil Funds:

One officer at one hundred and sixty-one dollars and fifty cents (\$161.50) per month; one officer at one hundred and fifty-two dollars and thirty-three cents (\$152.33) per month; total, sixty-two dollars and seventy-six cents (\$62.76).

For salaries and miscellaneous expenses in the Department of Municipal Records from August 1st to 6th inclusive, as follows: In the Supreme Courts of First Instance and office of the Sheriff of Manila, one hundred and forty-one dollars and sixty-seven cents (\$141.67); in the Justice of the Peace Courts of Binondo, Tondo, Quiapo and Intramuros, one hundred and nineteen dollars and twenty cents (\$119.20); in the Inferior Provost Court, twenty-two dollars and fifty cents (\$22.50); in the Superior Provost Court, forty dollars (\$40); in the offices of the Collector of Taxes, twenty-six dollars (\$26); in the department of Municipal Records, one hundred and seven dollars and sixty-three cents (\$107.63); in the department of Prison Records, twenty dollars (\$20).

Miscellaneous expenses in the Department of Licenses and Municipal Revenue for the quarter ending June 30, 1901, one hundred and twenty-five dollars and forty-seven cents (\$125.47); for transportation of the officer in charge of the Department of Prison Records and of the officer in charge of the Department of Municipal Records from July 1 to August 6, 1901, inclusive, one hundred and twelve dollars and fifty cents (\$112.50); for transportation of a Judge of the Inferior

Provost Court from July 8 to July 24, 1901, inclusive, twenty-five dollars and fifty cents (\$25.50); for transportation of a Judge of the Inferior Provost Court from July 1 to August 7, 1901, fifty-seven dollars (\$57); for transportation of the Assistant Surgeon of the Provost Guard from July 1 to August 7, 1901, fifty-seven dollars (\$57); for one clerk from August 7 to September 15, 1901, retained to wind up the affairs of the Quartermaster, Provost Guard, hereby authorized, one hundred and thirty dollars (\$130).

Total of appropriations for expenses incurred in the office of the Provost Marshal General and departments reporting to him, two thousand, two hundred and thirty-seven dollars and twenty cents (\$2,237.20), or so much thereof as may be necessary.

For Captain Lea Febiger, 23d Infantry, for amount expended by him for miscellaneous expenses prior to June 30, 1901, one hundred and seventeen dollars and eighty-nine cents (\$117.89), or so much thereof as may be necessary.

For Cornelius Gardner, Governor of Tayabas, for traveling expenses on trip to Manila on official business, in excess of the amount allowed by Act 103, twenty-two dollars (\$22), or so much thereof as may be necessary.

For J. D. Fauntleroy, Supervisor of Occidental Negros, for traveling expenses from Manila to Bacolod, to enable him to assume the duties of his office, twenty-two dollars and eighty-five cents (\$22.85), or so much thereof as may be necessary.

For C. C. McClain, Treasurer of Tayabas, for traveling expenses from Manila to Tayabas to enable him to assume the duties of his office, eight dollars (\$8), or so much thereof as may be necessary.

For Williard H. Holbrook, for traveling expenses from Manila to San José de Buena Vista, to enable him to assume the duties of his office, twenty-four dollars (\$24), or so much thereof as may be necessary.

For Byrum Mathes, for salary while employed as storekeeper in the Custom House at Joló from August 3 to August 31, 1900, sixty-seven dollars and fifty cents (\$67.50), or so much thereof as may be necessary.

For Carlos Varanda, for salary from September 27, 1900, to November 28, 1900, while acting as clerk of the Court at Bataan, one hundred dollars (\$100), or so much thereof as may be necessary.

For Padre Filomer Flores, Chaplain of the Leper Hospital in Cebú, for expenses incurred by him in the maintenance of said hospital between August 1 and August 10, 1900, eighty dollars and twenty-five cents (\$80.25), or so much thereof as may be necessary.

For Captain H. Liggett, Commanding Officer at Davao, as reimbursement for amount paid by him as reward for the capture of an escaped Moro murderer, twenty-five dollars (\$25).

For Salvador Chofré, Inspector of Native Police, Manila, for reimbursement for the hire of a carromata from May 27 to August 7, 1901, eighty-eight dollars and seventy-five cents (\$88.75).

For Enrique Calderon for reimbursement for transportation on official business from June 8 to August 6, 1901, inclusive, at twenty-five dollars (\$25) per month, forty-nine dollars and seventeen cents (\$49.17).

For the Archdiocese of Manila for the rent of the building occupied for offices by the Provost Marshal General of Manila, from July 1, 1900, to August 6, 1901, inclusive, at the rate of seven hundred and

fifty dollars (\$750) per month, nine thousand, nine hundred dollars (\$9,900). For the rent of building No. 292 Calle San Sebastian, occupied by the Mining Bureau from July 12, 1900, to May 1, 1901, five hundred and thirty-three dollars and thirty-three cents (\$533.33); total appropriations for the Archdiocese of Manila, ten thousand, four hundred and thirty-three dollars and thirty-three cents (\$10,433.33).

For Captain C. G. Morton, Commanding Officer at Calivo, for reimbursement for the amount paid for the burial of a native scout, five dollars and seventy-five cents (\$5.75).

For the Philippine Gas Light Company for installation of closets, for removing two old closets and cement sink and cleaning vault, in the Mechanical Arts Building, four hundred dollars (\$400).

For Aun Tan for reimbursement of a fine imposed by military commission and subsequently remitted by command of the Military Governor, one thousand dollars (\$1,000).

For Francis P. Bonham, clerk, class 9, in the office of the Adjutant General, Provost Marshal General, for allowance in lieu of salary for earned leave of absence, eighty-two dollars and thirty-one cents (\$82.31).

For Thomas Embry, formerly Collector of Internal Revenue at Santa Cruz, Laguna, for reimbursement for transportation on official business from August 1 to 31, 1901, fifteen dollars and fifty-five cents (\$15.55).

For the Inspector of Customs at Aparri, for the construction of a fence surrounding government property, one hundred and twenty-five dollars (\$125), or so much thereof as may be necessary.

For Bartolome Revilla, Provincial Fiscal of Isabel, for traveling expenses from Manila to Isabel, to enable him to assume the duties of this office, forty-one dollars (\$41).

For payment of warrants upon certification by the Auditor of the amount of funds due on account of outstanding claims prior to June 30, 1901, for transportation of supplies for the various departments, two thousands dollars (\$2,000), or so much thereof as may be necessary.

Total of appropriations for all purposes, in money of the United States, two hundred and sixty-thousand, three hundred and thirty-one dollars and sixty-nine cents (\$260,331.69), or so much thereof as may be necessary.

SEC. 2. Disbursing Officers are hereby directed to disperse all funds appropriated by this act in local currency upon the basis of two dollars of local currency for one dollar of money of the United States.

SEC. 3. The public good requiring the speedy enactment of this appropriation bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 4. This act shall take effect on its passage.

Enacted, September 16, 1901.

[No. 230.]

AN ACT to revise and amend the tariff laws of the Philippine Archipelago.

By the authority of the President of the United States, and with the approval of the Secretary of War first had, be it enacted by the United States Philippine Commission, that:

SECTION 1. The provisions of General Order No. 49, Office of the United States Military Governor in the Philippine Islands, dated October 23, 1899, relating to customs duties on imports and exports of the Philippine Islands, and tonnage duties and wharf charges therein, and the several orders supplemental thereto and amendatory thereof, are hereby amended to read as follows:

SEC. 2. Duties shall be collected on all articles, goods and merchandise imported into the Philippine Islands at the rates hereinafter provided, except when expressly exempted from duty by this Act.

SEC. 3. Merchandise in transit at the time the present revision goes into effect, may be entered under the provisions of law existing at the time of shipment; provided, however, that this privilege shall not be extended beyond the period of sixty days after the date of the enforcement of the present tariff of duties and taxes.

SEC. 4. Duties shall be collected at the rates hereinafter provided on such articles, goods and merchandise exported from the Philippine Islands as are hereinafter specifically prescribed in this Act.

SEC. 5. The following rules and regulations shall be observed in the construction and enforcement of the various provisions of this Act:

GENERAL RULES.

CUSTOMS TREATMENT OF TEXTILES.

RULE 1. *Number of threads and its ascertainment.*—By the number of threads in a textile shall, unless otherwise stipulated, be meant the totality of all the threads comprised in the warp and weft in a square of six millimeters. The warp of textiles is to be considered as the totality of the threads which lie longitudinally, whether they form the foundation of the same, or whether they have been added in order to form patterns or give the stuff more body. The weft shall be considered the totality of the threads which cross the warp of the textile, and combine the same conditions of helping to form patterns or to add to the body of the stuff. In order to determine for customs treatment of textiles, the number of threads and the proportion in which the threads subject to the highest duty are found in the textile, the instrument known as the "thread counter" shall be employed.

Should there be a doubt as to the ascertainment of the number of threads in a textile, owing to the textile being more closely woven in some parts than in others, the most closely woven part and the most loosely woven part shall be taken, and the average number of threads resulting from the two shall serve as a basis for levying duty.

When the nature of the tissue permits it, the thread shall always be counted on the obverse side of the stuff.

In all woolly or melton-like textiles, and generally in all textiles in which the threads have become indistinct by carding or fulling, the threads shall be counted on the reverse side of the stuff by rasping or burning the hair when necessary.

In exceptional cases, where after these operations the ascertainment of the number of threads remains doubtful, a sufficient part of the textiles shall be unraveled.

Should this likewise be impossible, as, for instance, in case of ready-made articles, the textile shall be subject to the highest duty of the group to which it belongs, and should the textile be mixed, it shall be dutiable according to the class in which the most highly taxed material entering into the mixture is comprised.

CUSTOM TREATMENT OF MIXED TEXTILES.

RULE 2. *Admixtures of two materials.*—Textiles of all kinds, composed of two materials, shall be dutiable as follows:

(a) Cotton textiles containing threads of hemp, jute, linen, ramie, or other vegetable fiber shall be dutiable according to the corresponding numbers of group 3, Class IV, with the surtaxes established in each case,¹ provided the number of these threads of hemp, jute, linen, ramie, or other vegetable fibers, counted in the warp and weft, does not exceed one-fifth of the total number of threads composing the textile.

When the number of threads of hemp, jute, linen, ramie or other vegetable fiber exceeds one-fifth of the total, the textiles shall be subject to the corresponding duties of Class V.

(b) Cotton textiles containing threads of wool, flock wool, hair, or wastes of these materials shall be dutiable according to the corresponding numbers of group 3, Class IV, with the surtaxes established in each case,¹ provided that the number of threads of wool, flock wool, hair, or their wastes, counted in the warp and weft, does not exceed one-fifth of the total number of threads composing the textile.

When the number of threads of wool, flock wool, hair, or their wastes exceeds one-fifth of the total, the textiles shall be subject to the corresponding duties of Class VI, as textiles mixed with wool.

(c) Cotton textiles containing threads of silk or floss silk shall be dutiable according to the corresponding numbers of group 3, Class IV, with the surtaxes established in each case,¹ provided that the number of silk or floss-silk threads, counted in the warp and weft, does not exceed one-fifth of the total number of threads composing the textile.

When the number of threads of silk or floss silk exceeds one-fifth of the total, the textiles shall be subject to the corresponding duties of Class VII.¹

(d) Textiles of hemp, jute, linen, ramie, or other vegetable fibers, containing threads of wool, flock wool, hair, or their wastes shall be dutiable according to the corresponding numbers of group 2, Class V, with the surtaxes established in each case,² provided that the number of these threads of wool, flock wool, hair, or their wastes, counted in the warp and weft, does not exceed one-fifth of the total number of threads composing the textile.

When the number of threads of wool, flock wool, hair, or their wastes exceeds one-fifth of the total, the textiles shall be subject to the corresponding duties of group 3, Class VI, as textiles mixed with wool.²

(e) Textiles of hemp, jute, linen, ramie, or other vegetable fibers containing threads of silk or floss silk shall be dutiable according to the

¹Class IV, group 3, Rule A.

²Class V, group 2, Rule A.

corresponding numbers of group 2, Class V, with the surtaxes established in each case,¹ provided that the number of these threads of silk or floss silk, counted in the warp and weft, does not exceed one-fifth of the total number of threads composing the textile.

When the number of silk or floss-silk threads exceeds one-fifth of the total, the textiles shall be subject to the corresponding duties of Class VII.¹

(f) Textiles of wool, flock wool, or hair, containing threads of silk, or floss silk, shall be dutiable according to the corresponding numbers of group 3, Class VI, with the surtaxes established in each case,² provided that the number of silk or floss-silk threads does not exceed one-fifth of the total number of threads composing the textile.

When the number of silk or floss-silk threads exceeds one-fifth of the total, the textiles shall be subject to the corresponding duties of Class VII.²

RULE 3. *Admixtures of more than two materials.*—Textiles composed of more than two materials shall be dutiable as follows:

(a) Textiles containing an admixture of wool and cotton, or of wool and other vegetable fibers and, at the same time, threads of silk or of floss silk, shall be subject to the corresponding duties of Class VI, as mixed woollen textiles, whatever be the proportion of the threads of vegetable fibers, and shall in addition be liable to the surtax leviable on the silk or floss-silk threads; provided that the number of these threads counted in the warp and weft does not exceed one-fifth of the total number of threads composing the textile.

When the number of silk or floss-silk threads exceeds one-fifth of the total, the textiles shall be subject to the corresponding duties of Class VII.

(b) Textiles containing an admixture of cotton and other vegetable fibers and at the same time threads of silk or floss silk, shall be subject to the corresponding duties of Class V, and assimilated to textiles of jute, hemp, etc., whatever be the proportion of the cotton threads; they shall, in addition, be liable to the surtax leviable on the silk or floss-silk threads, provided that the number of these threads, counted in the warp and weft, does not exceed one-fifth of the total number of threads composing the textile.

When the number of silk or floss-silk threads exceeds one-fifth of the total, the textiles shall be subject to the corresponding duties of Class VII.

(c) Textiles of an admixture of wool, cotton and other vegetable fibers, containing no silk threads, shall be subject to the corresponding duties of Class V, and shall, in addition, be liable to the surtax leviable on woollen threads, provided that the number of these threads, counted in the warp and weft, does not exceed one-fifth of the total number of threads composing the textile.

When the number of woollen threads exceeds one-fifth of the total, the textiles shall be subject to the corresponding duties of Class VI, as woollen textiles.

RULE 4. *Silk textiles.*—All textiles containing silk or floss-silk threads the number of which, counted in the warp and weft, exceeds one-fifth of the total number of threads composing the textile, shall be considered as textiles of silk.

¹Class V, group 2, Rule A.

²Class VI, group 3, Rule A.

EXCEPTIONS.

For knitted stuffs, tulles, laces, blondes, and ribbons, composed of an admixture, exception to the preceding rules shall be made in the following cases:

RULE 5. *Knitted and netted stuffs.*—All kinds of knitted stuffs and tulles, laces, and blondes, when mixed, shall be dutiable according to the corresponding numbers of the class comprising the threads of the material most highly taxed, whatever be the proportion of such threads in the textile.

Knitted stuffs, laces, blondes, and tulles, comprised in Class VII, shall be considered as textiles mixed with silk when they contain threads of cotton and other vegetable fibers, or of wool or flock wool, whatever be the proportion of such threads in the mixture.

RULE 6. *Ribbons.*—Ribbons and galloons mixed with cotton and other vegetable fibers or with vegetable fibers and wool, containing no silk, shall be subject to the corresponding duties of the class comprising the threads most highly taxed.

Ribbons or galloons containing silk, in whatever proportion, shall be dutiable as textiles according to the corresponding numbers of Class VII.

RULE 7. *Trimmings.*—Trimmings shall be dutiable on the total weight, as if exclusively composed of the apparent or visible textile material.

Trimmings composed on their apparent or visible part of various textile materials shall be subject to the corresponding duties of the class comprising the material most highly taxed. When the predominating component material consists of metallic threads of any kind, the trimmings shall be dutiable according to Class VII.

Trimmings are distinguished from ribbons and galloons by the latter being real textiles, with warp and weft, while trimmings are plaited.

SURTAXES.

RULE 8. *Establishment of surtaxes.*—The surtaxes applicable, owing to *broché*, embroidery, metal threads, or making up, shall always be computed on the duties leviable on the textile by taking into account, if necessary, the increase of such duties in case of admixture.

For the collection of the total duty, the surtaxes applicable for either of the above-mentioned reasons shall, when necessary, be added together.

RULE 9. *Brochés.*—Textiles, *brochés* or woven like brocades, with silk or floss silk, shall be liable to the duties leviable thereon, plus the sur-taxes established in every case.¹

Brochés or brocaded textiles are all textiles with flowers or other ornaments applied by means of a shuttle in such manner that the threads do not occupy the entire width of the stuff but only the space comprising the flower or pattern.

RULE 10. *Embroidery.*—Textiles embroidered by hand or machine after weaving or with application of trimmings shall be liable to the duties leviable thereon, plus the surtaxes established in every case.²

Embroidery is distinguished from patterns woven in the textile as

¹ Class IV, group 3, Rule B, letter (a); and Class V, group 2, Rule B, letter (a).

² Class IV, group 3, Rule B, letter (b); Class V, group 2, Rule B, letter (b).

the latter are destroyed by unraveling the weft of the textile, while embroidery is independent of the warp and weft and can not be unraveled.

RULE 11. *Metallic threads.*—Textiles and trimmings containing metallic threads, in whatever proportion, shall be liable to the duties leviable thereon, plus the surtaxes established in every case.¹

Textiles exclusively composed of metallic threads shall be dutiable according to Class VII.

RULE 12. *Made-up articles.*—Textiles manufactured into articles of all kinds shall be liable to the duties leviable thereon, plus the surtaxes established in every case.²

Ready-made clothing, wearing apparel of all kinds and of any style, and, generally, all articles made up by the seamstress or tailor, shall, for their total weight, be liable to duties leviable on the principal component textile on their most visible exterior part.

For the application of the corresponding surtaxes, clothing and articles, half finished, cut or basted, shall be considered as made-up articles and clothing.

RULES APPLICABLE TO GOODS NOT SPECIALLY MENTIONED AND TO ARTICLES COMPOSED OF SEVERAL MATERIALS.

RULE 13. Articles not enumerated in the tariff shall, for the application of duty, be assimilated to those which they most closely resemble,³ and shall in the first instance be so classified by the collector of the port of entry into which the articles are brought.

When an article presented for appraisal is not mentioned in a number of the tariff or in the repertory, and when doubts arise as to its assimilation to articles specified in the tariff, the interested party or the importer may request the collector at the port of entry to indicate the number according to which such article is dutiable.

In such case, the appraisal shall be made according to the number so indicated.

RULE 14. Articles which, by reason of their nature or their application, are composed of two or more materials or of different parts, as, for instance, the handle of an implement and the implement itself; the glass and frame of a mirror, shall, for the total weight, be taxed according to the material chiefly determining the value of the article.

RULE 15. That each and every imported article, not enumerated in this Act, which is similar, either in material, quality, texture, or the use to which it may be applied, to any article enumerated in this Act as chargeable with duty, shall pay the same rate of duty which is levied on the enumerated article which it most resembles in any of the particulars before mentioned; and if any nonenumerated article equally resembles two or more enumerated articles on which different rates of duty are chargeable, there shall be levied on such nonenumerated article the same rate of duty as is chargeable on the article which it resembles paying the highest rate of duty; and on articles not enumerated, manufactured of two or more materials, the duty shall be assessed at the highest rate at which the same would be chargeable if composed wholly of the component material thereof of chief value; and the

¹ Class IV, group 3, Rule B, letter (c); Class V, group 2, Rule B, letter (c).

² Class IV, group 3, Rule B, letter (d); Class V, group 2, Rule B, letter (d).

³ See Rule 15.

words "component material of chief value," wherever used in this Act, shall be held to mean that component material which shall exceed in value any other single component material of the article; and the value of each component material shall be determined by the ascertained value of such material in its condition as found in the article. If two or more rates of duty shall be applicable to any imported article, it shall pay duty at the highest of such rates.

REGULATIONS TO BE APPLIED TO LEVYING DUTY ON PACKING,
PACKAGES, AND RECEPTACLES.

RULE 16. Exterior common packing, packages, receptacles and coverings of imported merchandise in use and imported with such merchandise, shall be dutiable under their corresponding paragraphs of the tariff except in the case of goods dutiable by gross weight or ad valorem.

Packages and receptacles dutiable at a higher rate than that established for their contents, shall be assessed under their corresponding paragraphs; Provided, that the usual and regular receptacles in current form for the bona fide transportation of the goods they contain shall be dutiable together with the same, if the latter are dutiable by gross weight or ad valorem.

RULE 17. In all cases in which dutiable merchandise shall by its tariff number be dutiable upon the gross weight, the dutiable weight of such merchandise shall include the weight of all covers, receptacles, wrappers, packages and packing of every description, whether exterior, interior, or immediate, without any allowance for tare.

RULE 18. In all cases in which dutiable merchandise shall by its tariff number be dutiable upon net weight, the dutiable weight of such merchandise shall not include the weight of any exterior cover, receptacle, package, wrappers or packing, but shall include all interior or immediate receptacles.

RULE 19. When in a single receptacle are imported goods dutiable by net weight, together with others dutiable by gross weight, the former shall be assessed by their net weight in accordance with the preceding Rule No. 18; and the latter shall be assessed together with the weight of the entire exterior receptacle; or, in case there should be more than one class of goods dutiable by gross weight, they shall be assessed together with the weight of the entire exterior receptacle proportionately divided between them in accordance with their respective net weights.

In the case of goods dutiable by net weight packed together with goods dutiable by unities, the former shall be assessed as above prescribed, and the latter shall pay by unities; the exterior receptacle will then be dutiable by its corresponding paragraph. For the purposes of this rule, goods dutiable ad valorem and goods free of duty shall be considered and appraised as by net weight.

RULE 20. Where merchandise, dutiable upon its net weight, where not otherwise specially provided for, is customarily contained in packing, packages or receptacles of uniform or similar character, it shall be the duty of the Collector of the Islands from time to time to ascertain by tests the actual weight or quantity of such merchandise and the actual weight of the packages, packing or receptacles thereof, respectively, in which such merchandise is customarily imported, and, upon such ascertainment, to prescribe regulations for estimating the dutiable

weight or quantity of such merchandise, and thereafter such merchandise imported in such customary packing, packages and receptacles shall be entered, and the duties thereon levied and collected, upon the basis of such estimated dutiable weight or quantity.

PROHIBITED IMPORTATIONS.

SEC. 6. The importation of the following articles is prohibited:

(1) Dynamite, gunpowder, and similar explosives, and fire arms of all descriptions and detached parts thereof, unless the importer shall produce a special authorization for landing issued to him by the civil governor.

(2) Books, pamphlets, or other printed matter, paintings or illustrations, figures, or other objects, of an obscene or indecent character.

(3) Roulette wheels, gambling layouts, dealing boxes and all other machines, apparatus or mechanical devices used in gambling, or used in the distribution of money, cigars or other articles, when such distribution is dependent upon lot or chance.

SEC. 7. The following abbreviations shall be employed in the tariff:

G. W. = gross weight.	|	Kilo. = kilogram.
N. W. = net weight.		Kilos. = kilograms.
Hectog. = hectogram.		Hectol. = hectoliter.

SEC. 8. Duties shall be paid in United States money except that:

The following coins now in circulation in the Philippine Islands shall be received for customs duties and taxes at the following rates in money of the United States: Peso, fifty cents; Medio Peso, twenty-five cents; Peseta, ten cents; Media Peseta, five cents, but such rates shall be changed in accordance with the quarterly proclamation of the civil governor.

SEC. 9. The metrical system of weights and measures as authorized by sections 3569 and 3570 of the Revised Statutes of the United States, and at present in use in the Philippine Islands, shall be continued.

The meter is equal to 39.37 inches.

The liter is equal to 1.0567 quarts, wine measure.

The kilogram is equal to 2.2046 pounds adverdupois.

SEC. 10. Importations from the United States are dutiable under the provisions of this Act, but no customs duties shall be imposed on articles, goods or merchandise transported only from one place or port to another place or port in the Philippine Islands.

SEC. 11. The rates of duties to be collected on articles, goods and merchandise imported into the Philippine Islands shall be as follows:

CLASS I.—*Stones, earths, ores, glass and ceramic products.*

GROUP I.—STONES AND EARTHS EMPLOYED IN BUILDING, ARTS AND MANUFACTURES.

1. Marble, onyx, jasper, alabaster and similar fine stones:

(a) In the rough, or in dressed pieces squared or prepared for shaping, G. W.	100 kilos..	\$0.50
(b) Slabs, plates or steps of any dimension, polished or not, G. W., 100 kilos		2.00
Marble affixed to or packed with and belonging to furniture shall be liable to the same duty as the furniture.		
(c) Sculptures, high and bas-reliefs, vases, urns and similar articles for house decoration, G. W.	100 kilos..	10.00
(d) Wrought or chiseled into all other articles, polished or not, G. W., 100 kilos		6.00

2. Stones, other, natural or artificial:		
(a) In the rough, unwrought, in rough blocks or cubes, G. W., 100 kilos..	\$0.04	
(b) Crushed stone for pavements and foundations, G. W.	100 kilos..	.10
(c) Slabs, plates or steps, G. W.	100 kilos..	.50
(d) Millstones and grindstones, G. W.	100 kilos..	.25
(e) Wrought into all other articles, N. W.	100 kilos..	1.00
3. Earths employed in manufactures and arts:		
(a) Lime, gypsum, chalk or cement, G. W.	100 kilos..	.04
(b) Other, G. W.	100 kilos..	.20
4. Gypsum manufactured into articles:		
(a) Statuettes, N. W.	100 kilos..	3.00
(b) Other articles, N. W.	100 kilos..	.75
5. Chalk manufactured into articles:		
Billard chalk, red chalk, including French and tailors' chalk, N. W.	kilo..	.03

GROUP 2.—COAL.

6. Coal and coke, G. W.	1,000 kilos..	.25
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GROUP 3.—SCHISTS, BITUMENS AND THEIR DERIVATIVES.

In case of doubt as to the clearance of crude petroleum, the following rules shall be observed:

1. A sample of 200 cubic centimeters shall be taken from each 50 cases or less comprised in the declaration and belonging to the same kind of goods. If the oil is imported in bulk or in tanks, samples of equal quantities shall be taken from each receptacle in which the oil is contained, sufficient to make more than two liters in all after mixing.

2. These samples shall be thoroughly mixed in a large receptacle, and when the discharge of the shipment is terminated, 2 liters are taken therefrom and put into separate bottles, which are sealed and furnished with labels signed by the customs employees and the interested party. These bottles shall be forwarded to the customs chemical expert in order to be assayed.

3. Immediately after this operation the goods shall be cleared and the corresponding duty applied, but the interested party shall always be bound by the results of the analysis, and the clearance shall not be deemed definite until that result be known.

4. The samples must be assayed within one month, and the interested party has the right to be present when the samples are opened and analyzed, provided that he has made a written request to this effect at the time of identifying the samples by affixing his signature to the labels. He may also appeal to the Collector of the Islands from the report of the experts.

5. Should the interested party in his appeal request that a new analysis be made, this operation shall be effected at his expense if the report of the experts be sustained. In contrary cases the expense shall be borne by the Government.

6. The following shall be considered:

(a) As crude oil derived from the distillation of slates or schists, those obtained from first distillation having a specific gravity of from 900 to 920, at a temperature of $21\frac{1}{2}$ Centigrade, or, measured on a Baumé scale for fluids lighter than water, which give a reading from about 27 (corresponding to a specific gravity of about 900) to 22 (corresponding to a specific gravity of about 924).

(b) As crude and natural petroleum, that imported in the state in which found when extracted from the well, and which had undergone no operation whatever, whereby the natural chemical composition is altered or modified. When gradually and continuously distilled up to a temperature of 300° C., this petroleum must leave a residuum exceeding 20 per cent of its primitive weight.

7. Tar and mineral pitch, bitumens, schists, unrefined creosote, asphalt and also asphalt paving blocks, G. W.	100 kilos..	\$0.10
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The customs authorities must take care that under the denomination of tar, or mixtures containing tar, no oils derived from schists are imported. Tar must not contain in appreciable proportions volatile products or oils which might be extracted by means of distillation at 300° Centigrade. Though imported under the name of asphalts, or bitumens, impure paraffin or other products must be included in No. 102 of Class III.

8. Crude oils derived from schists, including crude petroleum and axle grease for cars and carts, G. W. 100 kilos.. \$0.10
 Crude mineral oils mixed with crude animal oils, as well as crude mineral oils mixed with crude vegetable oils when these oils are exclusively destined to lubricating machinery, are likewise dutiable according to this number.
9. Petroleum and other mineral oil, rectified or refined, intended for illumination or lubrication, N. W. 100 kilos.. 1.25
10. Benzine, gasoline, and mineral oils not specially mentioned, including vaseline, G. W. 100 kilos.. 1.25
 All mineral oils not having the properties described in paragraph (a) of Rule 6 of the rules for this group shall be considered as refined.

GROUP 4.—ORES.

11. Ores other than copper, gold, and silver, G. W. 1,000 kilos.. .25

GROUP 5.—CRYSTAL AND GLASS.

12. Common or ordinary hollow glassware and electrical insulators, G. W., 100 kilos .. 80
 (a) Siphons for aerated waters, G. W. 100 kilos.. 2.80
13. Crystal, and glass imitating crystal:
 (a) Articles cut, engraved, painted, enameled, or gilt, G. W. do.... 12.00
 (b) The same, neither cut, engraved, painted, enameled, nor gilt, G. W. 100 kilos.. 5.60
 (c) Lamp chimneys, plain or ground, not decorated, per 100 chimneys .. 25
- NOTE.—Decanters, glasses, tumblers, cups, goblets, saucers, plates, dishes, pitchers, bowls, candlesticks, pillar-lamps, bracket-lamps, and other articles of table service and lighting, white or colored, and statuettes, flower stands, vases, urns, and similar articles for toilet purposes or house decoration are included in this paragraph.
14. Plate glass or plate crystal:
 (a) Slabs for paving or roofing, G. W. 100 kilos.. 1.65
 (b) For windows or in other articles, provided that they are neither polished, beveled, engraved, nor annealed, G. W. 100 kilos.. 2.20
 (c) Window glass set in lead and polished, or beveled plate glass, G. W. 100 kilos.. 4.50
 (d) Articles engraved or enameled, G. W. 100 kilos.. 10.00
15. Mirrors and looking-glasses of glass and crystal:
 (a) Common mirrors; not exceeding 2 mm. in thickness, coated with red or black mercurial varnish, G. W. kilo.. .06
 (b) Other mirrors, not beveled, G. W. kilo.. .10
 (c) Beveled mirrors, G. W. kilo.. .18
16. Other articles and manufactures of glass:
 (a) Spectacles, eyeglasses, and goggles, and glasses for the same, per dozen .. 25
 (b) Incandescent electric lamps, mounted or not.....per hundred.. 2.00
 (c) Other articles, neither cut, engraved, painted, enameled, nor gilt, G. W. 100 kilos.. 4.00
 (d) The same, either cut, engraved, painted, enameled, or gilt, G. W., 100 kilos .. 8.00

NOTE.—Washbowls, wash basins, soap dishes, toothbrush holders, and washstand pitchers are included in this number.

Provided, that none of the articles classified under paragraphs 13 and 16 shall pay a less rate of duty than 30 per cent ad valorem, and none of the articles classified under paragraphs 12, 14, and 15 shall pay a less rate of duty than 20 per cent ad valorem.

GROUP 6.—POTTERY, EARTHENWARE AND PORCELAIN.

17. Common clay:
 (a) In common bricks, fire bricks and squares, unglazed, for building and industrial purposes, G. W. 1,000 kilos.. \$0.30
 (b) Pressed, vitrified or glazed bricks or squares, G. W. 1,000 kilos.. .60
 (c) In tubes or pipes, not varnished, vitrified or glazed, for building or drainage purposes, G. W. 100 kilos.. .10
 (d) In tubes or pipes, varnished, glazed or vitrified, for industrial or drainage purposes, G. W. 100 kilos.. .20

18. Ceramic tiles:			
(a) Varnished, vitrified, or not, plain and undecorated, G. W.,	100 kilos	\$0.32	
(b) The same, glazed, ornamented or decorated, G. W.	100 kilos ..	1.20	
19. Hollow ware, glazed or not, of clay or stoneware:			
(a) Household or kitchen utensils, except dishes or tableware, not	gilt, painted, or ornamented in relief, G. W. 100 kilos ..	.64	
(b) Dishes, tableware, or other articles, not gilt, painted or orna-	mented in relief, G. W. 100 kilos ..	1.60	
(c) Flowerpots of common earthenware and common bottles of the	same, G. W. 100 kilos ..	.80	
(d) Articles, gilt, painted, or ornamented in relief, G. W.	100 kilos ..	4.40	
20. Faience, in dishes or hollow ware:			
(a) Neither painted, gilt, nor ornamented in relief, G. W.	100 kilos ..	2.80	
(b) Gilt, painted, or with ornaments in relief, G. W.	100 kilos ..	6.00	
21. Porcelain, in dishes or hollow ware:			
(a) Neither painted, gilt, nor in relief, G. W.	100 kilos ..	5.60	
(b) Painted, gilt, or with ornaments in relief, G. W.	100 kilos ..	9.60	
Provided, that none of the articles classified under letter (b) of this paragraph shall pay a less rate of duty than 60 per cent ad valorem.			
22. Porcelain, plain, in door knobs, electric insulator and similar articles not	decorated, not otherwise provided for, G. W. 100 kilos ..	4.00	
23. Statuettes, flower stands, vases, high and bas reliefs, articles for toilet pur-	poses and house decoration, all of said articles of clay, faience, stone-	ware, porcelain or bisque, G. W. kilo ..	.25

GROUP 7.—PRECIOUS STONES, PEARLS AND IMITATIONS OF THE SAME, UNSET.

24. Precious stones and doublets, unset: Ad valorem, 15 per cent.
25. Pearls, unset: Ad valorem, 15 per cent.
26. Imitations of precious stones and of pearls, unset: Ad valorem 15 per cent.

CLASS II.—*Metals and all manufactures in which a metal enters as a principal element.*

GROUP 1.—GOLD, SILVER AND PLATINUM, AND ALLOYS OF THESE METALS, AND GOLD AND SILVER PLATE.

27. Gold and platinum or alloys thereof:		
(a) In jewelry, plate and goldsmiths' wares, not otherwise provided	for, N. W. hectog ..	\$12.50
(b) Same set with pearls or precious stones, not otherwise provided	for, N. W. hectog ..	25.00
(c) Same set with doublets, imitation precious stones or imitation	pearls, N. W. hectog ..	17.50
(d) Same manufactured into articles other than jewelry or plate,	except as otherwise specially provided, N. W. hectog ..	3.00
28. Silver:		
(a) In jewelry or plate and silversmiths' wares, not set with pearls or	precious stones, N. W. hectog ..	3.00
(b) In same set with pearls or precious stones, N. W.	..... hectog ..	15.50
(c) In same set with doublets, imitation precious stones, or imitation	pearls, N. W. hectog ..	8.00
(d) Silver manufactured into articles other than jewelry or plate,	N. W. hectog ..	.80
29. Gold and silver plated wares:		
(a) Gold and silver plated jewelry, N. W.	..... kilo ..	2.40
(b) Gold and silver plated wares other than jewelry, N. W.	..... kilo ..	2.00
Provided, that none of the articles classified under paragraphs 27, 28, and 29 shall pay a less rate of duty than 20 per cent ad valorem.		

GROUP 2.—CAST IRON.

Articles of malleable cast iron are dutiable as manufactures of wrought iron.		
30. Pigs, G. W.	..... 100 kilos ..	.10

31. Articles not coated or ornamented with another metal or porcelain, neither polished nor turned:		
(a) Bars, beams, plates, grates for furnaces, columns and pipes, G. W., 100 kilos		\$0.35
(b) Lubricating boxes for railway trucks and carriages, and railway chairs, G. W.	100 kilos..	.30
(c) Articles, other, not elsewhere mentioned, G. W.	100 kilos..	.75
32. Articles of all kinds not coated or ornamented with another metal or porcelain, either polished or turned, N. W.	100 kilos..	1.20
33. Articles of all kinds, enameled, bronze gilt, tinned or coated, or ornamented with other metals or porcelain, N. W.	100 kilos..	2.00

GROUP 3.—WROUGHT IRON AND STEEL.

34. Iron, soft or wrought, in ingots or "tochos," steel in ingots, G. W., 100 kilos. ....		.24
35. Wrought iron or steel, rolled:		
(a) Rails, G. W.	100 kilos..	.30
(b) Bars and beams, neither perforated, riveted, with screws, nor cut to measure, of all kinds (excepting fine crucible steel) including rods, tires, and hoops, G. W.	100 kilos..	.60
The rods in question are iron or steel rods exceeding eight millimeters in thickness employed in the manufacture of iron wire.		
(c) The same, of crucible steel, G. W.	100 kilos..	1.05
Crucible steel is distinguishable from bar and other pieces of iron or common steel by its sharp edges. The surface is very smooth, of a bluish color darker than that of iron and its fracture is close grained. (This steel is generally imported in round, triangular, square, octagonal or flat bars.)		
36. Wrought iron and steel sheets, rolled:		
(a) Neither polished nor tinned and hoop iron, G. W.	100 kilos..	.78
By hoop iron (fleges) shall be understood unpolished, flat bands or circles less than 3 mm. in thickness.		
(b) Tinned and tin plate, G. W.	100 kilos..	1.00
(c) Polished, corrugated, perforated, cold rolled, galvanized, or not, and bands of polished hoop iron, G. W.	100 kilos..	.90
37. Wrought iron or steel:		
Cast in pieces in the rough, neither polished, turned, nor adjusted, weighing each—		
(a) 25 kilos or more, G. W.	100 kilos..	.75
(b) Less than 25 kilos, G. W.	100 kilos..	1.00
38. Wrought iron or steel cast in pieces, finished:		
(a) Wheels weighing more than 100 kilograms, fish-plates, chairs, sleepers, and straight axles; springs for railways and tramways; lubricating boxes, G. W.	100 kilos..	.45
(b) Wheels weighing 100 kilograms or less; springs other than for railways and tramways; bent axles and cranks, G. W., 100 kilos.		1.05
39. Wrought iron or steel pipes:		
(a) Covered with sheet brass, G. W.	100 kilos..	1.40
(b) Other, galvanized or not, G. W.	100 kilos..	1.05
40. Wrought iron or steel wire, galvanized or not:		
(a) 2 mm. or more in diameter, N. W.	100 kilos..	.75
(b) More than half and less than 2 mm. in diameter, N. W.	100 kilos..	1.00
(c) ½ mm. or less in diameter and wire covered with a textile, N. W.	100 kilos..	1.40
41. Wrought iron or steel in large pieces, composed of bars or bars and sheets fastened by means of rivets or screws; the same, unriveted, perforated, or cut to measure for bridges, frames, and other buildings, G. W.	100 kilos..	1.00
42. Anchors, iron or steel plates for vessels, chains for vessels or machines, moorings, switches and signal disks, G. W.	100 kilos..	.50
43. Anvils, G. W.	100 kilos..	1.75
44. Wire gauze:		
(a) Up to 40 threads per square inch, N. W.	100 kilos..	1.75
(b) Of 40 threads or more per square inch, N. W.	kilo..	.04
45. Cables, fencing (barbed wire), netting; furniture springs, N. W.	100 kilos..	.75

46. Tools and implements, not apparatus, of wrought iron or steel:		
(a) Fine, for arts, trades and professions, partly or wholly of crucible steel, N. W	100 kilos..	\$5.00
(b) Other, N. W	100 kilos..	1.50
Provided, that none of the articles classified under this paragraph shall pay a less rate of duty than 15 per cent. ad valorem.		
47. Screws, nuts, bolts, washers, and rivets, N. W	100 kilos..	2.00
48. Nails, clasp nails, tacks and brads, N. W	100 kilos..	1.00
49. Saddlery hardware:		
(a) Common, made of iron or steel, common bits, spurs, and all finishes of common harness, not nicked or covered with other metals or materials, N. W	100 kilos..	3.00
(b) The same ornamented, nicked or covered with other materials, N. W	100 kilos..	6.00
50. Buckles, not gold or silver plated:		
(a) Bronze gilt, silvered or nicked, N. W	kilo..	.20
(b) Others, N. W	kilo..	.15
51. Sewing and embroidering needles, pens, N. W	kilo..	.30
52. Common pins, hooks and eyes, N. W	kilo..	.30
53. Crochet hooks and the like, hairpins, N. W	kilo..	.30
54. Cutlery:		
(a) Butchers', shoemakers', saddlers', kitchen, bread, vegetable, cheese, plumbers', and painters' knives, with wooden handles, table knives and forks, with wood handles, scissors and shears, with glazed or japanned bows, N. W	kilo..	.15
(b) Pocket cutlery, side arms (not fire), and parts for the foregoing; razors, N. W	kilo..	.60
(c) Pruning and budding knives, grass, garden, hedge, pruning, and sheep shears, N. W	kilo..	.05
(d) Surgical and dental instruments, fishing hooks, and all other cutlery, including scissors and shears not otherwise provided for, N. W	kilo..	.30
Provided, that none of the articles classified under paragraphs 51, 52, 53, and 54 shall pay a less rate of duty than 15 per cent ad valorem.		
55. Small arms and barrels:		
(a) Barrels, unfinished, for portable arms, N. W	kilo..	.25
(b) Barrels, finished, for portable arms, N. W	kilo..	.60
(c) Pistols and revolvers, also their detached parts, except barrels, N. W	kilo..	3.00
56. Other arms, breech and muzzle loading, and detached parts thereof, except barrels, N. W	kilo..	2.00
57. Manufactures of tin plate, N. W	100 kilos..	5.00
58. Wrought iron or steel in common articles of all kinds not specially mentioned, though coated with lead, tin, or zinc, or painted or varnished, N. W	100 kilos..	2.50
59. Wrought iron or steel in articles of all kinds not specially mentioned, fine, i. e., polished, enameled, coated with porcelain, nickel, or other metals (with the exception of lead, tin, zinc, gold or silver), or with ornaments, borders, or parts of other metals (except gold or silver), or combined with glass or earthenware, N. W	100 kilos..	4.00
Provided, that none of the articles classified under this paragraph shall pay a less rate of duty than 15 per cent ad valorem.		

GROUP 4.—COPPER AND ALLOYS OF COMMON METALS WITH COPPER (BRASS, BRONZE, ETC.).

60. Copper scales (<i>laminæ</i>) copper of first fusion, old copper, brass, etc., G. W	100 kilos..	1.50
61. Copper and alloys of copper; in ingots, G. W	100 kilos..	2.00
62. The same rolled in bars of all kinds, G. W	100 kilos..	2.25
63. The same rolled in sheets, G. W	100 kilos..	2.50
64. The same in wire, galvanized or not, N. W	100 kilos..	4.50
(a) Silvered or nicked, N. W	kilo..	.35
65. The same in wire, covered with textiles, not elsewhere provided for, or with insulating materials, cables for conducting electricity over public thoroughfares, N. W	100 kilos..	5.00
66. The same in wire gauze:		
(a) Up to 200 threads per inch, N. W	kilo..	.04
(b) Of 200 threads or more per inch, N. W	kilo..	.10

67. The same in pipes, bearings, plates for fireplaces, and boiler-makers' wares, partially wrought, G. W.	100 kilos..	\$3.25
68. The same in nails and tacks, crochet hooks, pins, pens and hairpins:		
(a) Nails and tacks, bronze gilt, or nickled, N. W.	kilo..	.20
(b) Nails and tacks, other, N. W.	kilo..	.05
(c) Pins, pens, crochet hooks, hairpins, N. W.	kilo..	.30
69. Copper and alloys of copper:		
(a) In articles not specially mentioned, varnished or not, N. W.	kilo..	\$0.15
(b) In articles of bronze gilt or nickled, not specially mentioned, except when exclusively used for sanitary constructions, N. W.	kilo..	.50
(c) In articles of bronze gilt or nickled, when exclusively used for sanitary constructions, N. W.	kilo..	.20

By "sanitary constructions" are meant the fixtures, fittings and attachments such as pipes, valves, drains, spigots, basins, faucets, and douches, used in modern sanitary house-plumbing, and for bath rooms.

Provided, that none of the articles classified under this paragraph shall pay a less rate of duty than 15 per cent ad valorem.

GROUP 5.—OTHER METALS AND OTHER ALLOYS.

70. Mercury, G. W.	kilo..	.10
71. Nickel, aluminum and their alloys:		
(a) In lumps or ingots, G. W.	100 kilos..	4.00
(b) In bars, sheets, pipes and wire, N. W.	100 kilos..	6.00
(c) In other articles of all kinds, N. W.	kilo..	.10
72. Tin and alloys thereof:		
(a) In lumps or ingots, G. W.	100 kilos..	2.00
(b) In bars, sheets, pipes and wire, N. W.	100 kilos..	3.50
(c) Hammered in thin leaves (tin foil) and capsules for bottles, N. W.	kilo..	.05
(d) In other articles of all kinds, N. W.	kilo..	.50
73. Zinc, lead and other metals, not specially mentioned, as well as their alloys:		
(a) In lumps or ingots, G. W.	100 kilos..	.50
(b) In bars, sheets, pipes and wire, including shot, G. W.	100 kilos..	.75
(c) Articles bronze gilt or nickled, except when exclusively used for sanitary construction, N. W.	kilo..	.50
(d) Articles bronze gilt or nickled, when used exclusively for sanitary construction, N. W.	kilo..	.20
(e) Zinc nails and tacks, neither bronze gilt or nickled, N. W.	kilo..	.06
(f) In other articles, including type, N. W.	kilo..	.15

Provided, that none of the articles classified under this paragraph shall pay a less rate of duty than 15 per cent ad valorem.

GROUP 6.—WASTES AND SCORIÆ.

74. Filings, shavings, cuttings of iron or steel, and other wastes of cast iron or from the manufacture of common metals, fit only for resmelting, G. W.	100 kilos..	.15
75. Scoriæ resulting from the smelting of ores, G. W.	100 kilos..	.03

CLASS III.—*Substances employed in pharmacy and chemical industries, and products composed of these substances.*

GROUP 1.—SIMPLE DRUGS.

76. Oleaginous seed, copra or cocoanuts, G. W.	100 kilos..	\$0.30
77. Resins and gums:		
(a) Colophony, pitch (vegetable), and similar products, G. W., 100 kilos. ....		.25
(b) Spirits of turpentine, N. W.	100 kilos..	1.75
(c) Caoutchouc and gutta-percha, raw or melted in lumps, G. W., 100 kilos.		3.00
73. Extracts of licorice, camphor, aloes, and other similar vegetable juices not elsewhere provided for, N. W.	100 kilos..	\$5.00
79. Tan bark, G. W.	100 kilos..	.10

80. Opium:		
(a) Crude, N. W	kilo..	\$3.00
(b) The same manufactured or prepared for smoking or other purposes, N. W	kilo..	3.50
81. Other similar vegetable products not mentioned specially, N. W.	100 kilos..	2.50
82. Animal products employed in medicine not specially mentioned, N. W., 100 kilos		1.50

GROUP 2.—COLORS, DYES, AND VARNISHES.

83. Natural colors (ochers, etc.), in powder or lumps, G. W	100 kilos..	25
84. Artificial colors of metallic bases:		
(a) White and red lead in powder or lumps, N. W	100 kilos..	1.00
(b) White and red lead prepared in the paste, oil or water, also lead or colored pencils, N. W	100 kilos..	3.00
(c) Other artificial colors of metallic bases, in powder or lumps, N. W., 100 kilos		2.00
(d) Other artificial colors of metallic bases prepared in paste, oil, or water, N. W	100 kilos..	5.00
All prepared paints of metallic bases, ready for use, mixed with other oil than linseed oil or turpentine, and all prepared paints of metallic bases, ready for use, containing barytes, chalk, terra alba or iron rust shall be dutiable under paragraph <i>d</i> of this number, with a surtax of 50 per cent.		
85. Other artificial colors in powder, crystals, lumps or paste, including lithographic inks, and charcoal pencils for drawing, N. W	kilo..	15
86. Natural dyes:		
(a) Woods, barks, roots, etc., for dyeing, G. W	100 kilos..	20
(b) Madder or rubian, G. W	100 kilos..	2.25
(c) Indigo and cochineal, G. W	kilo..	10
87. Artificial dyes:		
(a) Extracts from logwood, orchilla, and other dyeing extracts, N. W., 100 kilos		1.00
(b) Writing and drawing inks, N. W	100 kilos..	4.00
(c) Printing inks, N. W	100 kilos..	2.00
(d) Colors derived from coal, N. W	kilo..	15
88. Varnishes, N. W	100 kilos..	4.00
89. Blacking of all kinds, N. W	100 kilos..	3.00

GROUP 3.—CHEMICAL AND PHARMACEUTICAL PRODUCTS.

90. Simple bodies:		
(a) Sulphur, G. W	100 kilos..	15
(b) Bromine, boron, iodine, and phosphorus, N. W	kilo..	18
91. Inorganic acids:		
(a) Hydrochloric, boric, nitric, and sulphuric acid; also aqua regia, G. W., 100 kilos		20
(b) Liquid carbonic acid, N. W	100 kilos..	5.00
(c) Other, N. W	100 kilos..	5.00
92. Organic acids:		
(a) Oxalic, citric, tartaric and carbonic, G. W	100 kilos..	1.00
(b) Oleic, stearic, palmitic, G. W	100 kilos..	1.40
(c) Acetic, G. W	100 kilos..	6.00
(d) Other, G. W	100 kilos..	5.00
93. Oxides and oxyhydrates of ammoniac, potash, and other caustic and barilla alkalies, G. W	100 kilos..	25
94. Inorganic salts:		
(a) Chloride of sodium (common salt), crude, G. W	100 kilos..	20
(b) Chloride of sodium (common salt), ground, powdered, or otherwise manufactured, G. W	100 kilos..	50
(c) Chloride of potassium; sulphates of soda, iron or magnesia, carbonate of magnesia, alum, G. W	100 kilos..	45
(d) Sulphate of ammoniac; phosphates and superphosphates of lime, nitrate of potash and soda, G. W	100 kilos..	03
(e) Other salts of ammoniac, salts of copper, chloride of lime, sulphate of potash, hyposulphite of soda, borax, and sal soda, G. W., 100 kilos		75
(f) Chlorates of soda and potash, G. W	100 kilos..	1.80

95. Organic salts:		
(a) Acetates and oxalates, G. W.....	100 kilos..	\$2. 50
(b) Citrates and tartrates, N. W.....	100 kilos..	3. 00
96. Alkaloids and their salts, except those of cinchona bark; chlorides of gold and silver, N. W.....	kilo..	6. 75
97. Chemical products not specially mentioned, N. W.....	kilo..	. 02
98. Pills (except quinine pills), capsules or medicinal dragées and the like, N. W.....	kilo..	. 25
99. Pharmaceutical products not specially mentioned, including Chinese and other similar medical preparations, and materials used exclusively therefor not otherwise provided for, N. W.....	kilo..	. 25

Provided, that none of the articles classified under paragraphs 97, 98, and 99 shall pay a less rate of duty than 15 per cent ad valorem.

GROUP 4.—OIL, FATS, WAX AND THEIR DERIVATIVES.

100. Vegetable oils:		
(a) Solid (cocoanut, palm, etc.), G. W.....	100 kilos..	1. 00
(b) Liquid (except olive oil), G. W.....	100 kilos..	1. 25
101. Animal oils and animal fats:		
(a) Cod-liver oil and other medicinal oils not refined, G. W.....	100 kilos..	1. 50
(b) Glycerine, olein, stearine, and spermaceti, crude, G. W.....	100 kilos..	1. 40
(c) Other crude oils and fats, G. W.....	100 kilos..	. 50
(d) Cod liver oil and other medicinal oils, refined, but not in the form of a pharmaceutical product or preparation, G. W.....	100 kilos..	5. 00
102. Mineral, vegetable, and animal wax, unwrought, and paraffin in lumps, G. W.....	100 kilos..	2. 00
103. Articles of stearine and paraffin; wax of all kinds wrought, N. W., 100 kilos.....		5. 00
104. Soap:		
(a) Common soap in bars, including castile soap, made of olive oil; also ordinary scouring compositions, N. W.....	kilo..	. 01
(b) Ordinary toilet soaps in bars, cakes, or tablets, N. W.....	kilo..	. 10
(c) Fine toilet soaps, whether fancy, perfumed, or not, and all others, including so-called medicinal or medicated soaps, N. W.....	kilo..	. 20
105. Perfumery:		
(a) Essential oils, extracts, and products used in the preparation of perfumery, including musk, N. W.....	kilo..	\$5. 00
(b) All other kinds of perfumery not otherwise provided for; powders and oils for toilet purposes, N. W.....	kilo..	. 50

Provided, that none of the articles classified under paragraph 105 shall pay a less rate of duty than 25 per cent ad valorem.

GROUP 5.—VARIOUS.

106. Artificial or chemical fertilizers, G. W.....	100 kilos..	. 05
107. Starch and fecule for industrial purposes, N. W.....	100 kilos..	2. 00
108. Dextrine, N. W.....	100 kilos..	1. 00
109. Glues, albumens, and gelatin, G. W.....	100 kilos..	4. 00
110. Carbons prepared for electric lighting, G. W.....	100 kilos..	5. 00
111. Gunpowder and explosive compounds:		
(a) Gunpowder, explosive compounds and miners' fuses, N. W., 100 kilos.....		5. 00
(b) Gunpowder, sporting and other explosives not intended for mines, including fireworks of all kinds, N. W.....	kilo..	. 20

All gunpowder intended for any kind of firearms, capable of passing through a metallic riddle with round holes $2\frac{1}{2}$ m. m. in diameter, shall be considered as sporting.

CLASS IV.—Cotton and its manufactures.

GROUP 1.—RAW COTTON.

112. Raw cotton, with or without seed, and cotton waste, N. W....	100 kilos..	. 50
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Cotton yarns and threads of less than 20 centimeters in length shall be considered as waste of spun cotton.

GROUP 2.—YARNS.

Rule applicable to goods classed in the present group:

A meter of No. 1 cotton yarn of a single thread weighs 59 centigrams. To ascertain the number to which a cotton yarn corresponds any number of the meters thereof may be taken. The number of meters so taken must be multiplied by 59 and the product thereof must be divided by the number of centigrams that the tested length of yarn weighs. The quotient so obtained will be the number of the tested yarn, if of not more than one thread. If the yarn is of more than one thread, the quotient must be multiplied by the number of threads, and to give the proper number 7 per cent must be added if not dyed, or 10 per cent if dyed.

113. Yarn in hanks:		
(a) Bleached or unbleached, N. W.....	kilo..	\$0.10
(b) Dyed, N. W.....	kilo..	.15
114. Yarn in cops, bobbins or spools unbleached, including weight of bobbins, spool, etc.:		
(a) Up to No. 13, N. W.....	kilo..	.09
(b) No. 14 to No. 25, N. W.....	kilo..	.11
(c) No. 26 to No. 35, N. W.....	kilo..	.13
(d) No. 36 to No. 45, N. W.....	kilo..	.16
(e) No. 46 and above, N. W.....	kilo..	.20
115. The same bleached or dyed, including weight of bobbins, spools, etc.:		
(a) Up to No. 13, N. W.....	kilo..	.14
(b) No. 14 to No. 25, N. W.....	kilo..	.16
(c) No. 26 to No. 35, N. W.....	kilo..	.18
(d) No. 36 to No. 45, N. W.....	kilo..	.22
(e) No. 46 and above, N. W.....	kilo..	.25
116. Yarns or threads for sewing, crocheting, darning or embroidering, including the weight of the reel or spools, N. W.....	kilo..	\$0.20
(a) Thread for sewing sails, wrapping twine and cord, twisted or braided, including the weight of the reels, N. W.....	kilo..	.12
(b) Wicks for making candles or matches, including the weight of the reels, N. W.....	kilo..	.06

GROUP 3.—TEXTILES.

RULE A. When the textiles included in the numbers of this group contain an admixture, they shall, according to kind, be liable to the following surtaxes (see Rules 2 to 12, inclusive):

1. Cotton textiles containing threads of hemp, jute, linen, ramie or pita, shall be liable to a surtax of 15 per cent of the duties applicable thereto, provided that the number of these threads of hemp, jute, linen, ramie, or pita, counted in the warp and weft, does not exceed one-fifth of the total number of threads composing the textile.

When the number of threads of hemp, jute, linen, ramie, etc., exceeds one-fifth of the total, the textiles shall be subject to the corresponding duties of Class V.

2. Cotton textiles containing threads of wool, flock wool, hair, or wastes of these materials, shall be liable to a surtax of 35 per cent of the duties applicable thereto, provided that the number of threads of wool, flock wool, hair, or their wastes, counted in the warp and weft, does not exceed one-fifth of the total number of threads composing the textile.

When the number of threads of wool, flock wool, hair or their wastes exceeds one-fifth of the total, the textiles shall be subject to the corresponding duties of Class VI, as textiles mixed with wool.

3. Cotton textiles containing threads of silk or floss silk, shall be liable to a surtax of 70 per cent of the duties applicable thereto, provided that the number of silk or floss silk threads, counted in the warp and weft, does not exceed one-fifth of the total number of threads composing the textile.

When the number of threads of silk or floss silk exceeds one-fifth of the total, the textiles shall be subject to the corresponding duties of Class VII.

The provisions of this rule shall not apply to knitted stuffs, tulles, laces, and blondes (see Rule 5), to ribbons (Rule 6), or to trimmings (Rule 7).

RULE B. Articles included in this group, which are within the undermentioned conditions, shall be liable to the following surtaxes (see Rules 2 to 12, inclusive):

(a) Textiles brochés, or woven like brocades with silk or floss silk shall be liable to the duties leviable thereon, plus a surtax of 15 per cent.

(b) Textiles embroidered by hand or by machine after weaving or with application of trimmings shall be liable to the duties leviable thereon, plus a surtax of 30 per cent.

Should the embroidery contain threads, purl, or spangles of common metal or of silver, the surtax shall amount to 60 per cent of the duties applicable to the textile.

When the threads, purl or spangles are of gold, the surtax shall be 100 per cent.

(c) Textiles and trimmings containing threads, or purl of common metals or silver shall be liable to a surtax of 50 per cent of the duties leviable thereon.

When the threads or purl are of gold the surtax shall amount to 100 per cent.

(d) Textiles entirely or partially made up into sacks shall be liable to the duties applicable thereto, plus a surtax of 15 per cent.

Shawls called "*mantones*" and "*panalones*," traveling rugs, counterpanes, sheets, towels, tablecloths and napkins, mantles, veils, shawls, hemmed fichus and handkerchiefs shall, for the making up, be liable to a surtax of 30 per cent of the duties leviable thereon.

Other made-up articles, wearing apparel and clothing of all kinds, except corsets and the articles provided for in paragraph 125, finished, half finished, cut, or simply basted, shall, for their total weight, be liable to the duties leviable on the principal component textile on their most visible exterior part, plus a surtax of 100 per cent.

117. Textiles plain and without figures, napped or not, weighing 10 kilograms or more per 100 square meters, unbleached, or dyed, and

Textiles plain and without figures, stamped or printed, napped or not, measuring not over 65 centimeters in width, weighing 8 kilograms or more per 100 square meters, and

Textiles plain and without figures, not stamped or printed, whatever be their width, weighing 8 kilograms or more per 100 square meters, having:

(a) Up to 18 threads, N. W	kilo..	\$0. 10
(b) From 19 to 30 threads, N. W	kilo..	. 14
(c) From 31 to 38 threads, N. W	kilo..	. 18
(d) 39 threads or more, N. W	kilo..	. 28

(e) The same textiles printed or manufactured with dyed yarns: Dutiable as the textile, with a surtax of 30 per cent.

118. Other textiles plain and without figures, napped or not, weighing less than 10 kilos per 100 square meters, unbleached, bleached or dyed, having:

(a) Up to 12 threads, N. W	kilo..	. 15
(b) From 13 to 22 threads, N. W	kilo..	. 20
(c) From 23 to 30 threads, N. W	kilo..	. 27
(d) From 31 to 38 threads, N. W	kilo..	. 37
(e) 39 threads or more, N. W	kilo..	. 50

(f) The same textiles, printed or manufactured with dyed yarns: Dutiable as the textile with a surtax of 40 per cent.

119. Textiles twilled or figured on the loom, napped or not, weighing 10 kilograms or more per 100 square meters, unbleached, bleached, or dyed, having:

(a) Up to 12 threads, N. W	kilo..	. 12
(b) From 13 to 22 threads, N. W	kilo..	. 14
(c) From 23 to 30 threads, N. W	kilo..	. 16
(d) From 31 to 38 threads, N. W	kilo..	. 255
(e) 39 threads or more, N. W	kilo..	. 335

(f) The same textiles, printed or manufactured with dyed yarns: Dutiable as the textile with a surtax of 30 per cent.

120. Textiles twilled or figured on the loom, napped or not, weighing less than 10 kilograms per 100 square meters, unbleached, bleached or dyed, having:

(a) Up to 12 threads, N. W	kilo..	. 18
(b) From 13 to 22 threads, N. W	kilo..	. 23
(c) From 23 to 30 threads, N. W	kilo..	. 32
(d) From 31 to 38 threads, N. W	kilo..	. 43
(e) 39 threads or more, N. W	kilo..	. 55

(f) The same textiles, printed or manufactured with dyed yarns: Dutiable as the textile with a surtax of 40 per cent.

121. Textiles for counterpanes, N. W	kilo..	\$0.24
122. Piqués of all kinds, N. W	kilo..	.45
123. Carded textiles in blankets and other articles:		
(a) Unbleached or half bleached, N. W	kilo..	.08
(b) Bleached or dyed in the piece, N. W	kilo..	.14
(c) Stamped, printed, or manufactured with dyed yarns, N. W	kilo..	.20
NOTE.—Blankets in pairs, hemmed or bound, and separate blankets shall be considered as made-up articles for the application of the corresponding surtax.		
124. Plushes, velvets, velveteens, and all pile fabrics, cut or uncut, N. W	kilo..	.47
125. Knitted goods, even with needlework: ¹		
(a) In the piece, N. W	kilo..	.15
(b) Jerseys, undershirts, and drawers, N. W	kilo..	.35
(c) Stockings, socks, gloves, and other small articles, N. W	kilo..	.40
Provided that none of the articles classified under this paragraph shall pay a less rate of duty than 25 per cent ad valorem.		
NOTE.—The articles classified under this paragraph shall have no surtax for the making-up, but shall be liable to such other surtaxes as may be applicable.		
126. Tullies of all widths: ²		
(a) Plain, N. W	kilo..	.70
(b) Figured or embroidered on the loom, N. W	kilo..	.92
Tullies embroidered or figured after weaving, out of the loom, shall have a surtax of 30 per cent of the duties.		
127. Laces and blondes of all kinds:		
(a) Lace curtains, bedspreads and pillow shams, and lace for borders exceeding 38 centimeters in width, unhemmed, hemmed, or bound, N. W	kilo..	.90
(b) Laces not exceeding 38 centimeters and not less than 25 centimeters in width, N. W	kilo..	1.25
(c) Laces less than 25 centimeters in width, N. W	kilo..	1.40
128. Carpets of cotton, N. W	kilo..	.15
129. Textiles called tapestry, for upholstering furniture and for curtains manufactured with dyed yarns; table covers and counterpanes of the same kind, N. W	kilo..	.32
130. Wicks for lamps, N. W	kilo..	.15
131. Trimmings of cotton, tape, ribbons and galloons (3 ⁴) N. W	kilo..	.52
132. Shoe and corset laces, N. W	kilo..	.35
133. Rope and cordage, G. W	100 kilos..	6.00
134. Cinches and saddle girths, N. W	kilo..	.25
(a) Ribbons or bands for the manufacture of the same, N. W	kilo..	.12
135. Waterproof or caoutchouc stuffs on cotton textiles, or elastic textiles manufactured with threads of gum elastic, N. W	kilo..	.15

CLASS V.—*Hemp, flax, aloe, jute, and other vegetable fibers and their manufactures.*

GROUP 1.—RAW AND SPUN.

136. Hemp, raw or hackled, N. W	100 kilos..	\$1.10
137. Flax, raw or hackled, N. W	100 kilos..	1.25
138. Jute, aloe and other vegetable fibers, N. W	100 kilos..	.40
139. Yarn of hemp or flax, from 8 lea and finer, N. W	kilo..	.07
140. Yarn of jute, not finer than 5 lea, N. W	kilo..	.015
141. Yarn of hemp and flax, not finer than 8 lea, and yarn of jute, finer than 5 lea, inclusive, N. W	kilo..	.05

¹Knitted goods, mixed with other vegetable fibers, wool, silk, or floss silk, shall respectively be dutiable according to the corresponding numbers of Classes V, VI, and VII. (See Rule 5.)

²When these articles are mixed in any proportion with linen or silk, they shall respectively be included in the corresponding numbers of Classes V and VI. (Rule 5.)

³See Rules 7 and 11.

⁴Ribbons and galloons containing in any proportion threads of other vegetable fibers, wool, or silk, shall respectively be subject to the corresponding numbers of Classes V, VI, and VII. (See Rule 6.)

142. Yarn of aloe and other vegetable fibers, not elsewhere mentioned, up to No. 12, inclusive, N. W.....	100 kilos..	\$1. 50
143. The same from No. 13 upward, N. W.....	100 kilos..	2. 75
144. Threads, twines, cords, and yarns, twisted, of two or more ends, hammocks and fishing nets, N. W.....	kilo..	. 225
145. Gunny bags.....	each..	. 02
146. Rope and cordage:		
(a) Twine or rope yarn and cord; also cordage and ropemakers' wares of hemp, flax, jute, or other fibers, not exceeding 3 mm. in thickness, G. W.....	100 kilos..	6. 00
(b) Cordage and ropemakers' wares, of hemp, flax, jute or other fibers, exceeding 3 mm. in thickness, G. W.....	100 kilos..	6. 00

By the cordage dutiable under this number shall be understood yarn twisted in two or more strands, ten meters of which shall weigh more than five grams.

GROUP 2.—TEXTILES.

RULE A. When the textiles included in the numbers of this group contain an admixture they shall, according to kind, be liable to the following surtaxes (*see* Rules 2 to 12 inclusive):

1. Textiles of hemp, jute, linen, ramie or pita containing threads of wool, flock wool, hair or their wastes, shall be liable to a surtax of 40 per cent of the duties applicable thereto, provided that the number of these threads of wool, flock wool, hair, or their wastes, counted in the warp and weft, does not exceed one-fifth of the total number of threads composing the textile.

When the number of threads of wool, flock wool, hair, or their wastes exceeds one-fifth of the total, the textiles shall be subject to the corresponding duties of group 3, Class VI, as textiles mixed with wool.

2. Textiles of hemp, jute, linen, ramie or pita containing threads of silk or floss silk shall be liable to a surtax of 60 per cent of the duties applicable thereto, provided that the number of these threads of silk or floss silk, counted in the warp and weft, does not exceed one-fifth of the total number of threads composing the textile.

When the number of silk or floss-silk threads exceeds one-fifth of the total, the textiles shall be subject to the corresponding duties of Class VII.

3. Textiles of cotton containing an admixture of hemp, linen, ramie, jute or other vegetable fibers, and at the same time threads of silk or floss silk, shall be dutiable according to the corresponding numbers of this group (*see* Rule 4, letter *b*), with a surtax of 60 per cent, provided that the number of silk or floss-silk threads, counted in the warp and weft, does not exceed one-fifth of the total number of threads composing the textile.

When the number of threads of silk or floss silk exceeds one-fifth of the total, the textiles shall be subject to the corresponding duties of Class VII.

The provisions of this rule shall not apply to knitted stuffs, tulles, laces, and blondes (*see* Rule 5), to ribbons (*see* Rule 6), or to trimmings (*see* Rule 7).

RULE B. Articles included in this group which are within the undermentioned conditions shall be liable to the following surtaxes (Rules 2 to 12 inclusive):

(a) Textiles *brochés* or woven like brocades with silk or floss silk shall be liable to the duties leviable thereon, plus a surtax of 30 per cent.

(b) Textiles embroidered by hand or by machine after weaving or with application of trimmings, shall be liable to the duties leviable thereon, plus a surtax of 30 per cent.

Should the embroidery contain threads, purl, or spangles of common metals or of silver, the surtax shall amount to 60 per cent of the duties applicable to the textile.

When the threads, purl, or spangles are of gold, the surtax shall be 100 per cent.

(c) Textiles and trimmings containing threads of purl of common metals or silver shall be liable to a surtax of 50 per cent of the duties leviable thereon.

When the threads or purl are of gold, the surtax shall amount to 100 per cent.

(d) Textiles entirely or partially made up into sacks shall be liable to the duties applicable thereto, plus a surtax of 15 per cent.

Sheets, towels, tablecloths and napkins, mantles, veils, shawls, hemmed fichus and handkerchiefs shall, for the making up, be liable to a surtax of 30 per cent of the duties leviable thereon.

Other made-up articles, wearing apparel and clothing of all kinds, except

the articles provided for in paragraph 152, finished or half finished, cut, or simply basted, shall, for their total weight, be liable to the duties leviable on the principal component textile on their most visible exterior part, plus a surtax of 100 per cent.

147. Textiles of hemp, linen, ramie, jute, or other vegetable fibers, not specially mentioned, plain, twilled, or damasked, weighing 35 kilograms or more per 100 square meters,¹ unbleached or dyed in the piece, having:
- (a) Up to 10 threads, unbleached, used for bagging and baling, N. W., kilo..... \$0. 02
 - (b) Up to 10 threads, for other purposes, N. W..... kilo..... .04
 - (c) From 11 to 18 threads, N. W..... kilo..... .14
 - (d) The same textiles, bleached, half bleached, or printed: Dutiable as the textile, with a surtax of 15 per cent.
 - (e) The same textiles manufactured with dyed yarn: Dutiable as the textile, with a surtax of 25 per cent.
148. Textiles, plain, twilled, or damasked, weighing from 20 to 35 kilograms per 100 square meters, unbleached or dyed in the piece, having:
- (a) Up to 10 threads, unbleached, used for bagging and baling, N. W., kilo..... .04
 - (b) Up to 10 threads, for other purposes, N. W..... kilo..... .09
 - (c) From 11 to 18 threads, N. W..... kilo..... .13
 - (d) From 19 to 24 threads, N. W..... kilo..... .18
 - (e) From 25 to 30 threads, N. W..... kilo..... .24
 - (f) From 31 to 38 threads, N. W..... kilo..... .30
 - (g) 39 threads or more, N. W..... kilo..... .35
 - (h) The same textiles, bleached or printed: Dutiable as the textile, with a surtax of 25 per cent.
 - (i) The same textiles, manufactured with dyed yarns: Dutiable as the textile, with a surtax of 40 per cent.
149. Textiles, plain, twilled, or damasked, weighing from 10 to 20 kilograms per 100 square meters,¹ unbleached or dyed in the piece, having:
- (a) Up to 18 threads, N. W..... kilo..... .14
 - (b) From 19 to 24 threads, N. W..... kilo..... .18
 - (c) From 25 to 30 threads, N. W..... kilo..... .25
 - (d) From 31 to 38 threads, N. W..... kilo..... .35
 - (e) 39 threads or more, N. W..... kilo..... .50
 - (f) The same tissue bleached, half bleached, or printed: Dutiable as the textile with a surtax of 30 per cent.
 - (g) The same textiles manufactured with dyed yarns: Dutiable as the textile, with a surtax of 50 per cent.
150. Textiles, plain, twilled or damasked, weighing less than 10 kilograms per 100 square meters, unbleached or dyed in the piece, having:
- (a) Up to 12 threads, N. W..... kilo..... .18
 - (b) From 13 to 22 threads, N. W..... kilo..... .26
 - (c) From 23 to 30 threads, N. W..... kilo..... .36
 - (d) From 31 to 38 threads, N. W..... kilo..... .50
 - (e) 39 threads or more, N. W..... kilo..... .90
 - (f) The same textiles bleached, half bleached or printed: Dutiable as the textile, with a surtax of 30 per cent.
 - (g) The same textiles manufactured with dyed yarns: Dutiable as the textile, with a surtax of 50 per cent.
151. Plushes, velvets, velveteens, and all pile fabrics, cut or uncut, composed of linen, jute, etc., N. W..... kilo..... .30
152. Knitted goods, even with needlework:
- (a) In the piece, N. W..... kilo..... 1. 00
 - (b) Jerseys, undershirts, and drawers, N. W..... kilo..... 1. 20
 - (c) Stockings, socks, gloves, and other small articles, N. W..... kilo..... 1. 40
- NOTE.—The articles classified under this paragraph shall have no surtax for the making-up, but shall be liable to such other surtaxes as may be applicable.
153. Tulles of all widths:
- (a) Plain, N. W..... kilo..... .90
 - (b) Figured or embroidered on the loom, N. W..... kilo..... 1. 10
- NOTE.—Tulles embroidered or figured after weaving, out of the loom, shall have a surtax of 30 per cent of the duties.

¹See Rules 7 and 11.

154. Laces and blondes of all kinds:		
(a) Lace curtains, bed-spreads and pillow shams, and lace for borders exceeding 38 centimeters in width, unhemmed, hemmed or bound, N. W.	.....kilo..	\$1.50
(b) Laces less than 38 centimeters and not less than 25 centimeters in width, N. W.	.....kilo..	2.25
(c) Laces less than 25 centimeters in width, N. W.	.....kilo..	3.00
155. Carpets wholly of jute, hemp or other vegetable fibers, N. W.	.....kilo..	.075
156. Textiles called tapestry, for upholstering furniture and for curtains, mixed or not with cotton, figured or damasked, provided they be manufactured with yarns dyed prior to being woven; table covers and counterpanes of the same kind, N. W.	.....kilo..	.42
157. Trimmings, tape, ribbons and galloons, ^{1 2} N. W.	.....kilo..	.60
158. Shoe and corset laces, N. W.	.....kilo..	.35
159. Cinches or saddle girths, N. W.	.....kilo..	.35
(a) Ribbons or bands for the manufacture of the same, N. W.	.....kilo..	.15
160. Waterproof or caoutchouc stuffs on textiles of linen or other vegetable fibers, except cotton, or elastic textiles manufactured with threads of gum elastic, N. W.	.....kilo..	.25

CLASS VI.—*Wools, bristles, hair, horsehair and their manufactures.*

GROUP 1.—RAW.

NOTE.—Articles dutiable in this class shall not be liable to surtaxes.

161. Bristles, horsehair and other hair, including the hair of the camel, vicuna and of the Angora and Cashmere goats, G. W.	.....100 kilos..	\$3.00
(a) Bristle brushes, in which the bristles give the value, N. W., 100 kilos.	.....	6.00
162. Wool:		
(a) Unwashed, G. W.	.....100 kilos..	2.55
(b) Washed, G. W.	.....100 kilos..	4.35
(c) Combed and prepared for yarns, and wool waste carded, G. W.	.....100 kilos..	5.00
(d) Combed, carded and dyed, G. W.	.....100 kilos..	5.50

GROUP 2.—YARNS.

163. Woolen and worsted yarns:		
(a) Spun and twisted, unbleached or in the grease, N. W.	.....kilo..	.25
(b) Bleached or washed, N. W.	.....kilo..	.40
(c) Dyed, N. W.	.....kilo..	.55

GROUP 3.—TEXTILES AND FULLED STUFFS.

164. Textiles of bristles or hair, per centum ad valorem.	.....	35
165. Knitted goods, even with needlework, with or without an admixture of cotton or other vegetable fibers, died in the piece or manufactured with dyed yarns, per centum ad valorem.	.....	30
(a) Jerseys, undershirts, and drawers, per centum ad valorem	.....	35
(b) Stockings, socks, gloves, and other small articles, per centum ad valorem.	.....	40
166. Other manufactures of wool, per centum ad valorem	.....	35

CLASS VII.—*Silk and its manufactures.*

GROUP 1.—RAW AND SPUN.

NOTE.—Articles dutiable in this class shall not be liable to surtaxes.

167. Eggs of the silk worm, N. W.	.....kilo..	\$0.25
168. Silk waste and cocoon, N. W.	.....kilo..	1.25

¹See Rule 7 and 11.

²Ribbons and galloons containing any proportion of threads of wool or silk shall, respectively, be liable to the corresponding numbers of Class VII. (See Rule 6.)

169. Spun silks, not twisted, N. W.....	kilo..	\$1. 50
170. Twisted silks, N. W.....	kilo..	1. 75
(a) The same, dyed, N. W.....	kilo..	1. 90
171. Floss silks:		
(a) Neither twisted nor combed nor carded, N. W.....	kilo..	1. 25
(b) Combed or carded, not twisted, N. W.....	kilo..	1. 35
(c) Twisted, of two or more ends, N. W.....	kilo..	1. 40
172. Floss silks, dyed, N. W.....	kilo..	1. 50

GROUP 2.—TEXTILES.

173. Knitted goods, even with needlework, dyed in the piece or manufactured with dyed yarns, per centum ad valorem.....		35
(a) Jerseys, undershirts, and drawers, per centum ad valorem....		40
(b) Stockings, socks, gloves, and other small articles, per centum ad valorem.....		45
174. Textiles and trimmings of all kinds of silk, per centum ad valorem.....		45
175. Waterproof or caoutchouc stuffs on silk textiles, or elastic textiles manufactured with threads of gum elastic, per centum ad valorem.....		40

CLASS VIII.—*Paper and its application.*

GROUP 1.—PAPER PULP.

176. Paper pulp, G. W.....	100 kilos..	\$0. 25
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GROUP 2.—PRINTING AND WRITING PAPER.

177. Printing paper, white or colored, unprinted, suitable for books or newspapers, N. W.....	100 kilos..	1. 00
178. Common paper, continuous or in sheets, white or colored, used for wrapping packages, bundles, etc., and toilet paper, not elsewhere provided for, N. W.....	100 kilos..	1. 00

NOTE.—The foregoing paper manufactured into bags of any kind shall be dutiable under this section when without printing with a surtax of 30 per cent. If printed, whether in sheets or bags, it shall be dutiable with a surtax of 50 per cent.

179. Writing, letter, note, ledger, bond, and record paper, ruled or unruled, unprinted, white or colored, N. W.....	100 kilos..	3. 00
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Envelopes of all kinds shall pay duty under this paragraph with a surtax of 30 per cent.

Paper with printed headings, billheads, forms for invoices, labels, printed cards, printed envelopes, and the like, and printed blank books shall pay duty under this number with a surtax of 50 per cent.

GROUP 3.—PAPER PRINTED, ENGRAVED OR PHOTOGRAPHED.

180. Books, bound or unbound, and other printed matter not otherwise specially provided for, N. W.....	100 kilos..	3. 00
181. Blank books (unprinted), N. W.....	100 kilos..	4. 00
182. Engravings, etchings, photographs, maps, and charts, not elsewhere provided for, hand-painted designs or drawings in oil, water color, pastels, and pen and ink drawings for use in manufacturing and in industrial arts and sciences, N. W.....	kilo..	. 30
183. Lithographs, chromolithographs, oleographs, etc., printed from stone, zinc, aluminum, or other material, used as labels, flaps, bands and wrappers for tobacco or other purposes:		
(a) Of one to three printings, inclusive, including articles solely printed in bronze (bronze printing to be counted as three printings), but not including any article printed in whole or in part in metal leaf, N. W.....	kilo..	. 05
(b) Of four to seven printings, inclusive (bronze printing to be counted as three printings), but not including any article printed in whole or in part in metal leaf, N. W.....	kilo..	0. 20
(c) Of eight to thirteen printings, inclusive (bronze printing to be counted as three printings), but not including any article printed in whole or in part in metal leaf, N. W.....	kilo..	. 40
(d) Of more than thirteen printings (bronze printing to be counted as three printings), including all articles printed in whole or in part in metal leaf, N. W.....	kilo..	. 80

GROUP 4.—WALL PAPER.

184. Wall paper printed:		
(a) On natural ground, N. W	100 kilos..	\$2.00
(b) On dull or glazed ground, N. W	100 kilos..	4.00
(c) With gold, silver, wool or glass, N. W	100 kilos..	10.00

GROUP 5.—PASTEBOARD AND VARIOUS PAPERS.

185. Straw, sand, emery, and glass paper, N. W	100 kilos..	1.75
186. Blotting paper, N. W	100 kilos..	2.00
187. Manila, copying and stereotype paper, paper known as bibulous paper, tissue paper, pottery paper, letter press copying books, surface coated papers of all kinds, plain basic photographic papers for albuminizing, sensitizing or baryta coating and drawing and tracing paper; crepe, filter, and gum paper, and all paper not specially provided for in this tariff, N. W	kilo..	.04
(a) Albumen paper, N. W	kilo..	.10
(b) Sensitized paper, N. W	kilo..	.30
(c) Carbon paper, N. W	kilo..	.20
NOTE.—Manila paper manufactured into bags of any kind, when without printing, shall be dutiable with a surtax of 30 per cent, if printed, whether in sheets or bags, with a surtax of 50 per cent.		
188. Cigarette paper, printed or unprinted:		
(a) Cigarette paper, printed or unprinted, in books, N. W....	kilo..	.20
(b) In rolls, reams, or other forms, N. W	100 kilos..	9.00
Provided, That none of the articles classified under paragraphs 187 and 188 shall pay a less rate of duty than 15 per cent ad valorem.		
189. Pasteboard in sheets:		
(a) Cardboard paper and fine glazed or pressed cardboard, N. W., 100 kilos		3.00
(b) Other pasteboard, N. W	100 kilos..	1.00
190. Manufactures of pasteboard:		
(a) All fancy boxes made of paper or pressed or glazed cardboard, or covered or lined with surface coated or glazed paper, and all articles not specially provided for in which paper is the chief value of the manufacture, N. W	kilo..	.20
(b) Ordinary ice-cream boxes, unprinted, N. W	100 kilos..	5.00
(c) Ordinary ice-cream boxes, printed, N. W	100 kilos..	7.50
(d) Boxes of common paper, lined or unlined with plain paper, N. W	100 kilos..	2.00
191. Paste and carton pierre:		
(a) Unwrought, N. W	100 kilos..	2.00
(b) Wrought, finished or not, including moldings, N. W	kilo..	.15

CLASS IX.—*Wood and other vegetable materials employed in industry, and articles manufactured therefrom.*

GROUP 1.—WOOD.

192. Ordinary wood:		
(a) In boards, deals, rafters, beams, round wood and timber for shipbuilding	cubic meter..	\$0.25
(b) Planed or dovetailed for boxes and flooring	cubic meter..	.40
(c) Cases wherein imported goods are regularly and usually packed, G. W	100 kilos..	.15
193. Fine wood for cabinetmakers:		
(a) In boards, deals, trunks, or logs, G. W	100 kilos..	.50
(b) Sawn in veneers, G. W	100 kilos..	1.00
194. Coopers' wares:		
(a) Fitted together, G. W	100 kilos..	.60
(b) In shooks or staves, also hoops and headings, G. W ..	100 kilos..	.30
(c) Wood cut for making hogsheads or casks for sugar or molasses, G. W	100 kilos..	.10
(d) Lattice-work and fencing, G. W	100 kilos..	.20
(e) Handles for tools and implements, G. W	100 kilos..	1.00

GROUP 2.—FURNITURE, AND MANUFACTURES OF WOOD.

195. Common wood manufactured into furniture and other wares and articles of all kinds, whether turned or not, painted or not, varnished or not, but neither chiseled, inlaid, veneered or carved, N. W.	100 kilos..	\$5.00
(a) Combs of the same, similarly manufactured or decorated, N. W. ....	.....kilo..	.07
196. Fine wood manufactured into furniture and other wares, turned, polished, or varnished, and the same wares of common wood veneered with fine wood; furniture covered with stuffs except silk or leather, N. W., 100 kilos .....	.....kilo..	15.00
(a) Combs of the same and of bamboo, N. W. ....	.....kilo..	.20
197. Wood of any kind, manufactured into furniture or other wares, gilt, chiseled, carved, inlaid, veneered or ornamented with metal, and furniture upholstered with stuffs of pure or mixed silk, or leather, N. W.	100 kilos..	25.00
(a) Combs of any kind of wood, similarly manufactured or decorated, N. W. ....	.....kilo..	.30
198. Furniture of bent wood, N. W.	100 kilos..	12.00
199. Barbers' and dentists' chairs and bar fixtures, N. W.	100 kilos..	11.00
200. Billiard tables and all parts thereof and appurtenances, except cloth, chalk, and balls, N. W.	100 kilos..	10.00
Provided, that none of the articles classified under paragraphs 197, 198, 199, and 200 shall pay a less rate of duty than 20 per cent ad valorem.		

GROUP 3.—VARIOUS.

201. Charcoal, firewood and other vegetable fuels, G. W.	100 kilos..	.15
202. Cork:		
(a) In the rough or in boards, G. W.	100 kilos..	1.40
(b) Manufactured, N. W.	100 kilos..	4.50
203. Rushes, vegetable hair, cane, osiers, fine straw, palm, genista, esparto and other analogous materials unmanufactured, N. W.	100 kilos..	1.20
204. The same, manufactured into articles of all kinds not specially mentioned, including wickerwork or furniture, N. W.	100 kilos..	10.00

CLASS X.—*Animals and animal wastes employed in industry.*

GROUP 1.—ANIMALS.

205. Horses and mares:		
(a) Horses, gelded	each..	\$10.00
(b) Other horses and mares	each..	5.00
206. Mules	each..	5.00
207. Asses	each..	5.00
208. Bovine animals:		
(a) Oxen	each..	2.00
(b) Bulls and cows	each..	1.50
(c) Calves and heifers	each..	1.00
Provided that articles classified under paragraphs 205, 206, 207, and 208 shall be admitted free of duty until January 1, 1904.		
209. Pigs	each..	1.00
210. Sucking pigs	each..	.25
211. Sheep, goats, and animals not specially mentioned	each..	.50
212. Singing birds, parrots, etc.	each..	.50

GROUP 2.—HIDES, SKINS, AND LEATHER WARES.

213. Pelts, in their natural state or dressed for trimmings, G. W.	kilo..	1.00
214. Hides and skins, green, or not tanned, G. W.	100 kilos..	1.50
(a) The same, wet salted, G. W.	100 kilos..	.75
(b) The same, dry salted, G. W.	100 kilos..	1.00
215. Hides tanned with the hair on, G. W.	kilo..	.10
216. Hides tanned without the hair:		
(a) Cow, and other large hides, whole, G. W.	kilo..	.10
(b) Other, and backs of large hides, G. W.	kilo..	.25

217. Hides and skins curried, dyed or not:		
(a) Sheepskins (<i>basils</i>), N. W	kilo..	\$0. 15
(b) Calf or goat skins, N. W	kilo..	. 15
(c) Kid, lamb or young calf skins, N. W	kilo..	. 25
(d) Cow and other large hides, whole, N. W	kilo..	. 15
(e) Backs of large hides, and skins not specially mentioned, N. W	kilo..	. 20
218. Hides and skins, varnished, satiny, grained, dulled, and hides and skins with figures, engravings, or embossed, N. W	kilo..	. 25
Leather cut out for boots and shoes or other articles shall pay 20 per cent additional to the duty on the material.		
219. Chamois leather or parchment, of all kinds, and gilt or bronzed hides and skins, N. W	kilo..	. 40
220. Gloves made of leather or skin, N. W	kilo..	3. 50
(a) Common baseball, fencing, and boxing gloves, N. W	kilo..	. 50
221. Shoes of cowhide and similar leather and canvas:		
(a) For men	per pair..	. 10
(b) For women	per pair..	. 08
(c) For children	per pair..	. 05
222. Shoes of patent and similar leather:		
(a) For men	per pair..	. 30
(b) For women	per pair..	. 25
(c) For children	per pair..	. 15
223. Shoes or gaiters of calfskin, with elastic or buttons or for lacing:		
(a) For men	per pair..	\$0. 30
(b) For women	per pair..	. 25
(c) For children	per pair..	. 15
224. Gaiters of patent or similar leather:		
(a) For men	per pair..	. 35
(b) For women	per pair..	. 30
(c) For children	per pair..	. 20
225. Other boots and shoes, fancy	per pair..	. 50
226. Riding boots	per pair..	1. 00
227. Sandals:		
(a) Of leather	per pair..	. 15
(b) Of other materials, and common shoes worn by the Chinese, per pair .....		. 10
228. Saddlery and harness:		
(a) Draft harness, and parts, other than for carriages, N. W	kilo..	. 15
(b) Carriage harness and parts, N. W	kilo..	. 30
(c) Other saddlery and harness makers' wares, including saddles, valises, hat boxes, and traveling bags, wholly or in part of leather, N. W	kilo..	. 30
229. Other manufactures of leather or covered with leather, not elsewhere specially provided for, N. W	kilo..	. 60

GROUP 3.—VARIOUS.

230. Feathers for ornaments, in their natural state or manufactured, N. W., kilo		2. 50
231. Other feathers and feather dusters, N. W	kilo..	. 50
232. Stuffed or mounted birds or animals not specially provided for in para- graph 401 N. W	kilo..	1. 00
233. Intestines, dried, N. W	kilo..	2. 00
234. Animal wastes, unmanufactured, not especially mentioned, G. W., 100 kilos .....		. 50

CLASS XI.—*Instruments, machinery, and apparatus employed in music, agriculture, industry and locomotion.*

GROUP 1.—MUSICAL INSTRUMENTS, CLOCKS AND WATCHES.

235. Pianos:		
(a) Concert grand	each..	\$100. 00
(b) Ordinary grand	each..	75. 00
(c) Concert upright, square	each..	50. 00
(d) Ordinary upright, square	each..	30. 00
236. Harmoniums and cabinet organs	each..	10. 00

237. Mechanical music boxes:		
(a) Playing three airs or less.....	each..	\$0. 75
(b) Playing more than three airs.....	each..	2. 50
Other musical instruments shall be dutiable according to the principal component part thereof, and in addition thereto, a surtax of 100 per cent.		
238. Watches, watch cases of all kinds, watch movements, and parts of watches, per centum ad valorem		20
(a) Parts of watches and clocks commonly known as watch and clock materials and suitable for repairs only, including watch crystals, per centum ad valorem		20
239. Clocks:		
(a) Common, with weights and springs; and alarm clocks.....	each..	\$0. 25
(b) Works for wall clocks, finished, without cases	each..	. 50
Cases, stands, glasses, shades and other accessories not parts for repairs will be dutiable as manufactured articles, according to their component material.		
240. Works for tower clocks, whether set up or not.....	each..	12. 50
241. Chronometers in cases or boxes for marine or professional use, too large to be carried on the person.....	each..	7. 00

GROUP 2.—APPARATUS AND MACHINERY.

242. Weighing machines:		
(a) Machinery and apparatus for weighing goods in bulk, N. W., 100 kilos .....		. 50
(b) Platform scales and weights, and counter scales having platforms, and steelyards and detached parts of same, N. W., 100 kilos.....		3. 00
(c) Balance and spring scales, with weights and scoops, N. W., kilo .....		. 25
243. Marine engines and steam pumps; hydraulic, petroleum, gas, and hot or compressed air motors, N. W	100 kilos..	1. 50
244. Boilers:		
(a) Sheet iron, G. W	100 kilos..	. 50
(b) Other, G. W	100 kilos..	. 75
245. Agricultural machinery and apparatus, machinery and apparatus for pile driving, dredging, hoisting, making or repairing roads, for refrigerating and ice making, for making sugar, preparing rice or hemp, and other vegetable products of the islands for the markets, G. W., 100 kilos.....		. 25
246. Locomotives, including tenders, and traction engines of all kinds using steam or other power, G. W.....	100 kilos..	1. 00
247. Turntables, hydraulic cranes, and columns, G. W.....	100 kilos..	. 30
248. Apparatus and appliances (not machinery) for electric lighting and power:		
(a) Switches, cut-outs, lamp sockets, shade holders, rosettes, plugs, brushes of copper and carbon, wet and dry batteries complete, tapes and compounds for winding wires, testing sets, testing bells for current, arc lamps and fittings for same, fuse boxes, insulating coils; and all insulating materials not elsewhere expressly provided for, N. W	100 kilos..	3. 00
(b) Galvanometers, amperemeters, voltmeters, N. W	100 kilos..	25. 00
Only articles used exclusively in the generation and distribution of electric currents for light or power shall be classed under this number.		
249. Storage batteries for lighting or power, N. W.....	100 kilos..	25. 00
250. Dynamos, generators, excitors and all other machinery for the generation of electricity for lighting or for power, also transformers, N. W., 100 kilos		5. 00
251. Sewing machines and detached parts thereof, N. W.....	100 kilos..	3. 00
252. Bicycles:		
(a) Complete, except lamps.....	each..	5. 00
(b) Detached parts and accessories thereto, including lamps, N. W., kilo .....		. 30
253. Velocipedes.....	each..	2. 00
254. Typewriters and phonographs.....	each..	4. 00
255. Cash registers.....	kilo..	. 25

256. Automatic slot machines:		
(a) For weighing, N. W.	kilo..	\$0.50
(b) Others, not prohibited, N. W.	kilo..	1.25
257. Other machinery and detached parts not otherwise provided for:		
(a) Of copper and its alloys, N. W.	100 kilos..	\$4.00
(b) Of other material, N. W.	100 kilos..	1.00

Provided, that none of the articles classified under paragraphs 252, 253, 254, 255, 256, and 257 shall pay a less rate of duty than 20 per cent ad valorem.

GROUP 3.—CARRIAGES.

258. Fine coaches and berlins, new, used or repaired:		
(a) With four seats, with or without hoods	each..	50.00
(b) With two seats, with or without folding seats	each..	35.00
259. Omnibuses, diligences, Concord or similar coaches, new, used or repaired	each..	35.00
260. Other common four-wheeled carriages, with four or more seats, new, used or repaired	each..	20.00
261. All other carriages not specially mentioned, new, used or repaired:		
(a) With one seat	each..	10.00
(b) With two seats	each..	15.00
(c) With not more than four seats	each..	20.00
(d) Automobiles for passengers	each..	60.00
(e) Automobiles for merchandise	each..	60.00
262. Railway carriages of all kinds for passengers	each..	100.00
(a) Finished wooden parts of the same, N. W.	100 kilos..	1.50
(b) Railway box cars	each..	50.00
(c) Railway flat cars	each..	30.00
263. Tramway carriages of all kinds	each..	45.00
264. Wagons	each..	7.50
265. Carts	each..	5.00
266. Hand carts	each..	3.00

GROUP 4.—SMALL BOATS AND OTHER WATER CRAFT.

267. Small boats, launches, lighters, and other water craft, imported complete, either set up or knocked down, measuring less than 500 cubic feet, per cent ad valorem15
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CLASS XII.—*Alimentary substances.*

GROUP 1.—MEATS AND FISH.

268. Poultry and game, dressed or undressed, N. W.	kilo..	\$0.03
269. Meat, salted or in brine, and jerked beef, G. W.	100 kilos..	.75
270. Hams, bacon and other meats, smoked or cured, also sausages not in cans, N. W.	100 kilos..	3.00
271. Lard (however contained), G. W.	100 kilos..	1.60
272. Cottolene and all imitations of lard, G. W.	100 kilos..	2.00
273. Salted cod and stockfish, G. W.	100 kilos..	.75
274. Fish, other:		
(a) Fresh, with the salt indispensable for its preservation, G. W., 100 kilos .....		.50
(b) Salted, smoked, or pickled, not in cans, G. W.	100 kilos..	1.50
275. Oysters, clams and shellfish not in glass or canned, G. W.	100 kilos..	2.50

GROUP 2.—GRAIN, DRIED FRUIT, AND VEGETABLES, AND PREPARATIONS OF THE SAME.

276. Rice:		
(a) Unhusked, G. W.	100 kilos..	.40
(b) Husked, G. W.	100 kilos..	.50
(c) Flour, G. W.	100 kilos..	1.50
277. Wheat, rye, and barley:		
(a) In grain, G. W.	100 kilos..	.25
(b) In flour, N. W.	100 kilos..	.40

278. Corn (maize), oats and other cereals not mentioned elsewhere:		
(a) In grain, G. W.....	100 kilos..	\$0. 10
(b) In meal or flour, G. W.....	100 kilos..	. 40
279. Millet:		
(a) In grain, G. W.....	100 kilos..	. 40
(b) In flour, G. W.....	100 kilos..	. 50
280. Malt, G. W.....	100 kilos..	2. 50
281. Hops, G. W.....	100 kilos..	3. 00
282. Cereals prepared for table use, such as oatmeal, cracked wheat, corn-starch, avena, and all other preparations of cereals for table use not elsewhere specially provided for, N. W.....	100 kilos..	2. 00
283. Bread, biscuit, crackers and wafers made of flour from cereals or pulse:		
(a) Unsweetened, N. W.....	100 kilos..	3. 00
(b) Sweetened, N. W.....	100 kilos..	5. 00
284. Vermicelli, macaroni, and pastes for soups, N. W.....	100 kilos..	3. 00
285. Dried raisins, dates, figs and citron, put up in small packages, N. W., 100 kilos.....		2. 50
286. The same fruits in bulk and all other dried and desiccated fruits, N. W., 100 kilos.....		. 75
287. Dried beans, peas and pulse:		
(a) In bulk, G. W.....	100 kilos..	. 75
(b) Put up in small packages, N. W.....	100 kilos..	1. 00
(c) Flour of, G. W.....	100 kilos..	1. 50
288. Dried or desiccated vegetables, not elsewhere specially provided for, G. W.....	100 kilos..	1. 00

GROUP 3.—TROPICAL AND SEMITROPICAL PRODUCTS.

289. Sugar:		
(a) Raw and glucose, G. W.....	100 kilos..	1. 62
(b) Refined, N. W.....	100 kilos..	3. 00
290. Cocoa:		
(a) Of all kinds in the bean, G. W.....	100 kilos..	5. 75
(b) Ground, in paste, powder and cocoa butter, N. W.....	100 kilos..	10. 00
291. Coffee:		
(a) In grains, G. W.....	100 kilos..	7. 50
(b) Ground, N. W.....	100 kilos..	8. 70
292. Succory root and chicory in any form, N. W.....	100 kilos..	7. 50
293. Cinnamon, first grade:		
(a) Unground, N. W.....	100 kilos..	8. 00
(b) Ground, N. W.....	100 kilos..	10. 00
294. Cinnamon, second grade:		
(a) Unground, N. W.....	100 kilos..	6. 00
(b) Ground, N. W.....	100 kilos..	8. 00
295. Vanilla beans, N. W.....	kilo..	5. 00
296. Cloves and other spices not specially mentioned:		
(a) Unground, N. W.....	kilo..	. 08
(b) Ground, N. W.....	kilo..	. 10
(c) Saffron of all kinds, N. W.....	kilo..	4. 00
297. Allspice and mace:		
(a) Unground, N. W.....	kilo..	. 07
(b) Ground, N. W.....	kilo..	. 09
298. Nutmegs:		
(a) Unhusked, G. W.....	kilo..	. 04
(b) Husked, G. W.....	kilo..	. 06
299. Pepper:		
(a) Whole, N. W.....	kilo..	. 04
(b) Ground, N. W.....	kilo..	. 06
300. Mustard:		
(a) Seed, N. W.....	kilo..	. 04
(b) Ground, N. W.....	kilo..	. 06
(c) In paste, N. W.....	kilo..	. 15
301. Tea, N. W.....	kilo..	. 20

GROUP 4.—SEEDS AND FORAGE.

302. Seeds not elsewhere provided for and carob beans, G. W.....	100 kilos..	. 50
303. Hay, forage and bran, G. W.....	100 kilos..	. 05

GROUP 5.—OILS AND BEVERAGES.

304. Olive oil:		
(a) In receptacles of earthenware, wood or tin, N. W.	100 kilos	\$5.00
(b) In bottles, N. W.	.....kilo	.075
305. Other refined oils in bottles for table use, N. W.	.....kilo	.08
306. Alcohol	.....liter	.70
307. Methyl alcohol, N. W.	.....liter	.35
308. Whiskey, rum and gin in wood	.....liter	.35
(a) Whiskey, rum, gin, cocktails, blackberry, and ginger brandy, in bottles, flasks, demijohns, and other similar receptacles.	.....liter	.35
(b) Brandies, liqueurs, cordials, and all compound spirits not specially mentioned, in wood	.....liter	.45
(c) The same in bottles, flasks, demijohns, and other similar receptacles	.....liter	.45
309. Wines, sparkling	.....liter	.85
310. Wines, still (fine):		
(a) All white wines, including the so-called generous wines (<i>vinos generosos</i>), and all red or white dessert or liqueur wines except those mentioned in the next number, in casks, barrels and half barrels	.....liter	.25
(b) The same in bottles, flasks, demijohns or other similar receptacles	.....liter	.40
311. Wines, still (common):		
(a) Common red wines such as <i>vin ordinaire</i> , <i>vino comun</i> and others (red) of like quality, in casks, barrels and half barrels	.....liter	.05
(b) The same in bottles, flasks, demijohns, or other similar receptacles	.....liter	.20
312. Beer, malt extract, and cider, natural or artificial, etc.:		
(a) Malt liquor, malt extract and cider in casks	.....hectol	3.40
(b) Malt liquor, malt extract and cider in bottles	.....hectol	4.60
(c) Sweetened, flavored or aerated waters, ginger ale, root beer, and other nonalcoholic beverages not otherwise provided for	.....hectol	1.00
313. Fruit juice, pure or with only sufficient sugar to preserve it	.....liter	.06
314. Vinegar	.....liter	.05

GROUP 6.—VARIOUS.

315. Canned or potted meats, such as beef, mutton, sausage, chicken, turkey, ham, bacon, and generally all meats preserved in cans or jars, when not exceeding in value \$1 per dozen cans of the weight of one-tenth of a kilogram for each can, and not exceeding in value \$1.75 per dozen cans of the weight of one-fifth of a kilogram for each can, N. W.	.....kilo	.05
316. Canned or potted meats of the delicatessen class, including mince-meat, pate de fois gras, deviled ham, and generally all meats preserved in cans or jars, when exceeding in value \$1 per one dozen cans of the weight of one-tenth of a kilogram for each can, and exceeding in value \$1.75 per dozen cans of the weight of one-fifth of a kilogram for each can, N. W.	.....kilo	.20
317. Salmon, cod and herring, in cans or jars, N. W.	.....kilo	.035
(a) Other canned or potted fish, and sea food, such as sardines, oysters, clams, and generally all sea products, preserved in cans or jars, N. W.	.....kilo	.06
318. Canned and potted fish and sea food of the delicatessen class, such as anchovies, caviar, fish roe, and generally all fish or sea food preserved in cans or jars, not in use as ordinary food, N. W.	.....kilo	.20
319. Canned or potted soups of all kinds, including clam broth, N. W.	.....kilo	.075
320. Condensed or concentrated milk or cream, and canned vegetables of all kinds, such as tomatoes, corn, pease, beans, pumpkins, and generally vegetables preserved in cans or jars, N. W.	.....kilo	.025
321. Pickled vegetables and fruits of all kinds:		
(a) In stone or glass, N. W.	.....kilo	.10
(b) In wood, G. W.	100 kilos	2.00
322. Canned or preserved fruits:		
(a) In wood; and those belonging to the class known as "Pie Fruits," packed in water, in tin or glass, N. W.	.....kilo	.02
(b) Others, in tin or glass, including those packed in syrups, known as "Table Fruits," N. W.	.....kilo	.04

323. Preserved or brandied fruits in cordials or spirits of any kind containing more than 18 per cent of alcohol, such as brandied peaches, cherries preserved in maraschine and the like, whether put up in tin or glass, N. W	kilo..	\$0. 125
324. Canned breads of all kinds, N. W	kilo..	. 025
325. Canned cakes, puddings and sweetmeats not candied, such as plum pudding and the like, N. W	kilo..	. 10
326. Saccharine, N. W	kilo..	3. 00
327. Flavoring extracts, N. W	kilo..	. 25
328. Sauces and condiments for table use, put up in glass, such as caper, tomato and tabasco sauce, and the like, N. W	kilo..	. 125
329. Nuts, dried, of kinds in natural state, not otherwise provided for, N. W	100 kilos..	2. 50
330. Chocolate:		
(a) In forms or lumps of more than two kilos for manufacturing purposes, N. W	kilo..	. 10
(b) In cakes or powder for table use, but not made up into bon bons or candy, N. W	kilo..	. 12
331. Conserved or crystallized fruit or nuts, used as confectionery and sweetmeats, whether put up in paper, metal or glass, N. W	kilo..	. 25
332. Confectionery, candies and sweetmeats of all kinds, N. W	kilo..	. 125
Provided, that none of the articles classified under paragraphs 330, 331, and 332 shall pay a less rate of duty than 20 per cent ad valorem.		
333. Eggs, salted or preserved, G. W	100 kilos..	2. 50
334. Cheese:		
(a) Fine, in glass, stone or metal, not in use as common food, N. W	kilo..	. 25
(b) Other (common), G. W	kilo..	. 025
335. Butter, N. W	kilo..	. 05
336. Oleomargarine, butterine and all imitations of butter, N. W	kilo..	. 06
337. Honey, molasses and sirup of cane, G. W	100 kilos..	1. 00

CLASS XIII.—*Miscellaneous.*

338. Fans:		
(a) With mountings of bamboo, reeds, or other woods, N. W ..	kilo..	. 75
(b) With mountings of horn, bone, composition, or metal other than gold and silver, N. W	kilo..	2. 50
(c) With mountings of tortoise shell, ivory or mother-of-pearl; also fans of kid skin, silk tissue, or feathers, N. W	kilo..	5. 00
339. Combs:		
(a) Of horn or india rubber, N. W	kilo..	2. 00
(b) Of tortoise shell or ivory, N. W	kilo..	5. 00
(c) Others; shall be classified for duty according to their component material.		
340. Trinkets and ornaments of all kinds, except those of gold or silver, or of gold and silver plate, or in which the predominant substance is amber, jet, tortoise shell, coral, ivory, meerschaum or mother-of-pearl, horn, bone, whalebone, celluloid or compositions imitating any of the materials herein mentioned, N. W	kilo..	1. 25
341. Amber, jet, tortoise shell, coral, ivory, meerschaum, mother-of-pearl:		
(a) Unwrought, N. W	kilo..	1. 00
(b) Wrought, N. W	kilo..	3. 50
342. Horn, bone, whalebone, or celluloid, also compositions imitating these or those of the preceding number:		
(a) Unwrought, N. W	kilo..	. 60
(b) Wrought, N. W	kilo..	1. 50
343. Walking sticks and sticks for umbrellas and parasols	per 100..	3. 75
Sword sticks shall pay the duty fixed for the swords they contain and shall, in addition, pay the duty for walking sticks.		
Provided, that none of the articles classified under this paragraph shall pay a less rate of duty than 20 per centum ad valorem.		
344. Hair, human, manufactured into articles of all kinds, or any shape, N. W	hectog.	. 50
345. Buttons of all kinds, other than gold or silver, or of gold or silver plate, N. W	kilo..	1. 00

346. Cartridges, with or without projectiles or bullets, also primers and caps for such arms, N. W	kilo..	\$0. 30
347. Tarpaulins, coated with sand for vans, N. W	100 kilos..	. 20
348. Paper, felt, or other textile, prepared or coated with tar, pitch or similar substances, for roofs and structural purposes, G. W	100 kilos..	. 30
349. Oilcloths:		
(a) For floors and packing purposes, N. W	100 kilos..	3. 00
(b) For wearing apparel, unmanufactured, N. W	100 kilos..	3. 00
(c) Manufactured into wearing apparel, N. W	100 kilos..	6. 00
(d) Other, including linoleum, N. W	100 kilos..	5. 00
350. Artificial flowers of all kinds, also artificial fruits, seeds, pistils, or buds of any material for the manufacture of flowers, N. W	kilo..	2. 50
351. Matches of wax, wood or cardboard, N. W	kilo..	. 20
352. Caoutchouc and gutta-percha manufactured into any kind of article not otherwise provided for:		
(a) Rubber hose and piston packing, N. W	kilo..	. 03
(b) Hard rubber articles, not otherwise mentioned, N. W	kilo..	. 50
(c) Boots and shoes of rubber, N. W	kilo..	. 25
(d) All other articles, except hose of rubber and textile, N. W	kilo..	. 20
(e) Hose of textile and rubber, N. W	kilo..	. 10
353. Games and toys, except those of gold and silver, or of gold and silver plate, tortoise shell, ivory or mother-of-pearl, and of materials mentioned in Nos. 341 and 342, N. W	kilo..	. 10
354. Umbrellas and parasols:		
(a) Covered with paper	each..	. 08
(b) Covered with silk	each..	. 50
(c) Covered with other stuffs	each..	. 20
355. Hats and bonnets and crowns for same, of straw:		
(a) Complete, not trimmed	each..	. 13
(b) Same, trimmed	each..	. 22
(c) Crowns for (untrimmed)	each..	. 11
356. The same articles of other materials:		
(a) Complete, not trimmed	each..	. 06
(b) Same, trimmed	each..	. 20
(c) Crowns for (untrimmed)	each..	. 05
357. Caps of all kinds:		
(a) For adults, of any material, plain	each..	. 15
(b) For adults, embroidered or decorated	each..	. 50
(c) For children, plain	each..	. 10
(d) For children, embroidered or ornamented	each..	. 35
Provided, that none of the articles classified under paragraphs 354, 355, 356, and 357 shall pay a less rate of duty than 20 per cent ad valorem.		
Photographic cameras and lenses:		
358. Cameras of which the lenses are not removable or adjustable: made of wood or of metal, polished or covered with leather or imitation of leather; fitted for either plates or films, or for both; according to the largest area of plate coverable at one exposure:		
(a) If such area be 20 square inches or less	each..	. 25
(b) More than 20 square inches and not more than 40	each..	. 50
(c) More than 40 square inches and not more than 80	each..	1. 00
(d) More than 80 square inches	each..	2. 00
359. The same articles made of wood or metal, painted, varnished, shellaced or plain, and otherwise, as above indicated:		
(a) If such area be 20 square inches or less	each..	. 18
(b) More than 20 square inches and not more than 40	each..	. 35
(c) More than 40 square inches and not more than 80	each..	. 70
(d) More than 80 square inches	each..	1. 40
360. Cameras with removable or adjustable lenses, not including the lenses; according to the largest area of plate or film, covered at one exposure:		
(a) If such area be 20 square inches or less	each..	. 50
(b) More than 20 square inches and not more than 40	each..	1. 00
(c) More than 40 square inches and not more than 80	each..	2. 50
(d) More than 80 square inches and not more than 120	each..	3. 75
(e) More than 120 square inches	each..	5. 00
361. Single lenses for photographic apparatus	each..	. 25

362.	Combination lenses for same are dutiable according to diameter; if such diameter be—		
	(a) 1 inch or less.....	each..	\$3.00
	(b) More than 1 inch and not more than 1½.....	each..	4.50
	(c) More than 1½ inch and not more than 2.....	each..	7.50
	(d) More than 2 inches and not more than 3.....	each..	15.00
	(e) More than 3 inches.....	each..	30.00
363.	Tuns, pipes, casks, and other similar wooden receptacles of liquids, or of articles in liquid or in brine, imported separately, or in use as immediate containers of imported merchandise which is not dutiable on gross weight:		
	(a) Tuns.....	each..	3.50
	(b) Pipes.....	each..	1.75
	(c) Half pipes or hogshheads.....	each..	1.00
	(d) Casks or barrels.....	each..	.85
	(e) Half casks or half barrels.....	each..	.50
	(f) Quarter casks or quarter barrels.....	each..	.35
364.	Tobacco:		
	(a) In the leaf, unmanufactured, N. W.....	kilo..	.50
	(b) Manufactured, N. W.....	kilo..	2.00
365.	On all other goods, wares, merchandise, and effects not otherwise enumerated or provided for, except crude materials.....	per cent ad valorem..	25
366.	On crude materials not otherwise enumerated.....	per cent ad valorem..	10

ARTICLES FREE OF DUTY.

SEC. 12. The following articles shall pay no duty on their importation into the Philippine Islands:

- 367. Natural mineral waters aerated, carbonated or not.
- 368. Trees, shoots, and plants; also moss in a natural or fresh state.
- 369. Copper, gold and silver ores.
- 370. All samples of the kind, in such quantity, and of such dimensions or construction as to render them unsalable or of no appreciable commercial value.
- 371. Articles of the growth, produce and manufacture of the Philippine Islands exported to a foreign country and returned without having been advanced in value or improved in condition by any process of manufacture or other means, and upon which no drawback or bounty has been allowed.
- 372. Gold, silver and platinum, in broken-up jewelry or table services, bars, sheets, coins, pieces, dust and scraps.
- 373. Gold, silver and platinum, in articles manufactured and stamped in the Philippine Islands.
- 374. Fresh fruits.
- 375. Fresh garden produce.
- 376. Fresh meat, except poultry and game; also ice.
- 377. Fresh eggs.
- 378. Fresh milk.
- 379. Diamonds and other precious stones in the rough, unmounted.
- 380. Hand paintings in oil, water color, or pastel, and pen and ink drawings intended for use as works of art, and not as a part of decoration of any other merchandise, nor for use in the manufactures and industrial arts and sciences.
- 381. Lithographs, posters, calendars and folders for advertising purposes only, having no commercial value and designed for free public distribution.
- 382. (a) Spanish scientific, literary, and artistic works, not subversive of public order, imported under provisions of Article XIII of the treaty between Spain and the United States signed at Paris on the 10th day of December, 1898.
- (b) Public magazines, reviews, newspapers, and like published periodicals, Bibles, and schoolbooks; but complete books published in parts and not otherwise entitled to free entry shall not be classified under this paragraph.
- 383. Manures, natural.
- 384. Quinine, sulphate and bisulphate of, and all alkaloids or salts of cinchona bark, in pills or otherwise.

ARTICLES FREE OF DUTY, SUBJECT TO CONDITIONS.

- 385. Supplies imported by the United States Government for the use of the Army, Navy, and Marine-Hospital Service or by the insular government for its use or that of its subordinate branches.

386. Wearing apparel, toilet objects and articles for personal use, bed and table linen, books, portable tools and instruments, theatrical costumes, jewels and table services bearing evident signs of having been used, imported by travelers in their luggage in quantities proportionate to their profession and position. The customs authorities may exact a bond for the exportation of these articles when deemed necessary by them.
387. Works of fine art destined for public museums, galleries or art schools; when due proof is given as to their destination.
388. Archæological and numismatical objects for public museums, academies and scientific and artistic corporations, on proof of their destination.
389. Specimens and collections of mineralogy, botany, zoology and ethnology, and small models for public museums, public schools, academies, and scientific and artistic corporations, on proof of their destination.
390. (a) Philosophical, historical, economic, and scientific books, apparatus, utensils, instruments, and preparations, including packing, packages, and receptacles thereof, specially imported in good faith and for the use and by the order of any society or institution incorporated or established solely for philosophical, educational, scientific or literary purposes, or for the encouragement of the fine arts, or for the use and by order of any college, academy, school or seminary of learning in the Philippine Islands, or of any public library, and not for sale or hire, subject to such regulations as may be prescribed by the collector of customs of the islands; and the provisions of this paragraph in respect to books shall apply also to any individual importing not exceeding two copies of any one work for his own use and not for sale or hire.
- (b) Books and music in raised print, used exclusively by the blind.
- If the regulations in each case are not complied with, or if the examination is not entirely satisfactory, the exemption shall be annulled, and the duties stipulated in the tariff shall be collected.

ARTICLES FREE OF DUTY SUBJECT TO THE FORMALITIES PRESCRIBED
IN EACH CASE BY THE CUSTOMS AUTHORITIES.

391. Casks, sacks, and large metal receptacles in use as immediate containers of dutiable imported commodities, when such receptacles are to be reexported.
392. Carriages, trained animals, portable theaters, circus equipments, panoramas, wax figures and other similar objects for public entertainment, imported temporarily.
393. Used household furniture of persons coming to settle in the Philippine Islands, including such articles, effects, and furnishings as pictures, books, pianos, organs, chinaware, and kitchen utensils, in quantities and of the class suitable to the rank and position of the persons bringing the same: *Provided, That* they have all been used by said persons for more than one year; that they are brought within a reasonable time after the arrival of the owners, in the discretion of the collector of customs: *And provided further, That* satisfactory evidence be produced that such persons are actually coming to settle in the Philippine Islands; that the change of residence is bona fide, and that the privilege of free entry under this paragraph has never been previously granted to them.
394. Foreign articles destined to exhibitions held in the Philippine Islands.
395. Submarine telegraph cables.
396. Pumps intended for the salvage of vessels imported temporarily.
397. Parts of machinery, pieces of metal and wood imported for the repair of foreign vessels which have entered ports of the Philippine Islands through stress of weather.

EXPORT DUTIES.

SEC. 13. On the following products of the Philippine Islands, when exported therefrom, there shall be levied and collected on the gross weight thereof export duties as follows:

398. Abaca, raw or wrought hemp.....	100 kilos..	\$0. 75
399. Indigo.....	100 kilos..	. 25
400. Indigo employed for dyeing ("tintarron")	100 kilos..	. 025
401. Rice.....	100 kilos..	1. 00
402. Sugar.....	100 kilos..	. 05
403. Cocoanuts, fresh and dried (copra)	100 kilos..	. 10
404. Tobacco, manufactured, of all kinds and whatever origin.....	100 kilos..	1. 50

405. Tobacco, raw, grown in the provinces of Cagayan, Isabella, and New Biscay (Luzon Islands)	100 kilos..	\$1. 50
406. Tobacco, raw, grown in the Visayas, and Mindanao Island . . .	100 kilos..	1. 00
407. Tobacco, raw, grown in other provinces of the archipelago. . .	100 kilos..	. 75

Certificates of origin of raw tobacco may be required by the customs authorities when proof of the place of production is necessary.

TONNAGE DUES.

SEC. 14. At all ports or places in the Philippine Islands there shall be levied the following navigation and port charges:

On the entry of a vessel from a port or place not in the Philippine Islands a duty of six cents (\$0.06) per net ton as expressed in her national certificate of registry.
 On the entry of a vessel from a port or place not in the Philippine Islands lading or discharging cargo which is less than the net tonnage of the vessel, dues of twenty cents (\$0.20) per thousand kilograms may be imposed, at the option of the master or consignee or consignee of the cargo, in lieu of the tonnage tax above prescribed.
 On the entry of a vessel only to discharge or take on board passengers and their baggage, the tonnage tax above prescribed shall not be imposed.

SEC. 15. The following shall be exempt from tonnage dues:

- A vessel belonging to or employed in the service of the Government of the United States.
- A vessel of a foreign government not engaged in trade.
- A vessel in distress.
- A yacht belonging to an organized yacht club of the United States or of a foreign nation which imposes no tonnage or equivalent taxes on American yachts.

WHARF CHARGES.

SEC. 16. There shall be levied and collected upon goods of all kinds exported through the ports of entry of the Philippine Islands a duty of seventy-five cents (\$0.75) per gross ton of 1,000 kilos, as a charge for wharfage and for harbor dues, whatever be the port of destination or nationality of the exporting vessel.

SEC. 17. Merchandise imported, exported, or shipped in transit for the use of the Government of the United States, or of that of the Philippine Islands, including coal, shall be exempt from wharf charges.

REIMPORTATION OF INSULAR PRODUCTS.

SEC. 18. Goods, fruits, and articles of the Philippine Islands exported abroad and reimported, owing to their not having been sold at the place of destination, shall be exempt from the payment of duty, provided, always, that they are enclosed in the same packages and bear the same marks, and that they are accompanied by certificates of the consular officer, or, if there be none, of the local authority, stating that the goods, produce or effects of the country are reimported for the above-stated reason.

Abaca, raw, is exempt from the production of the aforesaid certificate.

SEC. 19. The following articles may likewise be imported free of duty:

- (a) Paintings which are works of art, and have been exported with a custom-house certificate, provided that their identity is established to the satisfaction of the customs authorities.
- (b) Books, when, on their exportation, the number of the copies, the title of the work, and the name of the publisher have been stated in the export certificate.

(c) Copper coins returned from foreign countries, if, on examination, it appears that they have been coined legitimately.

(d) Articles returned from foreign exhibitions.

(e) Articles of the Philippine Islands returned from foreign countries, the entry of which was prohibited at the place of destination.

SEC. 20. All existing decrees, laws, regulations, or orders, so far as the same are inconsistent with the provisions of this Act, and the tariff and duties, rules and regulations hereby enacted, are to that extent repealed, such repeal to take effect at the time when said tariff and duties shall go into force and effect.

Nothing in this section contained shall in any way affect any legal proceeding that has been or may be lawfully commenced at any time by reason of any act or omission done or committed before the date upon which this Act goes into force and effect.

SEC. 21. The index and repertory hereto attached are not an integral part of the tariff law and shall not be construed to alter or change the same in any way.

SEC. 22. This Act shall be known and referred to as the Tariff Revision Law of 1901.

SEC. 23. This Act shall take effect November 15, 1901.

Enacted, September 17, 1901.

[No. 231.]

AN ACT amending Act No. 146, relating to the duties of the Insular Purchasing Agent, by providing an uniform additional charge of ten per cent. upon the cost of goods by excepting from its operation certain purchases by provincial governments and by authorizing the Civil Governor in certain cases to suspend its operation.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Section 6 of Act No. 146, creating the office of Insular Purchasing Agent and defining his duties, is hereby amended by striking out the last five lines thereof commencing with the word "payment" and ending with the word "appropriation," and by inserting in lieu thereof the following:

"Payment of all articles and supplies so furnished shall be made to the Purchasing Agent at the actual cost thereof in the city of Manila, including freight, and all other expenses incident to the delivery in the warehouse of the Purchasing Agent at Manila, and ten per cent. additional upon such cost for freight, storage, bookkeeping, breakage, and other proper charges, by the Department, Bureau or Office, or Provincial or City Government receiving the same, from its available appropriations."

Act No. 146 is further amended by adding thereto the following sections:

"SEC. 12. Nothing in this act shall hereafter be construed to require that purchase of material, supplies, and other things needed for the use of any provincial government shall be made through the Insular Purchasing Agent, if such articles are in the province and can be purchased by the Supervisor at prices deemed by the Provincial Board to be reasonable.

"SEC. 13. In cases of emergency or where the public interest shall

require, the Civil Governor shall have power to authorize the head of any department or bureau, or any provincial government, to make purchases directly and not through the Insular Purchasing Agent, the provisions of this law to the contrary notwithstanding. In cases where the Civil Governor exercises the power herein conferred he shall make provision, in the order conferring the authority, for such limitations upon the method of purchase as shall secure the lowest prices consistent with the emergency presented and the conditions of the market.

“SEC. 14. In cases in which municipalities are desirous of purchasing supplies through the Insular Purchasing Agent, the Governor may require such agent by order to buy and furnish the needed supplies upon proper provision being made for the payment out of the Municipal Treasury.”

SEC. 2. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of “An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws,” passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, September 20, 1901.

[No. 232.]

AN ACT amending Act No. 74, and providing for the appointment of deputy division superintendents in the Bureau of Public Instruction.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Paragraph (b) of Section 3 of Act No. 74 is hereby amended by inserting in the fourth line, after “Archipelago” the words “Deputy Division Superintendents,” making the paragraph to read as follows:

“(b) He shall appoint, in accordance with Act No. 25, enacted October 17, 1900, a City Superintendent of Schools for Manila, and Division Superintendents of Schools for other parts of the Archipelago, Deputy Division Superintendents, and the teachers and clerks authorized by law, and shall prescribe the duties of such teachers and clerks.”

SEC. 2. Section 7 of Act No. 74 is hereby amended by striking out the word “and” in the second line and inserting in the same line, after “Division Superintendents,” the words, “and the Deputy Division Superintendents,” making the section to read as follows:

“SEC. 7. The actual expenses of the General Superintendent, the Division Superintendents and the Deputy Division Superintendents while traveling or absent from their usual places of residence on official business shall be paid out of the Insular Treasury.”

SEC. 3. Section 9 of Act No. 74 is hereby amended by adding at the end of said section the following paragraph:

“The Deputy Division Superintendent shall be a teacher actually engaged in instruction. He shall act for the Division Superintendent in the absence of this officer and he shall exercise all the functions of the Division Superintendent; subject to the confirmation of the Division Superintendent; provided, however, that he shall not have power to appoint school teachers or to fix their salaries. The number of

Deputy Division Superintendents and the territory within which they shall act shall be determined by the Secretary of Public Instruction, but the number shall not exceed in any division the number of provinces in that division."

SEC. 4. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 5. This act shall take effect on its passage.

Enacted, September 20, 1901.

[No. 233.]

AN ACT amending Act No. 17 entitled "An Act for the Reorganization of the Mining Bureau."

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Act No. 17, entitled "An Act for the Reorganization of the Mining Bureau," is hereby amended to read as follows:

SECTION 1. The following employés are hereby authorized for the Mining Bureau:

"(a) A chief of the Mining Bureau, who shall receive compensation at the rate of three thousand dollars (\$3,000) per year;

"(b) A mining engineer and assayer, who shall receive compensation at the rate of one thousand, eight hundred dollars (\$1,800) per year;

"(c) A stenographer and typewriter, who shall receive compensation at the rate of one thousand, two hundred dollars (\$1,200) per year;

"(d) A translator, who shall receive compensation at the rate of one thousand dollars (\$1,000) per year;

"(e) A draughtsman, who shall receive compensation at the rate of four hundred and eighty dollars (\$480) per year;

"(f) A draughtsman, who shall receive compensation at the rate of three hundred dollars (\$300) per year;

"(g) One clerk, class C;

"(h) One clerk, class D;

"(i) One clerk, class I;

"(j) One janitor, at a compensation of one hundred and twenty dollars (\$120) per year;

"(k) One laborer, at a compensation of eighty dollars (\$80) per year."

SEC. 2. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, September 20, 1901.

[No. 234.]

AN ACT repealing section 74 of Act No. 136, providing for the organization of courts in the Philippine Islands, excepting so far as it applies to the city of Manila, and authorizing the Governors and Secretaries of provinces to administer oaths required by law.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Section 74 of Act No. 136, requiring every Justice of the Peace in the Archipelago, before entering upon the performance of his duties, to give a bond in the penal sum of one thousand dollars (\$1,000), is hereby repealed in so far as it applies to Justices of the Peace outside of the city of Manila, and hereafter it shall not be necessary for Justices of the Peace outside the city of Manila to give such bond.

SEC. 2. Governors and Secretaries of provinces are hereby empowered to administer all oaths required and authorized by law.

SEC. 3. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 4. This act shall take effect on its passage.

Enacted, September 23, 1901.

[No. 235.]

AN ACT authorizing the Secretary of Public Instruction to use one or more of the buildings on the Exposition Grounds in Ermita, Manila, for the purpose of a trade school.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The Secretary of Public Instruction is hereby authorized to use and designate for a trade school, one or more of the buildings on the lot known as the Exposition Grounds, lying between the streets P. Faura and Herran, in the district of Ermita, city of Manila.

SEC. 2. The sum appropriated by section 23 of Act No. 74, for the organization and maintenance of a trade school in Manila for the year 1901, is hereby made available so far as the same may be necessary for the making of needed repairs upon the building or buildings to be used for a trade school.

SEC. 3. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 4. This act shall take effect on its passage.

Enacted, September 24, 1901.

[No. 236.]

AN ACT making seventy thousand, four hundred and thirty-six dollars and eighty-six cents (\$70,436.86), in money of the United States, heretofore appropriated for the payment of the expenses of construction of the Insular Cold Storage and Ice Plant, available for the payment of certain items of expenditure in such construction.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Out of the sums appropriated for the construction of the Insular Cold Storage and Ice Plant by appropriations of four hundred thousand dollars (\$400,000), made on May 26, 1899, and of fifty thousand dollars (\$50,000), made on July 20, 1899, and of one hundred and seventy-eight thousand, three hundred and forty-six dollars and sixty-four cents (\$178,346.64), made on December 20, 1900, the sum of sixty-five thousand, five hundred and eight dollars and sixty-nine cents (\$65,508.69), is hereby made available for the purpose of making final payment to De La Vergne Refrigerating Machine Company for the installation of machinery, and the sum of four thousand, nine hundred and twenty-eight dollars and seventeen cents (\$4,928.17), to make payment to Knisely Bros. for labor and materials furnished in erecting galvanized iron cornice and other labor and material, making a total of seventy thousand, four hundred and thirty-six dollars and eighty-six cents (\$70,436.86), in money of the United States, hereby made available for the purposes stated.

SEC. 2. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, September 24, 1901.

[No. 237.]

AN ACT to amend section 5 and section 8 of Act No. 198, relating to official transportation.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Section 5 of Act No. 198, relating to official transportation, is hereby amended by adding thereto the following:

"Provided, however, that nothing herein contained shall prevent the Chief and Assistant Chief of the Fire Department, the Chief and Assistant Chief of Police, and the Attending Physician and his assistant, to house and stable their official vehicles and horses at their places of residence and to use the same in going to and returning from such residences on official business; but such vehicles and horses shall be under the control of the Insular Purchasing Agent as to the care of vehicles and the care and forage of horses."

SEC. 2. Section 8 of Act No. 198 shall be amended by striking out the words "to go to and from Manila from and to the provinces" and inserting in lieu thereof the following: "to go from one point to another in the Archipelago," and by adding to the section the follow-

ing: "The Insular Purchasing Agent shall furnish transportation requests, with proper stubs, in book form, signed by him, to each Provincial Treasurer, to enable the latter to countersign and issue the same upon the order of the head of the proper Insular Bureau for any Insular officer or employé, whose official duty requires him to proceed from the province of the Provincial Treasurer to some other part of the Archipelago. Each Provincial Treasurer receiving such requests shall be accountable for them to the Insular Purchasing Agent. The Insular Purchasing Agent shall, with the approval of the Insular Auditor, make proper regulations for the issuing of such requests by the provincial Treasurers to prevent their use for improper or unauthorized purposes."

SEC. 3. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 4. This act shall take effect on its passage.

Enacted, September 24, 1901.

[No. 238.]

AN ACT fixing the limits of Cavite Harbor, vesting the admiral of the United States Navy in command of the Asiatic Station with police jurisdiction thereof and providing rules and regulations for governing vessels anchoring therein.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. That portion of Manila Bay known as Cavite Harbor to the southward of a line drawn from Sangley Point to Parañaque and for one half of a sea mile due north of said line and limits, is hereby placed under the police supervision of the Admiral of the United States Navy in command of the Asiatic Station in so far as relates to the control of vessels in said harbor. He is authorized to appoint a line officer of the United States Navy to be Supervisor of the Harbor and to have charge therein of the berthing of all vessels, other than naval vessels, and of the enforcement of the provisions of this act. The Admiral is also authorized to appoint a Deputy Supervisor, who is to be also a line officer of the United States Navy, to assist the Supervisor, and, subject to the supervision of the Supervisor, he shall have the same power as the Supervisor himself.

SEC. 2. The following rules and regulations are hereby prescribed for the government of any vessel, other than a vessel of the United States Navy, desiring to berth within the limits aforesaid:

(a) Any such vessel shall first obtain permission to berth within said limits from the Captain of the Port of Manila, whose duty it shall be to notify the Senior Naval Officer afloat at Cavite, addressing Commandant of Cavite Naval Station, of the approximate time of the arrival of said vessel at Cavite, giving the name and length of said vessel and her draft when loaded.

(b) When by reason of stress of weather or of any other urgent necessity, a vessel is compelled to enter Cavite Harbor without having

had an opportunity to communicate with the Captain of the Port at Manila, she will take berth as hereinafter provided.

(c) The Supervisor of Cavite Harbor, so appointed by the Admiral in command of the station, shall have charge of the berthing of all vessels, other than naval vessels, and the enforcement of the provisions of this act.

(d) It shall be the duty of the Supervisor to see that all vessels entering Cavite Harbor shall be met by a steam launch or tug and directed to a proper berth and all vessels so entering or changing from one berth to another shall do so in accordance with the direction of the Supervisor.

(e) Should any vessel entering Cavite Harbor for any reason not be met and conducted to its berth as provided in the next preceding paragraph, it may anchor temporarily in any open berth, but is required to keep steam up ready to move, until such anchorage is confirmed or said vessel is directed to another berth.

(f) All vessels are required to moor, if they are directed so to do, if the same be deemed advisable by the Supervisor and he directs that the same be done.

(g) All vessels shall have steam up and be ready to move during a typhoon or other heavy weather.

(h) The commanders of vessels and other persons or corporations are hereby forbidden to dump or permit to be dumped, ashes or other refuse within the limits of Cavite Harbor. Lighters to remove such ashes or other refuse shall be provided by the Supervisor of the Harbor and shall be available at any time upon application to him and he will fix and collect the charge the vessels shall pay for the service of removing such ashes or refuse and such lighters may, except in bad weather, be called alongside by hoisting the international letter "L". When, owing to heavy weather or other causes, lighters cannot come alongside the vessel, the ashes and refuse shall be retained on board until the weather moderates so that lighters can be put alongside or until the vessel leaves the harbor limits.

(i) Commanders or owners of vessels and all other persons or corporations are forbidden to obstruct said harbor by sinking or permitting to be sunk obstructions of any character such as wrecks or lighters or other hindrances to navigation. All such wrecks or obstructions shall be removed by the Supervisor at the expense of the officers, owners, agents or masters of vessels immediately responsible for their presence in the harbor.

SEC. 3. The officer or person in charge of any vessel anchoring or mooring in Cavite Harbor, within the limits aforesaid, who shall fail to comply with the above regulations or with any other reasonable rules and regulations that may be hereafter issued by the Admiral in charge, for the government of vessels in said harbor, shall be fined by the Supervisor, fifty dollars (\$50), money of the United States, for the first offense, and one hundred dollars (\$100), money of the United States, for each subsequent offense and said fines shall be paid by the master, owner or agent of such vessel, to the Captain of the Port of Manila and shall by him be accounted for as Insular funds. In case the fines are assessed against the masters, owners or agents of any vessel for not complying with such harbor regulations and the same

are not paid as herein required, it shall be the duty of the Captain of the Port of Manila to notify the Collector of Customs for the Island and Chief Port, who shall refuse such vessel clearance from said port and he may further revoke her charter or take away her license to trade in the Philippine Islands provided, however, that if the makers or owners of vessels of the Quartermaster's Department of the United States shall fail to comply with such harbor regulations, they shall not be fined as herein provided, but shall be reported by the Supervisor to the Military Governor for punishment or may be debarred from the use of the harbor.

SEC. 4. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 5. This act shall take effect on its passage.

Enacted, September 24, 1901.

[No. 239.]

AN ACT providing for the payment, out of the Insular Treasury, of traveling expenses of duly appointed teachers and others to their places of duty in the Islands.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Teachers in the Department of Public Instruction and other persons appointed to office under the Insular, or a provincial government, who reach Manila from the United States, shall have their traveling expenses paid out of the Insular Treasury from Manila to the point in the Islands where their duties are to be performed. In cases where such teachers and other persons appointed have been duly authorized to bring their families at public expense from the United States to Manila, the expenses allowed under this act shall include the traveling expenses not only of such teachers and other persons but of their respective families.

SEC. 2. In case of persons stationed or residing in the Archipelago who are appointed to office under the Insular or a provincial government, the duties of which are to be discharged in some other part of the Islands, the reasonable traveling expenses of such persons from their former station or residence in the Islands to the place in which their future duties are to be performed, shall be paid out of the Insular Treasury.

SEC. 3. Payments of actual and necessary traveling expenses of the character described in the preceding sections that have been made by direction of the head of any bureau, department, or the Civil Governor, prior to the passage of this act, are hereby authorized.

SEC. 4. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 5. This act shall take effect on its passage.

Enacted, September 25, 1901.

[No. 240.]

AN ACT amending Act No. 125, increasing the limit of official traveling expenses in the province of Marinduque.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Act No. 125, extending the provisions of the Provincial Government Act to the Province of Marinduque, is hereby amended by increasing the limit of allowance for necessary and actual traveling expenses of provincial officers while absent from the capital of the province on official business from one dollar (\$1.00) per day, in money of the United States, as now provided, to two dollars and fifty cents (\$2.50) per day, in the same currency.

SEC. 2. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, September 25, 1901.

[No. 241.]

AN ACT amending Article 1, of the immigration regulations for the Philippine Islands, promulgated by the War Department, June 6, 1899, relating to a duty to be paid by passengers coming into the Philippine Islands from foreign ports.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Article 1, of the immigration regulations for the Philippine Islands, promulgated by the War Department June 6, 1899, is hereby amended, by express authority of the Secretary of War, given September 4, 1901, so as to read as follows:

"Collectors of Customs will collect a duty of one dollar (\$1.00) for each and every passenger who shall come by steam or sail vessel from any foreign port to any port of the Philippine Islands, except citizens of the United States and persons, natives of the Philippine Islands or otherwise, owing allegiance to the United States."

SEC. 2. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, September 26, 1901.

[No. 242.]

AN ACT amending Act No. 175 and establishing a supply store for the benefit of civil servants of the Insular and Provincial Governments, stationed outside the city of Manila.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. A supply store is hereby authorized and directed to be established for the purpose of furnishing officers, employés and servants

of the various departments of the Insular and Provincial Governments, including all teachers in the public schools, stationed outside of the city of Manila, with food supplies and other necessities of life at reasonable prices.

SEC. 2. The Chief of Philippines Constabulary is hereby authorized and directed to take the control and management of such supply store and of the sale and delivery of supplies to the officials, employés and servants aforesaid, and Act No. 175 is so amended as to impose these duties upon him. He is further authorized and empowered to employ such of the subordinate officers and employés of the Philippines Constabulary as, in his judgment, shall be necessary to make effective the provisions of this act, and to make the necessary regulations to prevent abuse of the privileges conferred by this act and their extension to persons not authorized.

SEC. 3. The Chief of Philippines Constabulary, in conjunction with the Insular Purchasing Agent, is empowered to procure necessary and suitable offices and warehouses in the City of Manila for the accommodation, handling and shipping of supplies made necessary under the provisions of this act. If possible, government buildings will be utilized, but if necessary, they are authorized to rent private property for this purpose. The Chief of Philippines Constabulary is also authorized to establish branch supply stores outside the city of Manila, whenever, in his judgment, it is necessary or desirable so to do in order to most efficiently carry out the provisions of this act, using government buildings for that purpose whenever available and renting buildings belonging to private persons when necessary.

SEC. 4. The Chief of Philippines Constabulary is hereby authorized to make sales from time to time to the officials, employés and servants, described in section 1 hereof, of such goods and supplies, solely for their personal use, and any sale or other disposition of such supplies by such officials, employés or servants, is hereby forbidden. It shall be the duty of the Chief of Philippines Constabulary, whenever it comes to his knowledge that such supplies have been sold or otherwise disposed of by any such officer, employé or servant, to refuse to make further sales to him or to allow him any of the benefits of this act.

SEC. 5. All goods and supplies required by the Chief of Philippines Constabulary, under the provisions of this act, shall be purchased by the Insular Purchasing Agent, pursuant to the provisions and under the limitations of Act No. 146, upon the requisition of the Chief of Philippines Constabulary; provided, that the Insular Purchasing Agent is hereby also authorized to purchase from the Chief Quartermaster and Chief Commissary, Division of the Philippines, such supplies as they are authorized to sell and as, in the judgment of the Chief of Philippines Constabulary, may be necessary or desirable for the supply store upon such terms as may be mutually agreed on between the Purchasing Agent and the said military officials.

SEC. 6. The Chief of Philippines Constabulary is hereby directed to make sales to the officials and other persons entitled to purchase hereunder, only for cash, and will charge therefor the actual cost price of such goods and supplies, with twenty per cent. added to cover cost of handling and transportation. He will make quarterly reports of his operations hereunder to the Secretary of Commerce and Police, together with proper estimates of funds necessary for the proper carrying on of the said supply store. He is authorized to employ in carrying out

the provisions of this act the following clerical force: One chief clerk, (commissary) class 6; two clerks (one sales and one book-keeper), class A; two clerks (one packer and one checker), class C; one teamster, class D; all to be selected under the provisions of the Civil Service Act, and such laborers, class K, as may be necessary.

SEC. 7. All moneys derived from the sale of food supplies and other necessaries of life, as herein provided, shall revert to the appropriation out of which such supplies were purchased, and all deposits in the Treasury on this account shall be credited as repayments to the said appropriations on the books of the Auditor. Every officer engaged under this act, unless he be an officer of the regular army of the United States, who shall receive supplies purchased under this act, and shall sell the same, receiving the proceeds thereof, shall be required to give bond in an amount to be determined by the Civil Governor of the Islands with surety satisfactory to him.

SEC. 8. The Chief of Philippines Constabulary and his duly authorized agents shall render monthly accounts of all their transactions in the form and manner prescribed by the Auditor, and shall deposit the proceeds of all sales in the Insular Treasury at least once each month. The property accountability created by the provisions of this act shall be settled and adjusted in accordance with the provisions of Act No. 215 relating thereto.

SEC. 9. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 10. This act shall take effect on its passage.

Enacted, September 27, 1901.

[No. 243.]

AN ACT granting the right to use public land upon the Luneta in the city of Manila upon which to erect a statue to José Rizal, from a fund to be raised by public subscriptions, and prescribing as a condition the method by which such subscription shall be collected and disbursed.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

Whereas, It has been proposed that a monument shall be erected to José Rizal, the Philippine patriot writer and poet, upon the Luneta in the city of Manila, and that the expense of the construction and erection of such monument shall be defrayed from a fund raised by public subscription, and

Whereas, It is necessary to the execution of this proposal that there should be a grant by constituted authority of the right to erect the monument upon the public land known as the Luneta. Now therefore,

SECTION 1. The Municipal Board of the city of Manila, with the concurrence of the Advisory Board, is hereby authorized to grant permission to the committee hereafter constituted to erect the monument above mentioned upon any place upon the Luneta which may be agreed upon by the Municipal Board, the Advisory Board and the committee hereafter constituted, with the approval of the Civil Governor, on

condition that the committee in charge of raising the fund and constructing the monument, and the method of raising subscriptions and disbursing the funds, shall be as hereafter provided.

SEC. 2. The committee for raising the funds by subscription for causing the erection of the monument and the expenditure of the funds shall be Pascual Poblete, Paciano Rizal, Juan Tuason, Teodoro R. Yangco, Mariano Limjap, Maximino Paterno, Ramon Genato, Tomas G. del Rosario, Dr. Ariston Bautista.

SEC. 3. The committee shall elect a chairman and a secretary and shall certify its action in this respect to the Insular Auditor and to the Insular Treasurer. Vacancies in the committee occurring by resignation or death shall be filled by the committee, with the approval of the Civil Governor.

SEC. 4. Subscriptions shall be collected by the committee or by agents regularly appointed by the committee, whose authority to collect subscriptions shall be evidenced by the possession of receipt-books to be prepared and issued by the Insular Treasury to the persons so authorized. It shall be the duty of the person so authorized to give a receipt to the subscriber for the amount collected, and to deposit the money collected with the Insular Treasurer at the Intendencia Building upon the day following the collection, where the collection shall be made in Manila, and as soon as practicable when collections are made outside of Manila. The Insular Treasurer shall issue a special receipt for each deposit so made, which receipt shall be invalid without the countersignature of the Insular Auditor. The Insular Auditor shall keep an account of the money thus deposited in the Treasury. The collector shall furnish to the Treasurer a list of the contributors, which list shall be made public, through the press or otherwise, at the close of each week.

SEC. 5. The funds thus collected shall be expended by the committee in any way which will contribute to the object of the subscription, to-wit:—the erection of a suitable monument, and this may include the regular payment of collection agents upon a percentage or per diem basis, as may seem wise to the committee. The members of the committee shall serve without compensation. The committee shall have power to offer prizes for designs for a suitable monument and to employ competent artists and sculptors to select the most appropriate design. The committee shall have charge of any ceremonies attending the laying of the corner-stone of the monument or its unveiling, subject to the approval of the Civil Governor.

SEC. 6. The funds collected in the Insular Treasury, a report of which shall be made monthly by the joint report of the Insular Treasurer and Auditor to the committee, shall be disbursed upon order of the committee, evidenced by warrant of the president, countersigned by the secretary of the committee, and accompanied by an itemized statement of the purposes for which the money was disbursed. The accounts shall be audited by the Insular Auditor quarterly and a public statement made by the Auditor of the result of his auditing. Should any surplus fund remain after the payment of all the expenses of the erection of the monument, including the payment of the sculptor and incidental expenses, the committee shall have power to devote the surplus to any charitable, educational or other public purpose which it may deem wise and proper.

SEC. 7. The public good requiring the speedy enactment of this

bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 8. This act shall take effect on its passage.

Enacted, September 28, 1901.

[No. 244.]

AN ACT authorizing the purchase of a tract of land for provincial, insular and military purposes in Tacloban, Leyte.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The Provincial Board of Leyte is hereby authorized to expend from the Provincial Treasury the sum of eleven thousand and thirty dollars (\$11,030) Mexican to purchase a tract of land in Tacloban lying northeast of the street known as "Gran Capitan," for provincial purposes.

SEC. 2. The Civil Governor is hereby authorized to purchase for the Insular Government for three thousand, three hundred and seventy dollars (\$3,370), Mexican, six lots, numbered 14, 15 (two lots), 16, 17, 18 and 19, as shown on the plat on file with the Commission, prepared under the direction of the Governor and Treasurer of Leyte, these lots also being northeast of the street known as "Gran Capitan;" and the sum of three thousand, three hundred and seventy dollars (\$3,370), Mexican, is hereby appropriated, out of any funds in the Insular Treasury not otherwise appropriated, for the purpose of making the purchase hereby authorized. The lots thus purchased for the Insular Government shall be held for the uses of that Government, or as a military reservation, or to be otherwise disposed of hereafter as may seem desirable.

SEC. 3. The purchase shall not be completed on behalf of the Insular Government until the Provincial Fiscal of the Province of Leyte, shall examine the titles to the property held by the proposed vendors and shall make a certificate that such titles are good, to be approved by the Attorney-General, to the Civil Governor.

SEC. 4. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with Section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 5. This act shall take effect on its passage.

Enacted, September 30, 1901.

[No. 245.]

AN ACT to amend section 19 of Act No. 83, providing for the organization of Provincial Governments.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Section 19 of Act No. 83 (the Provincial Government

Act) is hereby repealed, and in lieu thereof the following is substituted as Section 19 of said Act:

“Should the Civil Governor have reason to believe that any provincial officer is guilty of disloyalty, dishonesty, oppression or misconduct in office, he may suspend him from the discharge of the duties of his office, and, after due notice to the suspended officer, shall investigate the cause of suspension and either remove him, with the advice and consent of the Commission, from office, or reinstate him, as the circumstances may require; pending the suspension of the provincial officer the Civil Governor shall have the power temporarily to appoint a person who shall in the interim discharge the duties of the suspended officer, and in case the suspended officer is a treasurer, to make such provision with respect to the bond of the temporary appointee as may to him seem wise. The temporary appointee shall receive the same compensation as is given by law to the permanent appointee, to be paid from the provincial treasury as other salaries. In case the suspension results in a removal, the removed appointee shall not receive any compensation from and after the date of his suspension. Should he be reinstated, it shall be in the discretion of the Civil Governor to direct that his compensation, during the period of his suspension, shall be withheld, or paid from the Provincial Treasury. Suspension or removal under this section shall not prevent the institution of criminal proceedings against the person suspended or removed. Every provincial officer shall be subject to prosecution, for a criminal act committed by him, in courts of the First Instance, in the same manner as any other person.”

SEC. 2. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with Section 2 of “An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws,” passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, September 30, 1901.

[No. 246.]

AN ACT amending in several particulars Act No. 185, which regulates the salaries of officers and employes in the municipal service of Manila.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Act No. 185, entitled, “An Act Regulating the Salaries of Officers and Employes in the Municipal Service of Manila,” is hereby amended, by adding an additional section, which shall read as follows:

“OFFICE OF THE CITY SUPERINTENDENT, UNDER THE DEPARTMENT OF PUBLIC INSTRUCTION.

There may be employed in the office of the City Superintendent, under the Department of Public Instruction, the following employes:

One chief clerk, class 7; one assistant clerk, class 9; one property clerk, class 9; one clerk, class G; one janitor and messenger, class K; at an annual compensation of one hundred and twenty dollars (\$120).”

SEC. 2. Section 2 of said Act is hereby amended so as to read as follows:

“Members of the Board shall receive an annual compensation of four thousand, five hundred dollars (\$4,500) each; the Secretary of the Board, shall receive an annual compensation of three thousand dollars (\$3,000); the Disbursing Officer of the Board shall receive an annual compensation of two thousand, five hundred dollars (\$2,500). The Board is also hereby authorized, if it shall certify that such employment is indispensably necessary for the proper prosecution of its business, to employ three clerks of class 7. There may be employed in the office of the Secretary one clerk of class 6, one interpreter of class 6, three clerks of class 9, two clerks of class A, one translator and typewriter of class 9, three messengers at an annual salary of one hundred and twenty dollars (\$120) each. In the office of the Disbursing Officer, one assistant of class 7; one clerk, of class 8; one clerk, of class 9; one clerk, of class 10; one messenger, at an annual compensation of one hundred and twenty dollars (\$120).”

SEC. 3. The four paragraphs of section 5, of said Act No. 185, is hereby amended by striking out the words, “three assistant engineers of class F,” and substituting therefor, “one assistant engineer, of class C, one assistant engineer, of class D, one assistant engineer, of class F. The change in salaries of officers at the pumping station affected by this section, shall take effect and apply to the month of September, 1901, as well as to the future.”

SEC. 4. Section 12 of said Act is hereby amended by adding at the end thereof the following words:

“There may also be employed in the office of the clerk of each of the Municipal Courts, two deputy clerks, to be appointed by the clerks respectively, one at a salary of one thousand dollars (\$1,000) per annum, and one at a salary of six hundred dollars (\$600) per annum, and one interpreter for each court, to be appointed by the judge thereof, at a maximum salary of one thousand, five hundred dollars (\$1,500) per annum. Special interpreters versed in Chinese, Japanese or other languages may be temporarily employed by the judge of either court, when necessary for the due administration of justice, at a reasonable compensation, to be fixed by the judge making the appointment.

SEC. 5. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of “An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws,” passed September 26, 1900.

SEC. 6. This act shall take effect on its passage.

Enacted, September 30, 1901.

[No. 247.]

AN ACT providing for the establishment of a civil hospital at Manila.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. There shall be a civil hospital at Manila which shall be known as the Philippine Civil Hospital.

SEC. 2. In the admission of patients, preference shall be given to

the officers and employés of the insular and provincial governments and of the city of Manila. Emergency cases among other civilians shall be received at the hospital and treated free of charge until such time as they can safely be removed. Civilians, other than civil officers and employés, may be admitted for treatment up to the limit of the capacity of the institution under such regulations as may be established by the Attending Physician and Surgeon and the Commissioner of Public Health and approved by the Secretary of the Interior.

SEC. 3. The Civil Hospital shall have wards and private rooms. Patients who desire private rooms shall pay for them at the rate of not less than ten dollars (\$10) nor more than twenty dollars (\$20) per week, the exact amount to be permanently fixed for each room by the Attending Physician and Surgeon. Medical and surgical attendance, medical supplies, nursing and food shall be furnished to all patients, except emergency cases, at a uniform charge of one dollar (\$1.00) per day each; provided, that the charge of one dollar (\$1.00) per day may be remitted, in view of the circumstances of the patient, in accordance with regulations to be adopted by the Attending Physician and Surgeon and the Commissioner of Public Health, with the approval of the Secretary of the Interior.

SEC. 4. The Attending Physician and Surgeon, the Assistant Attending Physician and Surgeon and the Dispensing Clerk, appointed under Act No. 189, shall become the Attending Physician and Surgeon, the Assistant Attending Physician and Surgeon and the Dispensing Clerk of the hospital herein created, without additional compensation. There shall be in addition to the foregoing, the following employés in the hospital:

(a) A superintendent, who shall receive compensation at the rate of one thousand, two hundred dollars (\$1,200) per year;

(b) A chief nurse, who shall receive compensation at the rate of nine hundred dollars (\$900) per year;

(c) A dietist, who shall receive compensation at the rate of six hundred dollars (\$600) per year;

(d) Four trianed nurses, who shall receive compensation at the rate of six hundred dollars (\$600) per year each;

(e) Four ward attendants, who shall receive compensation at the rate of six hundred dollars (\$600) per year each;

(f) One cook, who shall receive compensation at the rate of three hundred dollars (\$300) per year;

(g) One assistant cook, who shall receive compensation at the rate of one hundred and eighty dollars (\$180) per year;

(h) One ambulance driver, who shall receive compensation at the rate of six hundred dollars (\$600) per year;

(i) One driver for market-wagon, who shall receive compensation at the rate of one hundred and twenty dollars (\$120) per year;

(j) Four servants, who shall receive compensation at the rate of ninety dollars (\$90) per year each;

(k) Two laborers for the hospital grounds, who shall receive compensation at the rate of one hundred and twenty dollars (\$120) per year each; provided, that there may be temporarily employed such other servants and laborers as may be deemed necessary by the Attending Physician and Surgeon and approved by the Secretary of the Interior.

SEC. 5. The superintendent, the dispensing clerk, the nurses, the

dietist, the ward attendants, the cook, the assistant cook, the drivers, the servants and regularly employed laborers shall be furnished food and lodging on the hospital grounds free of charge.

SEC. 6. The Attending Physician and Surgeon shall have direct supervision and control over the Civil Hospital, and shall appoint all its other officers and employés and shall define and supervise the discharge of their duties. He shall visit the hospital at least twice daily, and he and the Assistant Attending Physician and Surgeon shall render all necessary medical and surgical attendance to its inmates; *provided*, that should the number of patients become so great as to necessitate additional medical attendance, the Attending Physician and Surgeon may, with the approval of the Secretary of the Interior, appoint a House Surgeon, who shall receive compensation at a rate not to exceed one thousand dollars (\$1,000) per year, who shall live on the hospital grounds and shall be furnished board and lodging free of charge; *provided further*, that patients occupying private rooms may employ, at their own expense, other physicians to attend them. Physicians not attached to the hospital staff, who may attend patients in private rooms, shall conform to the rules and regulations of the hospital.

SEC. 7. The Attending Physician and Surgeon, the Assistant Attending Physician and Surgeon and the Dispensing Clerk shall continue to discharge the duties prescribed for them respectively in Act No. 189; *provided*, that the office and the operating room of the Attending Physician and Surgeon and the dispensary shall be transferred to the hospital building and that all surgical operations for civil officers and employés and for members of their families shall be performed in the operating room of the Civil Hospital, except when the Attending Physician and Surgeon shall deem it advisable to perform an operation at the home of a patient. The Attending Physician and Surgeon is hereby authorized to direct the transfer to the Civil Hospital of all civilian patients who in his judgment can best be treated there, and he shall not be compelled to treat any civil officer or employé or member of his family who shall refuse to go to the hospital when so directed.

SEC. 8. Disbursements for the Civil Hospital shall be made by the Disbursing Officer of the Board of Health for the Philippine Islands.

SEC. 9. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 10. This act shall take effect on its passage.

Enacted, October 1, 1901.

[No. 248.]

AN ACT appropriating one thousand, one hundred and seventeen dollars and thirty cents (\$1,117.30), in Mexican currency, for the purpose of establishing and maintaining schools in the Island of Luban.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The sum of one thousand, one hundred and seventeen dollars and thirty cents (\$1,117.30), in Mexican currency, an amount

collected under military authority in the Island of Luban and deposited in the Insular Treasury, is hereby appropriated out of any funds in the Insular Treasury not otherwise appropriated, to be expended under the direction of the General Superintendent of Public Instruction for the purpose of establishing and maintaining schools in the Island of Luban.

SEC. 2. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, October 2, 1901.

[No. 249.]

AN ACT requiring all officers and employes who shall receive and have custody of money in the discharge of their official duties to give bond.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. In all cases where an insular or provincial officer or employe shall receive or have custody of money in the discharge of his official duties, he shall give bond to the Insular Government of the Philippine Islands for whom it may concern to secure the proper accounting of the same and the payment thereof in accordance with law, unless he be a regular army or navy officer of the United States detailed for the duty, in which case no bond shall be required. In cases in which the law now in force makes provisions for the giving and form of bonds, the fixing of their amounts, their approval and their custody, such provisions shall control; but in cases coming within the purview of this act, in which there is now no provision for the giving of a bond, its form, the fixing of its amount, its approval and its custody, it shall be the duty of the Civil Governor to fix the amount of the bond and of the Insular Treasurer to approve the same and to retain it in his custody. The bond of the Insular Treasurer shall be in the custody of the Insular Auditor.

SEC. 2. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, October 2, 1901.

[No. 250.]

AN ACT authorizing an increase in the number of employes in the office of the Collector of Customs of the Islands and of the Chief Port.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. For the purpose of enabling the Collector of Customs of the Islands and of the Chief Port to maintain his full working force, and at the same time to grant the leaves of absence authorized

by law, the Collector of Customs of the Islands and of the Chief Port is hereby authorized to employ in the work of his office the following additional employés:

One clerk, class 8; one clerk, class 9; one clerk, class 10; three clerks, class A; one clerk, class F; four clerks, class I; four clerks, class J; two employés, class K, at an annual compensation of one hundred and eighty dollars (\$180) each; three employés, class K, at an annual compensation of one hundred and twenty dollars (\$120) each; one employé, class K, at an annual compensation of ninety dollars (\$90); all in money of the United States.

SEC. 2. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, October 2, 1901.

[No. 251.]

AN ACT prohibiting the sale of intoxicating beverages in the municipality of Iligan, province of Misamis, and providing the conditions under which prospectors may visit territory in that province inhabited by Moros.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The sale of intoxicating beverages is hereby absolutely prohibited in the municipality of Iligan, province of Misamis, and section 39, sub-section (ii), of the Municipal Code is hereby repealed so far as regards this municipality.

SEC. 2. Prospectors are hereby prohibited from entering that portion of the territory of the province of Misamis which is inhabited by Moros without the written permission of the military commander of the Department of Mindanao and Joló.

SEC. 3. A violation of the provisions of sections 1 or 2 of this act is hereby declared a misdemeanor punishable by fine not exceeding one hundred dollars (\$100), or by imprisonment not exceeding six months, or both, in the discretion of the court, for each offense.

SEC. 4. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 5. This act shall take effect on its passage.

Enacted, October 2, 1901

[No. 252.]

AN ACT providing for the incorporation of the pueblo of La Villanueva, province of Pangasinan, as a barrio of the municipality of Bautista, province of Pangasinan.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The pueblo of La Villanueva, in the province of Pangasinan, is hereby incorporated as a barrio of the municipality of

Bautista, in the same province, and the limits of the municipality of Bautista are hereby extended so as to include all the territory heretofore constituting the pueblo of La Villanueva.

SEC. 2. The existing organization of the pueblo of La Villanueva is hereby abolished and all offices existing by virtue of the present organization of such pueblo are hereby declared vacant and such offices are abolished.

SEC. 3. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 4. This act shall take effect on its passage.

Enacted, October 2, 1901.

[No. 253.]

AN ACT creating a bureau of non-Christian tribes for the Philippine Islands.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. There is hereby created, under the Department of the Interior, a Bureau of Non-Christian Tribes, which shall conduct systematic investigations with reference to the non-Christian tribes of the Philippine Islands, in order to ascertain the name of each tribe, the limits of the territory which it occupies, the approximate number of individuals which compose it, their social organizations and their languages, beliefs, manners and customs, with special view to determining the most practicable means for bringing about their advancement in civilization and material prosperity. The Bureau shall further investigate and report upon the practical operation of all legislation with reference to non-Christian tribes.

SEC. 2. There shall be a Chief of the Bureau, who shall receive a salary of three thousand, five hundred dollars (\$3,500) per year, payable monthly, in money of the United States, and shall be allowed his actual and necessary traveling expenses, when absent from Manila on official business; a stenographer and typewriter of class 9; and an agent for Moro affairs in the Jolo Archipelago, who shall be the clerk of class 10 in the Office of Moro Affairs in the Jolo Archipelago, authorized in section 1 of Act No. 201.

SEC. 3. The Chief of the Bureau shall have general direction and control of its work and shall appoint all its duly authorized officers and employés, subject to the provisions of the Civil Service Act and of Act No. 25. He shall, from time to time, recommend to the Commission the authorization of such additional employés as may be found necessary for properly conducting the work of the Bureau.

SEC. 4. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 5. This act shall take effect on its passage.

Enacted, October 2, 1901.

[No. 254.]

AN ACT organizing the office of the insular purchasing agent.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The Insular Purchasing Agent is authorized to employ the following force in his office: One Assistant Insular Purchasing Agent, class 4; five clerks, class 6; two clerks, class 7; one clerk, class 8; seven clerks, class 9; two clerks, class 10; two clerks, class A; four watchmen, class C; one clerk, class D; two clerks, class H; six laborers at one hundred and eighty dollars (\$180) per annum each, and such teamsters, drivers, stablemen, blacksmiths and additional laborers as may from time to time be necessary.

SEC. 2. The Insular Purchasing Agent is authorized to employ the following force in the Printing Department until the establishment of the Government Printing Plant: One foreman, class 9; one compositor, class 10; one printer and bookbinder, class A; one pressman, class A; and such typesetters and laborers as may from time to time be necessary.

SEC. 3. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 4. This act shall take effect as of October 1, 1901.

Enacted, October 2, 1901.

[No. 255.]

AN ACT amending Act No. 175 by changing the name of the Insular constabulary to the Philippines constabulary and providing for a section of information.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Section 1 of Act No. 175 is hereby amended by adding at the end thereof the words "which shall be known as the Philippine Constabulary" and by substituting for the word "Insular" wherever it occurs in the succeeding sections of said Act the word "Philippines."

SEC. 2. The Chief of Philippines Constabulary is hereby authorized and directed to organize a Section of Information which shall be under his immediate direction and control and shall consist of one Superintendent of Section, who shall be appointed by the Chief and shall receive an annual salary of twenty-five hundred dollars (\$2,500) payable monthly; one Second Class Inspector, one Third Class Inspector and One Fourth Class Inspector, who shall be paid as provided in said Act No. 175, and two special detectives who shall be paid six hundred dollars (\$600) per annum each; one draughtsman, who shall be paid three hundred and sixty-five dollars (\$365) per annum, and one clerk, who shall be paid three hundred and sixty-five dollars (\$365) per annum, the draughtsman and clerk to be appointed under the Civil Service Act.

The Chief of Philippines Constabulary is further authorized and empowered to employ one armorer and gun-smith who shall be under his immediate charge and control and who shall be paid a salary of nine hundred dollars (\$900) per annum.

SEC. 3. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the enactment of laws," passed September 26, 1900.

SEC. 4. This act shall take effect on its passage.

Enacted, October 3, 1901.

[No. 256.]

AN ACT to amend section 1 of act No. 228, relating to the salaries of emergency clerks needed for the assessment of real estate in Manila.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Section 1 of Act No. 228 of the United States Philippine Commission, relating to the salaries of emergency clerks necessary for the purpose of assessing real estate in Manila, is hereby amended so as to authorize the Assessor to employ four draughtsmen at fifty dollars (\$50), gold, per month each, in lieu of two clerks at one hundred dollars (\$100), gold, per month each.

SEC. 2. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, October 4, 1901.

[No. 257.]

AN ACT providing that checks given to civil employés of the Government and to other persons for salaries and other amounts due from the Government in different parts of the islands, shall be cashed by provincial treasurers and postmasters so far as is practicable.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Provincial Treasurers are hereby authorized to cash from provincial funds checks issued by Disbursing Officers of the Insular Government in payment of salaries due to officers, employés and servants of the Insular Government and in payment of other obligations due from the Insular Government, upon the proper endorsement of such checks and identification of the payee, and to treat the checks so received as cash on hand in the Provincial Treasury. And it is hereby made the duty of each Provincial Treasurer to cash such checks, when presented in accordance with the provisions of this section, at all times when such checks can be cashed without embarrassment to the Provincial Treasurer. The term "Provincial Treasurer" as used in this section shall include Deputies of the Provincial Treasurer when traveling through the province making collections. Provincial Treasurers are also hereby authorized to dispose of, for cash, checks so received to persons desiring to transmit funds to Manila. All checks so cashed or sold shall be cashed or sold at par.

SEC. 2. Postmasters outside the city of Manila are hereby authorized to cash from postal funds checks issued by Disbursing Officers of the Insular Government in payment of salaries due to officers, employes and servants of the Insular Government and in payment of other obligations due from the Insular Government, upon the proper endorsement of such checks and identification of the payee, and to treat the checks so received as cash on hand. And it is hereby made the duty of each Postmaster outside the city of Manila to cash such checks, when presented in accordance with the provisions of this section, at all times when such checks can be cashed without embarrassment to the Postmaster. Postmasters outside the city of Manila are also hereby authorized to dispose of, for cash, checks so received to persons desiring to transmit funds to Manila. All checks so cashed or sold shall be cashed or sold at par. It shall be the duty of the Director General of Posts to make provision, so far as is in his power, to facilitate the cashing of such checks by postmasters and to make all necessary provisions therefor consistent with law.

SEC. 3. All officers and employes of the Insular Government performing duties outside the city of Manila, whether in provinces that are organized under the Provincial Government Act or otherwise, who collect and have in their hands money, belonging to the Insular Treasury, are hereby authorized to cash from Insular funds within their possession checks issued by Disbursing Officers of the Insular Government, in payment of the salaries due to officers, employes and servants of the Insular Government, and in payment of all obligations due from the Insular Government, upon the conditions named in the two preceding sections. They are likewise hereby authorized, upon proper endorsement of such checks and identification of the payee, to receive in lieu of cash such checks in payment of sums of money due to the Insular Government to be by them collected, and to treat the checks so received as cash on hand, and it is hereby made the duty of such officers and employes outside the city of Manila to cash or receive, as the case may be, such checks when presented in accordance with the provisions of this section, at all times when such checks can be cashed without embarrassment to the official or employe to whom the funds are due. All checks so cashed or received shall be cashed or received at par, and shall be treated as cash in the remittances of the officers or employes so cashing or receiving them to the Insular Treasurer or other official to whom such funds ought by law to be remitted.

SEC. 4. Neither Provincial Treasurers nor Postmasters, nor other officers or employes of the Insular Government, shall be under obligation, by virtue of this Act, to cash checks issued by Disbursing Officers in favor of officers, employes or servants of the Insular Government or other persons not resident or stationed within the province in which such Treasurer or Postmaster or other officers or employes of the Insular Government are officially located.

SEC. 5. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 6. This act shall take effect on its passage.

Enacted, October 4, 1901.

[No. 258.]

AN ACT amending section 3 of act No. 88, increasing the bond of the provincial treasurer of the province of Bulacan to fifteen thousand dollars (\$15,000).

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Section 3 of Act No. 88, making applicable to the Province of Bulacan the Provincial Government Act, is hereby amended by increasing the amount of the bond to be required from the Treasurer of such province from eight thousand dollars (\$8,000) to fifteen thousand dollars (\$15,000), in money of the United States.

SEC. 2. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted, October 4, 1901

[No. 259.]

AN ACT providing that hereafter the official title of "The Collector of Customs of the Philippine Islands and of the Chief Port" shall be "Collector of Customs for the Philippine Archipelago."

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. After this date the official title of "The Collector of Customs of the Philippine Islands and of the Chief Port" shall be "Collector of Customs for the Philippine Archipelago," and he is authorized to sign and use as his official title hereafter, in all papers and documents, the designation herein provided.

SEC. 2. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted October 8, 1901.

[No. 260.]

AN ACT providing that all salaries paid to officers and employes in the Civil Service shall be paid in insular currency or in money of the United States as the appropriating authority shall determine, and repealing Act No. 34.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. All salaries and wages to be paid to officers and employes in the Civil Service of these islands, insular, provincial or municipal, shall hereafter be paid in money of the United States or in local currency as shall be provided in the act making appropriation for such payment. In case the appropriating authority shall order payment to be made in local currency, the ratio of local currency to money of

the United States shall be that fixed for the quarter for which the appropriations are made, by proclamation of the Civil Governor at the beginning of the quarter.

SEC. 2. Act No. 34, so far as it is in conflict with section 1 of this Act, is hereby repealed.

SEC. 3. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 4. This act shall take effect on its passage.

Enacted, October 8, 1901.

[No. 261.]

AN ACT creating a Bureau of Agriculture.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. There is hereby created, under the Department of the Interior, an Insular Bureau of Agriculture, which shall conduct investigations and disseminate useful information with reference to the agricultural resources of the Philippine Islands, the methods of cultivation at present in vogue and their improvement, the practicability of introducing new and valuable agricultural products, the introduction of new domesticated animals and the improvement of the breeds of domesticated animals now found in the islands; and shall, in general, seek to promote the development of the agricultural resources of the Archipelago. The Bureau shall take charge of and shall conduct the government farms at Magalang, in the province of Pampanga, and at La Carlota, in the province of Western Negros, and of the government agricultural experiment stations in the provinces of Iloilo, Cebú, Isabela, Ilocos and Albay.

SEC. 2. There shall be a Chief of the Insular Bureau of Agriculture, who shall receive a salary of four thousand dollars (\$4,000) per year, payable monthly, in money of the United States.

SEC. 3. The Chief of the Insular Bureau of Agriculture shall, after due consideration, submit to the Philippine Commission a plan for the organization of the Bureau, framed as nearly as may be after the organization of the Department of Agriculture of the United States, with such variations as may be required by the different conditions in the two countries and the provisions of Act No. 156, entitled "An Act Providing for the Establishment of Government Laboratories for the Philippine Islands." He shall have general supervision and control over the work of the Bureau and shall appoint its subordinate officers and employés, subject to the provisions of the Civil Service Act and of Act 25. He shall discharge all such other duties in connection with the work of the Bureau as may be assigned to him by the Secretary of the Interior.

SEC. 4. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 5. This act shall take effect on its passage.

Enacted, October 8, 1901.

[No. 262.]

AN ACT providing for the interment or burning of the bodies of animals which die having rinderpest, and prohibiting the sale or use of any part thereof.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. The owners of animals which die having rinderpest shall, where practicable, cause their bodies to be burned and shall inter any unconsumed portions remaining. Where it is impracticable to burn such bodies, they shall cause them to be interred at a depth of at least one meter below the surface of the ground and thoroughly covered with earth.

SEC. 2. It shall be unlawful to remove the skin, horns or any part of the body of an animal which dies having rinderpest, except the bile or blood serum for use in immunizing other animals against the disease.

SEC. 3. It shall be unlawful for any person knowingly to have in his possession, or knowingly to sell, offer for sale or export the skin, horns, or any other part of an animal which has died having rinderpest, except the bile or blood serum; and all persons having in their possession skins, horns, or other portions of such animals at the time of the passage of this act shall destroy them by burning or shall inter them. Officers of the law are hereby authorized to seize and destroy such skins, horns, or other portions of the body of any animal which has died having rinderpest wherever found.

SEC. 4. A violation of any of the provisions of this act shall be a misdemeanor, punishable by a fine of not to exceed fifty dollars (\$50), United States currency, or by imprisonment for not more than thirty (30) days, or both, in the discretion of the court.

SEC. 5. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 6. This act shall take effect on its passage.

Enacted October 11, 1901.

[No. 263.]

AN ACT amending section 3 of Act No. 102, providing for employes in the office of the United States Philippine Commission.

By authority of the President of the United States, be it enacted by the United States Philippine Commission, that:

SECTION 1. Section 3 of Act No. 102 and all amendments thereof, providing for employes in the office of the United States Philippine Commission, are hereby amended by adding to the employes therein authorized the following: One clerk, class A; One clerk, class D; two clerks, class H; and two messengers at a compensation at the rate of two hundred and forty dollars (\$240) per annum each. The compensation of the four messengers authorized by Act 102 is increased from one hundred and fifty dollars (\$150) per annum each to one hundred and eighty dollars (\$180) per annum each.

SEC. 2. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section 2 of "An Act Prescribing the Order of Procedure by the Commission in the Enactment of Laws," passed September 26, 1900.

SEC. 3. This act shall take effect on its passage.

Enacted October 11, 1901.

RESOLUTIONS, ETC., OF PHILIPPINE COMMISSION.

DEATH OF DR. JOAQUIN GONZALES.

[Extract from Minutes of Proceedings, September 24, 1900.]

The Commission records with regret the death on Friday, September 21, of Doctor Joaquin Gonzales, who had been appointed President of the Philippine Civil Service Board.

As a mark of respect to his memory, the Commission attended the funeral services from the Church of Santa Cruz Sunday morning, the 23d, and as a further mark of respect the following resolutions were adopted and ordered spread upon the minutes, and a copy to be furnished to his family.

Resolved, That in the untimely death of Dr. Joaquin Gonzales the Philippine people and all those interested in securing peace, contentment, stability and honest government in these islands have suffered an irreparable loss.

That Doctor Gonzales' probity, clear intellect, profound patriotism, and conservative statesmanship so commended him to the members of the Commission that he had been selected by it for the first important position that it has been called upon to fill.

That the members of the Commission extend to the sorrowing widow and family of the deceased, their sincere sympathy and cherish the hope that they may find consolation in his exalted character and useful life.

Resolved, That to the vacancy occurring by reason of the death of Doctor Joaquin Gonzales in the position of President of the Philippine Civil Service Board, the Honorable Cayetano S. Arellano is temporarily appointed.

2. That this appointment shall remain in force until the first day of March, 1901, when it is hoped that the Rules of the Board will be perfected, and the system provided by the Civil Service Act will be fully inaugurated.

3. That, as upon the tender of this temporary appointment Señor Arellano has signified his willingness to accept it on one condition, to-wit, that he shall receive no compensation in addition to his judicial salary, no compensation shall be paid to the President of the Civil Service Board during Señor Arellano's encumbency.

POWERS OF COMMISSION WITH RESPECT TO COURTS.

[Extract from Minutes of Proceedings, September 28, 1900.]

In the matter of the application in the nature of a petition for a writ of certiorari by Christian Henry Hilbert, to bring before the

Commission the record in a suit by said Hilbert against one J. Mosner, brought and concluded in the court of the first instance, District of Tondo, for the purpose of considering the legality and propriety of the imposition therein of an attorney's fee, taxed against the plaintiff, amounting to \$624:

On motion of Commissioner Ide, it was resolved that the United States Philippine Commission has no judicial powers, and has no jurisdiction to consider the petition for writ of certiorari as filed, but that, in view of the duty of the Commission to enact laws providing for a code of civil procedure and the organization of civil courts, and in view of its power to appoint and remove judges, it is proper for the Commission to investigate this question of alleged extortion under the forms of law, and, therefore, the Judge of the First Instance for the District of Tondo, in which Court these costs have been imposed, shall be invited to come before the Commission to make a statement concerning the case.

[Extract from Minutes of Proceedings. September 29, 1900.]

The Judge of First Instance for the District of Tondo, having appeared before the Commission in response to an invitation issued in accordance with resolutions of yesterday's meeting, and produced an official copy of all proceedings in case of Hilbert vs. Mosner, and having made a statement, the Commission reaches the conclusion that it is not a case calling for any action on its part in the matter of the removal of the Judge, for the reason that the Judge has merely followed a vicious custom which seems to prevail at the bar, and has depended on evidence—supported by the report of an American lawyer—tending to establish a false standard of American fees, of which the Judge can reasonably have had no other knowledge, and for the further reason that the Commission has now under consideration the early reorganization of the judiciary and the enforcement of discipline among members of the bar.

[Extracts from Minutes of Proceedings. October 1, 1900.]

Commissioner Ide reports that John G. Hvoslief, the attorney and solicitor in whose behalf the fee complained of in the petition of Christian Henry Hilbert, heretofore filed with the Commission, was taxed, has applied to him seeking the advice of the Commission as to the proper course for him to pursue in the matter of the fee, and stating that he imposed a fee larger than he would have charged his own client for the same services, had their been no liability on the part of the plaintiff to pay same, following in that respect what he understood to be the Spanish custom, but that he wished to conform to the views of the Commission with respect to the fee which he should charge. On motion of Commissioner Ide it was resolved that it was not within the jurisdiction of the Commission to fix the fee of said Hvoslief in this case, or to entertain any petition for a review of the proceedings; but that, if said Hvoslief desires the opinion of the Commission upon the proper fee to be charged in such case with a view to

determining his future action in the matter, the Commission considers that the proper fee in this case should certainly not have exceeded fifteen per cent. of the amount actually charged.

QUARTERLY PUBLICATION OF LAWS AND RESOLUTIONS.

[Extract from Minutes of Proceedings, October 24, 1900.]

On motion of Commissioner Moses, resolved that a pamphlet in an edition of fifteen hundred copies be issued quarterly containing in English and Spanish the laws passed by the Commission, and such other material as may be designated for publication by the Commission, such pamphlet to be entitled: "Public Laws and Resolutions passed by the United States Philippine Commission during the Quarter Ending....."

SUSPENSION OF JUDGE MAJARREIS.

[Extract from Minutes of Proceedings, December 6, 1900.]

Whereas, the Honorable Don Antonio Majarreis del Rosario, Judge of the Court of First Instance of the District of Binondo, was suspended from office by the Military Governor on August 10th, last, for alleged misconduct in making an order in an executive action instituted in said court by Don Ricardo Regidor, against Mr. George Hartman, by virtue of which order, an attachment was ordered levied on the property of the Hongkong & Shanghai Bank, in the sum of \$36,000.00, Mexican; and

Whereas, the said Judge Majarreis del Rosario has filed with the Commission a petition praying that he may be heard in his own defense, and be reinstated, or removed, as justice may require;

RESOLVED, that Monday, the 17th day of December, instant, be set apart for hearing the charges against the said Judge Majarreis del Rosario and his defense, and that notice of such hearing be given to the Hongkong & Shanghai Bank, the said Judge Don Majarreis del Rosario, the said Don Ricardo Regidor and George Hartman, and the Attorney General of the Philippine Islands; that the forenoon of said day be allowed for the prosecution, or those interested in the removal of the said Judge, and that the afternoon thereof be allowed to the said judge; that the copies of all the documents filed with the Military Governor as the basis for said suspension, and of the application by the said Judge for hearing before the Commission, now on file with the Secretary of the Commission, be available for the inspection and use of all said parties, at the office of the Secretary, at all proper hours, before said day, and be made the basis of a hearing, together with such further facts as shall be adduced; that at the same time, the Hongkong & Shanghai Bank be requested to show cause why the restriction heretofore imposed by military order upon the progress of litigation between said Bank and Jurado & Co. in all its forms should not be removed, and said litigation proceed with the utmost dispatch to final determination; that the hearing commence at 9:00 o'clock the morning of said day and be public.

[Extract from Minutes of Proceedings January 5, 1901.]

THE UNITED STATES PHILIPPINE COMMISSION.

IN THE MATTER OF THE SUSPENSION OF HONORABLE ANTONIO MAJARREIS DEL ROSARIO, JUDGE OF THE COURT OF FIRST INSTANCE OF THE DISTRICT OF BINONDO.

DECISION.

For a considerable period prior to the 10th day of August, 1900, the Honorable Antonio Majarreis del Rosario had been Judge of the Court of First Instance of the district of Binondo, under an appointment from the Military Governor, and, on the date named, was still exercising the duties of that office. On that day, there was issued from the office of the Military Governor, and delivered to Judge Majarreis, an order informing him, among other things,

“That you have this day been suspended from office as the Judge of the Court of First Instance of the district of Binondo You will at once enter this order upon the records of your court and thereafter will perform no duties whatsoever incident to said office until further investigation and final decision is reached.”

Since that date the Judge has ceased to act in his official capacity. On the 1st of September, that portion of the executive authority which relates to appointments to judicial positions, and removals from such positions, was transferred from the Military Governor to the United States Philippine Commission by virtue of the instructions of the President of the United States to the Commission. In the latter part of October, Judge Majarreis made a written application to the Commission wherein he prayed that the cause of his suspension might be inquired into by the Commission, and that he might be reinstated in office, or be permanently removed, as justice should require. In response to that application, the Commission set apart the 17th day of December for the purpose of hearing the charges against Judge Majarreis and his defense, and caused due notice of the time of hearing to be given to the said Judge, the Attorney General of the Philippine Islands, and to all the parties interested in the litigation in which the alleged misconduct of the Judge was charged to have occurred. On the day named, the Judge, with counsel, appeared, as well as the Attorney General of the Islands, and the Hongkong & Shanghai Bank, the complainant in the original proceedings under which the suspension was ordered, and members of the firm of Jurado & Co., which firm was a party to the original litigation out of which grew the transaction under consideration. Two other persons, George Hartman and Ricardo Regidor, to whom notice of hearing had been ordered to be given, did not appear, Hartman having deceased early in the year 1900, and Ricardo Regidor having departed for Spain prior to the issuance of the order of notice. On the day fixed, and on the following day, the parties who appeared were fully heard, and the facts herein stated are based mainly upon those shown by the record or stated personally to the Commission by Judge Majarreis. They are in substance as follows:

On the 25th day of November, 1884, by public instrument executed before a notary public, George Hartman purchased from the firm of Jurado & Co., then doing business in Manila, the store known as “El Siglo XIX,” for \$40,000.00, which he undertook to pay in twenty months, at the rate of \$2,000.00 per month, with interest thereon at

the rate of eight per cent. per annum. On the 10th day of February, 1885, Hartman, having already paid \$4,000.00 towards the consideration of his purchase, sold the same store to Charles I. Barnes, as agent of the Hongkong & Shanghai Banking Corporation, by public instrument executed before a notary public, wherein Barnes undertook, as agent for the bank, that, in addition to a certain sum then paid to Hartman, it would pay the \$36,000.00 remaining upon the purchase money, to Jurado & Co., but that instrument likewise provided that the bank might apply that sum in liquidation of the claims which it was alleged to have against the firm of Jurado & Co. But prior to the date of the purchase of the store by Barnes, as agent for the bank, to wit, on the 6th day of February, 1885, Jurado & Co., by an act of conciliation celebrated before the Court of First Instance of Binondo on that date, assigned to Matias Saenz de Vismanos, the credit against Hartman (nominally to the amount of \$40,000.00, actually \$36,000.00, by reason of the payment that had been made them), as security for the payment of an alleged debt of \$13,907.00 due to one Mrs. Baura. Ten days later, that is, on February 16, 1885, Vismanos, owner of the said credit of \$36,000.00, by public instrument executed before a notary public, assigned the same credit to one L. Fernandez. Shortly afterwards, Fernandez permitted Jurado & Co. to include the said credit of \$36,000.00 as an item of damage against the Hongkong & Shanghai Bank, in an action in favor of that firm against said bank, which action is still pending; but it does not appear that there was any formal transfer of the credit by a public instrument before a notary public, from Fernandez to Jurado & Co. On the 28th day of August, 1889, Fernandez, who still, so far as the public record disclosed, was the owner of the credit of \$36,000.00, by a public instrument before a notary public, transferred that credit to Ricardo Regidor, who was a member of the firm of Jurado & Co. Upon this state of facts, Ricardo Regidor claimed to be the owner of the credit of \$36,000.00, and it was the duty of the Hongkong & Shanghai Bank to pay that sum to him, unless it could establish a legal defense to the claim; but it did not appear that either Regidor or any one else, from the year 1885 down to the present time, made any attempt to enforce that claim, except so far as that subject is involved in the general litigation which had been going on during that period, between the Hongkong & Shanghai Bank and Jurado & Co., until the institution of the proceedings next hereinafter stated.

On the 15th day of May, 1900, Regidor instituted an executive action in the Court of First Instance of the district of Binondo against George Hartman, for the recovery of the \$36,000.00 still remaining unpaid upon the purchase price of the store sold by Jurado & Co. on the 25th day of November, 1884, to George Hartman, together with interest at the rate of eight per cent. per annum from November 25, 1884. Hartman was not in the Philippine Islands at that time, and had not been for many years. He died early in the year 1900, but whether before or after the institution of this executive action did not appear. Judgment was rendered by Judge Majarreis in that executive action, against Hartman, for the amount of \$36,000.00 and interest, and execution therefor was issued against the property of Hartman. No property of Hartman being found, Regidor thereupon presented to the court in which the executive action was pending, and over which Judge Majarreis was presiding, a petition stating in substance, that, by virtue of the facts hereinbefore stated, a credit of \$36,000.00 belonging to Hartman, and to be paid to Jurado & Co.,

remained in the possession of the Hongkong & Shanghai Bank, by reason of which he prayed that execution might be issued against the bank for the said sum of money. On the 9th day of June, 1900, Judge Majarreis addressed a communication to the bank, ordering it to hold the sum of \$36,000.00 in its hands of the property or credit of Hartman, subject to the decision of the court in said action against Hartman, and, upon the 13th day of June, the bank, in writing, replied, informing the court that it had in its hands no funds belonging to said Hartman and therefore could not hold the same subject to the action of the court. On the 19th day of June, the court directed another communication to be addressed to the bank, different in form, but not in substance, from the former one, and received a reply from the bank in effect like the former one. No summons or citation of any kind was served upon the bank, nor any statement of a time and place where it could be heard. On the 3d day of August, Regidor filed in court a petition praying that requisition be made upon the bank for the \$36,000.00 above referred to. The effect of the official communications from the Judge to the bank, made on June 9th and 19th, was to embargo or garnish the credits or funds of Hartman in the hands of the bank, if such credits or funds were actually in its hands. They constituted an attachment by garnishee process, as known in English or American law, but had no other effect. On the 4th day of August, Judge Majarreis issued an order providing, among other things, as follows:

“No proof having been presented by the agent of the Hongkong & Shanghai Bank of the payment of \$36,000.00 (pesos) which the bank undertook to make in the name of Mr. George Hartman as part of the price of the store styled “Siglo XIX,” and not having made opposition (as attorney-in-fact of the said Hartman, which character it has under Clause 7 of the written instrument presented) to the execution issued nor to the judgment rendered in this case, published in the numbers of the newspapers which were annexed to the petition to which reference is made, let the amount embargoed be attached by the Actuary to that end presenting himself in the offices of the said banking establishment, and let requisition to that effect be made upon the agent together with the presentation of the written agreement for the delivery of said sum;”

And amplifying the embargo so as to cover the interest on \$36,000.00 from the 25th day of November, 1884. Thereupon the clerk of the court proceeded to the bank and demanded immediate payment of the sum of \$36,000.00 to which demand the agent of the bank replied, that the bank had received no money from Hartman, and had no funds or property belonging to him with which to make the said payment, and for that reason was unable to pay the sum demanded, reserving the right to make use of such recourses as the law furnished, the banking establishment not having been heard or defeated in the suit against Hartman. Thereupon, upon the 9th of August, in response to another petition by Regidor, Judge Majarreis issued a decree, wherein he recited the facts hereinbefore stated in relation to the credit for \$36,000.00 and the various transfers thereof, and the rendition of the judgment against Hartman, and the requisition before made upon the bank, and the reply of the bank as above set forth, and that Regidor requested that the allegations of the bank be disregarded and execution be levied for the amount of \$36,000.00, without any excuse or protest whatever, and that,

“The bank not having made proof of having paid the said sum, its

obligations to deliver the same is undeniable and that it is not true that the bank has not in its possession money belonging to Mr. George Hartman with which to pay the sum for which it has been requisitioned, or that it does not owe to said Hartman any sum whatsoever and that the executive action taken in this suit has been brought solely against Mr. George Hartman and therefore he alone has the right to appear as defendant in this proceeding."

And ordering, that,

"A new requisition be made upon the agent of the bank for the delivery of said sum, and whatever may be his reply thereto, if he do not comply with the same, let the Actuary immediately proceed to carry the embargo already levied upon the said sum of \$36,000.00 (pesos) into effect, to take possession of an equal sum of money from the vaults of said establishment without admitting any excuse or protest whatsoever."

This requisition was forthwith presented to the bank by the clerk of the court, and the agent of the bank again refused to deliver the money, and immediately a petition was presented to Judge Majarreis in court, by the attorney for the bank, asking to be admitted as a party to the action, praying the court to grant a rehearing, and declaring that the bank was under no obligation to pay the \$36,000.00 for which the requisition has been made. On the 10th day of August, Judge Majarreis decided that the Hongkong Bank, not being a party to the executive action of Regidor against Hartman, had no standing in court, and no action could be taken upon its petition, and on the same day ordered the clerk again to proceed to the bank, taking with him American military police, for the purpose of forcibly seizing the \$36,000.00 and thus carrying into effect the decree of August 9th. At this point, and before the vaults of the bank could be forced open and the money seized, the Military Governor, on petition of the Hongkong & Shanghai Bank, intervened with a stay of all proceedings under the decree last mentioned, and the suspension of the Judge above stated.

The courts in the Philippine Islands were then in existence only by virtue of a military order, and the appointment, suspension, or removal of judges was within the exclusive competence of the Military Governor, a power to be exercised by him in such manner as in his judgment would best promote military ends or the public good. The suspension was necessarily upon an *ex parte* showing, and in an exigency that demanded immediate action.

The question to be determined by the Commission is, ought Judge Majarreis, under the conceded facts, to be restored to his position as judge, or ought he permanently to be removed from the bench. No direct proof of actual corruption on the part of the Judge was adduced, nor was there any evidence tending to establish it, except such inferences as might fairly be drawn from his action under the circumstances above stated, coupled with the further facts, which appeared in the hearing, that on several occasions, a short time prior to the attempts to enforce payment of the \$36,000.00 from the bank, Ricardo Regidor had private interviews with Judge Majarreis, at his place of residence, and that, at about the same time, in other litigation pending before that Judge, judgments were rendered by him giving to Regidor immediate possession of two houses, the right to which was in dispute, and refusing to grant any hearing or appeal to the party against whom the judgments were rendered, upon technical grounds, quite similar to those given by the Judge as the reason for his action in the principal case now under investigation.

In the performance of its executive duty to remove a judge when the good of the public service requires such removal, the Commission would not necessarily be governed by the same rules that would apply on an impeachment of a judicial officer for high misdemeanors or offenses. Its action would be determined, not upon any technical grounds, but upon a consideration of the general interests of the public, and the due administration of justice. A judge ought not to be removed for a mere mistake in the law, unless the mistake is of such a character as to clearly indicate a perverted moral sense on the part of the judge, or incapacity to distinguish between right and wrong, between justice and injustice, or such gross ignorance as to make it manifestly unsafe to entrust him with the further performance of judicial duties. The independence of the judiciary ought not to be assailed. Every judge must be free to exercise his honest, fair, unbiased and impartial judgment upon all matters calling for his judicial action, without fear of having the consequences of such action visited upon him by the penalty of removal. But an able, upright, impartial and incorruptible judiciary lies at the basis of all good government. In the last resort, under free civil institutions, the citizen must go to the court to determine his rights, not only as against his neighbor, but also as against oppressive actions on the part of public officials. The courts are the final arbiters of liberty of the person, and security of the property, of all men. It is indispensable that the possessors of this great power should be men of high character, lofty principles, profound sense of justice, and free from taint of every kind, so that they may command the unbounded confidence of the community in their wisdom and probity. It is not enough that a judge should mean to do well, if he has no such capacity as enables him to reach just results, and, with capacity and legal learning, he must also possess the moral discrimination that enables him to distinguish right from wrong, and to brush away petty technicalities that befog and obscure the real issues and the absolute merits of the controversy, and the courage to resist all importunities to permit injustice, under any pretense, and the absolute determination that justice, and nothing but justice, shall prevail in his court.

The central fact in the result of the executive action of *Regidor vs. Hartman* is, that Judge Majorreis rendered a final judgment and issued execution against the Hongkong & Shanghai Bank, when that bank was not a party to the action, when it had never been cited to appear and protect its rights, when the Judge was authentically informed that the bank denied having in its possession any funds or property belonging to Hartman, or subject to execution on a judgment against him, and when its efforts to be heard in defense of its rights were entirely disregarded and defeated by the Judge. No sophistry or legal quibble can obscure this central fact. It is a fundamental principle, lying at the bottom, not only of the universal sense of justice and right, but also of every system of civilized jurisprudence, that no one shall be condemned unheard, that judgment shall not be rendered and execution shall not be issued, in any case, against any one until he has had his day in court. The violation of this principle by Judge Majorreis was complete, and occurred in an action where great pecuniary interests were at stake, and where redress was impossible, if the execution ordered by him had been enforced. Such violation of fundamental principles shocks the moral sense. Putting the most favorable construction upon his action, it indicates such a

shortage of moral discrimination, and such a disregard of the plain difference between justice and injustice, that his continuance in office would be highly detrimental to the good name of the courts, and to the due administration of justice.

No useful purpose would be served by a lengthy discussion of the technical grounds upon which the Judge attempted to excuse or explain his action; but they may be briefly stated.

He justifies the refusal to listen to the application of the bank for rehearing and to be heard in its own defense, upon the ground that it was not a party to the action and therefore had no standing in court. But if it was not a party to the action, execution could not lawfully issue against it. He further says that the bank might have come in as a party defendant, as agent or attorney for Hartman, under the power of attorney contained in the public instrument wherein Barnes, as agent of the bank, purchased the store "Siglo XIX" from Hartman and assumed the payment of his obligation to Jurado & Co. and that it failed to do so. He made no suggestion at the time of rejecting its application for hearing, that it might come into court in that way. But if it had come in as the agent of Hartman, its defense would, under the law of procedure applicable to executive actions, apparently have been limited to such defenses as Hartman could have made, and there is nothing to indicate that Hartman could have made a successful defense to the action against him, or that it could thus have litigated the question of its own liability, nor is it at all certain that Judge Majarreis would have ruled that the power of attorney held by the bank was sufficient to entitle it to appear at all, as the agent of Hartman. The Judge also claims that the bank might have become a party by intervention. But when the bank presented its petition for a rehearing, he made no suggestion of that kind, and justifies his silence only upon the ground that it was the business of the attorneys of the bank to know the proper method of procedure. Apparently the application of the bank was an intervention in every sense, except possibly in name, and it would be a monstrous perversion of justice to turn a party out of court and issue execution for \$36,000.00 against him, without a trial, upon so shallow and technical a ground as that. It is doubtless true that, had the bank disclosed, in response to the embargo, that it had in its possession \$36,000.00 belonging to Hartman, that fund would have been an available asset upon which execution against Hartman might properly have been levied. But the instant the court became authentically informed that the bank denied having such assets or funds belonging to Hartman, the power to proceed against it, in the executive action against Hartman, came to an end; and before the bank could have been compelled to make payment, separate action must have been instituted against it, wherein it would have had full opportunity to be heard in its own defense. Such is plainly the law, not only upon general principles of natural justice, but also under the Code of Civil Procedure prevailing in the Philippines.

The result, therefore, necessarily is, that the suspension of Judge Majarreis ordered by the Military Governor, on the 10th day of August, 1900, ought to be made permanent, and he should be removed from the office of Judge of the Court of First Instance of the district of Binondo; and it is so ordered.

Manila, P. I., January 5, 1901.

THE SAN JOSÉ COLLEGE CASE.

[Extracts from Minutes of Proceedings, January 5, 1901.]

BEFORE THE UNITED STATES PHILIPPINE COMMISSION.

T. H. PARDO DE TAVERA, AND OTHERS, FOR
THEMSELVES AND OTHER INHABITANTS OF
THE PHILIPPINE ISLANDS,

against,

THE RECTOR OF THE UNIVERSITY OF SAINT
THOMAS, A DOMINICAN MONK, AND THE
HOLY ROMAN APOSTOLIC CATHOLIC
CHURCH, REPRESENTED BY THE MOST
REVEREND THE ARCHBISHOP OF MANILA,
AND THE MOST REVEREND THE ARCH-
BISHOP OF NEW ORLEANS, APOSTOLIC
DELEGATE.

DECISION.

In the instructions given by the President of the United States to the Secretary of War for the guidance of the United States Philippine Commission was the following direction:

“It will be the duty of the Commission to make a thorough investigation into the titles of the large tracts of land held or claimed by individuals or by religious orders; into the justice of the claims and complaints made against such land holders by the people of the islands, or any part of the people, and to seek by wise and peaceable measures a just settlement of the controversies and redress of the wrongs which have caused strife and bloodshed in the past. In the performance of this duty the Commission is enjoined to see that no injustice is done; to have regard for substantial rights and equity, disregarding technicalities as far as substantial right permits, and to observe the following rules:

That the provision of the Treaty of Paris, pledging the United States to the protection of all rights of property in the islands, and as well the principle of our own Government, which prohibits the taking of private property without due process of law, shall not be violated; that the welfare of the people of the islands, which should be a paramount consideration, shall be attained consistently with this rule of property right; that if it becomes necessary for the public interest of the people of the islands to dispose of claims to property, which the Commission finds to be not lawfully acquired and held, disposition shall be made thereof by due legal procedure, in which there shall be full opportunity for fair and impartial hearing and judgment; that if the same public interests require the extinguishment of property rights lawfully acquired and held, due compensation shall be made out of the public treasury therefor; that no form of religion and no minister of religion shall be forced upon any community or upon any citizen of the island; that upon the other hand no minister of religion shall be interfered with or molested in following his calling; and that the separation between State and Church shall be real, entire and absolute.”

Soon after the Commission reached Manila, it was consulted by General MacArthur, the Military Governor, as to the proper course

for him to take on the petition of the Rector of the University of Saint Thomas, asking him to revoke an order made by his predecessor, General Otis, in 1899, which forbade the Rector of the University of Saint Thomas to continue to maintain a school of Medicine and Pharmacy in the buildings of the College of San José, and to use its name and income for that purpose. The order of General Otis had been made at the instance of the President and Directors of the Philippine Medical Association, who claimed that the foundation of the College of San José had been completely under the control and administration of the Spanish government as a public institution and passed by virtue of the Treaty of Paris to the United States government, and that though the Spanish government had permitted the College to be administered for it by the Dominican order, the United States government, in which there is a complete separation of Church and State, should maintain the administration of a school, with purposes so entirely secular as that of the teaching of medicine, free from sectarian and monastic influences. General Otis' order did not take away from the control of the Rector of the University the property of the College of San José, but merely forbade the opening of the College as a school of Medicine and Pharmacy. The property of the foundation, therefore, is still in the possession and under the control of the Rector of the University of Saint Thomas, except that he is prevented by the terms of the order from opening a College of Medicine and Pharmacy therein.

The corporation of the College of San José owns two large haciendas. The issue here presented involves the question of the control of that property. Under the instructions of the President, the Commission deemed it its duty to investigate the issue involved and to bring it to a legal settlement. It so advised the Military Governor and suggested that he delay action upon the petition of the Rector of the University of Saint Thomas until the investigation could be had, and that meantime the College might be opened under the joint control of representatives to be appointed by each party. Joint control was unsatisfactory to both parties and the Military Governor, therefore, decided not to change the *status quo* under the order of General Otis, until the Commission should conclude its hearing and express to him its view of the proper action to be taken on the petition of the Rector of the University. The hearing of the case was begun in July and continued from time to time until October. Dr. T. H. Pardo de Tavera appeared as the party complainant, representing the Philippine Medical Association and those of the Philippine people interested in secularizing the control of the College of San José. The Most Reverend Fr. Bernardino Nozaleda de Villa, Archbishop of Manila, and the Most Reverend P. L. Chapelle, Archbishop of New Orleans and Apostolic Delegate, appeared in behalf of the Holy Apostolic Roman Catholic Church, and asked that it be substituted as a party to the issue instead of the Rector of the University of Saint Thomas, on the ground that the Rector only represented the Church in his control of the College. The Archbishops were permitted to appear in this representative capacity and to defend against the prayer of complainants.

The pressing engagements of the Commission in other matters prevented a speedier hearing, and have delayed the announcement of its conclusions until now.

The questions in the case are these:—

Did the Government of the United States, as claimed by the complainants, acquire by the Treaty of Paris the right and power to pro-

vide for the control and management of the foundation and properties of the College of San José, as an institution under the secular and civil control of Spain in the Philippine Islands, so that the United States should now by law give to the College a directory, non-sectarian in character, to maintain and conduct it as a school of medicine and pharmacy? Or—as claimed on behalf of the Catholic Church—have the foundation and properties of the College of San José, under the canonical law and the civil law of Spain, always been subject to the ultimate control of the Church for sectarian charitable purposes, a control exercised by the King of Spain only by virtue of a concordat between him and the Pope, as head of the Catholic Church?

It is indispensable to a proper discussion of these questions that the history of the College of San José as shown by the evidence and documents before us should be stated. It was agreed between the parties that for the convenience of themselves and the Commission a statement of the facts, made by Lieut. Col. Crowder, Military Secretary, in a report concerning the status of the College, to the Military Governor, should be taken as accurate, but that it might be supplemented by additional documents and evidence to be produced by either party. Additional documents have been produced by the parties and we do not understand that the authenticity of any of the documents adduced on either side has been denied. With the record of the case thus fixed, we proceed now to state, as succinctly as may be, the history of the College of San José:

On the 8th of June, 1585, the King of Spain, upon information that the Fathers of the Society of Jesus had done much good work in teaching in the Islands, and that their retention and increase was desirable, and that they should be assisted by the establishment of a college, commanded the Governor and the Bishop of the Islands to report to him how the College could be instituted and the necessities of the Jesuit Fathers provided for. In 1601, on the 25th day of August, the Provisor and Vicar General of the Archbishopric of Manila, upon the application of the Jesuit Father, Louis Gomez, granted permission to the petitioner and his order to found and establish the College of San José for the purpose of bringing up young people of the city of Manila and rearing them according to good manners and learning and of creating such ministers of the Holy Gospel as might be needed in the land and to perform masses in the College. Upon the same day, the Governor and Captain General of the Philippines, in the name of the King of Spain, granted a similar license to the same applicant. How far the Jesuit Fathers were successful in establishing a college for the purposes mentioned between 1601 and 1608 does not appear very clearly. Certain it is that a school was opened called San José, but there appears to have been no property foundation of any kind until after 1605. In the month of March, 1596, Rodriguez de Figueroa, then Governor of Mindanao, made the following will:

“In the name of God. Amen. Know all whom this will may see, that I, Esteban Rodriguez de Figueroa, Governor and Captain General of Mindanao and of its District, now a resident of the village of Arevalo, legitimate son of Duarte Rodriguez de Figueroa and Da. Isabel Gonzales, my parents, formerly residents of the city of Jerez de la Frontera in the Kingdom of Castile, being in good bodily health and in my natural understanding and memory, such as pleased our Lord to give me, and believing, as I truly and firmly believe, in the Most Holy Trinity, Father, Son and Holy Ghost, three persons, and only one true God who lives and reigns, without beginning and without end. And

taking as I do the Holy Virgin Mary as my Lady and Advocate in all my actions, and desiring to place my soul in course of salvation, and naturally fearing death, I execute, acknowledge by these presents, and order this my last and ultimate will, in the manner and form as follows:

And so that God, our Lord, should not allow any of my said children to die before they become of age, competent to make a will, I, as their father and legal administrator, am competent to make a will for them in such case, and, by virtue of said power, I order and command that if the aforementioned happens, their mother, Ana de Oseguera, if surviving, inherit the estate of the deceased and of both, the third and the remainder of the fifth being devoted to what is hereinafter declared, and if said Da. Ana de Oseguera and my said children, or either of them, die without leaving heirs in the descending line, then, in such case, their estate and their legal paternal or maternal portion, together with the rents and profits therefrom, shall be devoted to the foundation of a College in the manner hereinafter stated, the same being done, if said Da. Ana de Oseguera survives, with the third and remaining fifth; in either one or the other event, a house must be constructed near the Society of Jesus of Manila, sufficient to serve as a College and Seminary for boys, where all those be admitted who should desire to enter the primary classes of said Seminary; I pray and request whoever may be the Provincial of said Society to furnish such boys with sufficient teachers for that purpose, the remaining part of said building, not used for that purpose, to be rented for the purpose of maintaining such children and boys; the said Father Provincial to be the Patron and Administrator of said College, and no one can enter therein without his permission and authority; to visit and to correct and arrange all of its things, to order said sale, buy the possession and the building, and to appoint a collecting agent and other officials and ministers with the power and authority necessary to such ministry, without said College, nor any judge, nor any secular nor ecclesiastical administration of justice taking part therein, notwithstanding any pretensions that may be advanced. And if any rent remains after payment of maintenance for said boys and of clothing for those who are poor, the said Patron may dispose of it at his will for the benefit of said College and of the Society or of any other pious work, as he may deem best, without at any time asking or taking any account therefor from him, for any cause or reason.

I revoke, annul and declare as of no value and effect, any will, order, or codicil which I may heretofore have made, so that they be of no value except this one which I desire to be valid as my last and ultimate will, in the course and form which is proper under the law.

In testimony of which I have executed it and signed it with my name at the village of Arevalo on the sixteenth day of the month of March, 1596."

In 1605, after the death of Governor Figueroa, the event happened which fulfilled the condition of the gift of the testator to found a college. Part of the funds or property which thus became available were in the city of Mexico, and in order to obtain them it became necessary to apply to the King of Spain to permit the transmission of the annual income from Mexico to the Philippine Islands. An application was accordingly made by the head of the Society of Jesus in which the facts were set forth substantially as before stated, and the necessary permission was requested. By decree of September 13, 1608, this permission was granted as necessary to the founding of a college and

seminary in the city of Manila, where the children of the residents of said islands should be educated, and where such a college was needed so much for the purposes of study and of creating Ministers of the Gospel, of which the applicant, the Procurator of the Society of Jesus in the Indies, had been designated as patron. On the 28th day of February, 1610, the Vicar General of the Diocese, upon an application of the Provincial of the Society of Jesus, after reciting the will of Figueroa, the appointment of the provincial as patron, the establishment of the College, the foundation of twenty scholarships, renewed and confirmed the license and permission of 1601 to Father Gomez to establish the College and celebrate masses therein. On July 12 and 27, 1669, King Philip the Fourth made an unconditional grant to the College of eight thousand dollars, and on July 27 of the same year, Queen Mariana of Austria made a similar grant of twelve thousand dollars. On the third of May, 1722, the King of Spain received a petition from the head of the Society of Jesus in these Islands, stating that the Society was administering in the city of Manila "a seminary "for grammatical, philosophical and theological students, in the name "of San José, founded by Don Esteban Rodriguez de Figueroa," and praying, in consideration of the good that it had done and on account of the particular benefit which would result to the whole of said republic, that the King receive it within his royal protection, granting it the rights, privileges and pre-eminences of a royal college without any prejudice to his royal treasury, with authority to place his royal coat of arms over its doors and other customary places and to make use of the title in documents and letters. The King deemed it proper to grant the request, admitted the College of San José within his royal protection, honoring it with the royal title of *ad honorem* in case it should have no patron, upon express condition that it should never cause or produce prejudice or embarrassment to the Royal Treasury by reason of the title. He commanded the Governor of the Philippine Islands and prayed and requested the Archbishop of the Metropolitan Church of the city of Manila not to place or allow any embarrassment or impediment whatever to the enjoyment by the College of San José, administered by the members of the Society of Jesus, of the royal title thereby granted and the other privileges in respect thereto.

In 1768, by the Pragmatic Sanction, the Jesuits were expelled from the Philippine Islands, their properties were seized by the Crown and in lieu thereof pensions were allowed to the Order. As part of the properties, the Governor of the Islands seized the College of San José and its estates, and treated them in every respect as confiscated to the Crown. The College building was turned into barracks. Against this confiscation, the Archbishop protested and petitioned the Governor General that, pending the King's action on the protest, the College be delivered to him. The petition was granted and the Archbishop took possession of the College and converted it into a religious seminary for natives. Against this action of the Archbishop, the Court of the Audencia protested to the King, contending that the College of San José should upon principles of law revert to the status fixed by its foundation. On March 21, 1771, the King acted on the representation of the Audencia and, the protest of the Archbishop. He disapproved the seizure and despoliation of the properties of the San José College by the Governor, but he also disapproved the conversion of the College into a seminary made subsequently in common accord by the Archbishop and Governor. In the rescript of the King upon the issue thus presented, he held that the action of the Governor

was entirely contrary to what was ordered in the instructions for the expulsion of the Jesuit priests, and against the right which those who were in the College at the time, and those who should succeed them in the future, had legitimately acquired to maintain themselves there; that the new order of things in regard to the want of teachers could not serve as an excuse, since priests would not be lacking to be substituted for the present, and in time they would become suitable persons for sustaining this laudable foundation; that the spoliation had been a cause of the most serious damage and pernicious consequence, as it was shown that the said College was founded with a view to instructing the sons of leading Spanish subjects of that city in grammar, philosophy, and theology; that twenty scholarships were created in it for that many more collegians; that their instruction was undertaken and the direction was entrusted to the expelled priests of the Society; that the father of the then King had been pleased to receive it under his sovereign protection on May 3, 1722, and to decorate it with the title of Royal *ad honorem*, provided it should have no other patrons, and upon the express condition that it never would or could produce a burden or charge of any kind on the royal treasury and that the said Order of the Society of Jesus had no interest in it except the said direction and government; that under the orders of 1769 and 1770, regarding the seizure of the temporalities of the Jesuits, it was decreed "that no change should be made in the colleges, or the secular houses, whose direction and the instruction therein were in their charge, that the Governor and the Archbishop had exceeded their authority in erecting a new collegiate seminary in the College of "San José" and as the College of San José had nothing in common with the expelled priests through their only having had its administration and direction, and this having ended with the expulsion, the said Governor ought to have appointed an ecclesiast of good standing as rector and administrator from those who had been students in the same College, as being already instructed in its management; with these instructions, to give an account every year without permitting the Archbishop to meddle in anything pertaining to the College "as it is under my royal protection and therefore totally independent of the ecclesiastical Ordinary, as are the other obras pias spoken of by the Tridentine."

The King accordingly ordered that all things be placed in the College in the same state and condition in which they were before the change took place.

At the commencement of the year 1777, the Governor appointed as Rector and Administrator of the College, Don Ignacio de Salazar, Canonical of the Metropolitan Cathedral, who in that year took charge of the property of the College of San José, and from that time down to 1879, the position of Rector-Administrator of the College of San José was always entrusted by appointment of the Governor General to an ecclesiastic of the Cathedral, with the duty of reporting the accounts of his administration every three years. The management of the College was not successful and the administration of its properties was negligent and possibly in some of its years corrupt. The field of secondary education which it had attempted to fill came to be occupied by newer and more successful institutions, such as the Municipal Atheneum and the College of San Juan de Letran.

Between the years 1860 and 1870, the question of the conversion of the College of San José into a professional school of some character—of arts, agriculture, or medicines—was much discussed, particularly

its conversion into a school of medicine and pharmacy. Finally, in 1867, a board consisting of the Rectors of the University, Municipal Atheneum and College of San José, and one representative each of the professions of medicine and pharmacy, was convened by royal order and charged with the duty of ascertaining the origin and object of the College of San José, its revenues and pious charges, and the best manner of installing therein classes of medicine and pharmacy. Its condensed finding is thus reported:

“**RESULT:** That there only appears the strict obligation of supporting three scholarships with the state of Tunasan, and one more when the ‘Mesa de Misericordia’ (Table of Mercy) may guarantee its expenses. As to the studies nothing is said of what kind or faculty they shall be—it is only set forth that sons of well-born Spaniards shall be educated in virtue and letters.”

Morales de Setion, Rector-Administrator in 1869, in submitting his report of that year, reaches the same conclusion. He refers to the fact that at that time Manila was provided with five colleges dedicated to secondary instruction, and points to the great advantages which would result if one of these colleges could be devoted to teaching something more adapted to the conditions of the country and the wants of its inhabitants. The Rector of the University of Saint Thomas also expressed the opinion that the diversion of the greater part of the College’s funds to the maintenance of classes of medicine and pharmacy was within the provisions of that clause of the will of the founder declaring that “if the said funds, after paying the board of said boys and the clothing of those who are poor, should show a surplus, the said Patron may dispose of the same as he thinks right for said College or the company, or in other pious works, as he may deem best, without being called to account at any time for any cause or reason whatever.”

In short, it was argued that the specific intention of the founder had failed and that his general intention in favor of educational charity should be effectuated by the government through a *cy-pres* application of the funds, or as the canonical phrase is, by commutation.

In 1870, the Spanish government adopted the famous decrees concerning education in the Philippine Islands known as the Moret Decrees, by which it was attempted to secularize most of the institutions of learning. Among other provisions in these decrees, was one directing that the College of San José, the College of San Juan de Letran and the Ateneo Municipal should be united in one academy for secondary and entirely secular education to be known as The Philippine Institute, to be subject to the ultimate control of a Superior Board of Education which was civil and secular in its character. Those decrees were never enforced. They were successfully resisted by those in control of the College of San José and the others as an arbitrary and unjust despoliation.

In 1875, upon the accession to the throne of King Alfonso, new decrees were made by which the University of Saint Thomas was reorganized, though the control of it by the Dominican order was not disturbed, and the College of San José was in a sense incorporated into the University. The history of this is found in Col. Crowder’s report as follows:

“The incorporation of the College of St. Joseph into the University and the application of its revenues to the maintenance of the University classes of medicine and pharmacy were accomplished by Arts. 2 and 12 of this decree of 1875, the former prescribing that ‘in this

University shall be given the necessary studies for the following professions: Jurisprudence, Canon, Medicine, Pharmacy and Notary,' and the latter that 'the branches of medicine and pharmacy' although constituting an integral part of the University, will be taught in the College of St. Joseph, whose revenues, with the deductions of the amounts for pious charges, will be devoted to the expenses of these branches. The five-sixths part of the fees from the registration of these subjects, and half of the fees for degrees, titles and certificates of the alumni, will also pertain to the College mentioned. The rest will be applied to the general expenses of the University.'

"These articles conferred a positive benefit and were immediately enforced. Other articles, the effect of which was to impair, to a degree at least, the Dominican autonomy, were accorded a very different reception, and to these attention will now be invited. The first and most important of these latter articles is Art. 14, which reads as follows:

'The Vice Royal Patron, upon the recommendation of the Rector, shall name a Director for the College of St. Joseph, confiding to him also the administration of its revenues. In lieu of this functionary the senior professor of the branch of medicine will perform the duties of Director-Administrator.'

"The Rector's first action under this article was the recommendation of Dr. Manuel Clemente as Director-Administrator of the College, who was appointed by the Governor General. But in 1876-7, there resulted a large deficit in the revenues of the College, and a royal order dated June 5, 1877, was issued by the Minister of Colonies recommending a more careful management of the College funds.

"When the Governor General received said royal order he convened a Commission, and charged it with studying and making recommendations as to the proper way of maintaining the faculties of medicine and pharmacy with the funds of the College alone, if possible. This commission condemned the administration of Clemente as unfit and abandoned, and, in its report of September 5, 1877, recommended that the Rectorate of the University should immediately take charge of the estates, valuables and all properties and documents of St. Joseph's College, and that regulations for the management of the same be extended. As a result, the Governor General, on September 28, 1877, decreed that an administrative commission, composed of the Rector of the University and the professor of pharmacy, Fernando Benitez, should take charge of the College, conferring upon them the powers necessary to carry out the complete reorganization of St. Joseph's College, such as was provided in the royal order of 1875. This commission commenced its work in October, 1877, and on July 26, 1878, submitted its report in which it recommended that the office of Director-Administrator should be made two separate offices, the office of Director to be filled by the Rector of the University, to be rated *ex-officio* 'Director of St. Joseph's,' and that of Administrator to be filled by the Governor General, upon the recommendation of the Rector of the University of three names to be taken from the professors of medicine and pharmacy. This report was approved by the Governor General in his decree of August 1, 1878, in which he directed that the immediate direction and government of the College should be hereafter under the charge of the Rector of the University, and that the administration of said College should continue in the hands of Don Fernando Benitez, professor of pharmacy. This decree of the Governor General was subsequently approved by the Royal Order of March 24, 1880, with

the modification that Benitez, in his post of administrator, should be removable, and that his successors should be named by the Governor General, upon the recommendation of the Rector of the University of three names, the appointee being always a professor of one of the branches of medicine or pharmacy. By the Governor General's decree of August 1, 1878, the Rector was charged with preparing regulations concerning the control and management of the College. It appears that such regulations were issued by the Governor General on October 15, 1879; that title 2 of said regulations gives to the Rector of the University, as ex-officio Director, the control of the properties and finances of the College."

"It has thus happened that Art. 14 of the decree of 1875, which, although it did not direct, certainly permitted the control and management of St. Joseph's College to be given into the hands of a layman, has been in effect abrogated by subsequent orders of the Governor General, approved at Madrid, which place the management and control of the finances in the Rector of the University.

"Articles 6 to 10 of the decree of 1875 have shared a similar fate. There has never been a competitive examination held either here or at Madrid for vacant professorships, and these have been filled by the Governor General upon the recommendation of the Rector. Regulations to carry the decree of 1875 into effect, which were to have been published and remitted to the minister of Foreign Colonies with all urgency, have not yet been published, although the Rector claims that a draft of such regulations was prepared and forwarded in 1876, and a second draft in 1890.

"The administration of the College properties is separate from that of the University properties. Two accounts are kept, each with its own funds and distinct administration, but both under the same direction, to-wit: that of the Rector of the University. On the whole it seems that the effects of the decree of 1875 upon St. Joseph's College were radical in the extreme when we consider the independence it enjoyed in its earlier history. Its scholarships, which prior to 1870 had been maintained at twenty, were, shortly after this decree went into effect, reduced to three and transferred to another institution. The instruction formerly given within its walls in 'virtue and letters,' in accordance with alleged requirements of its foundation, gave way, under that decree, to professional education in medicine and pharmacy. Its revenues, deducting the insignificant portion necessary to maintain three scholarships and a few other pious charges, were devoted to the maintenance of the faculties of medicine and pharmacy. But the administration of the College properties was kept distinct; the separate autonomy in this regard remains unimpaired."

The income from the property in normal times seems to be about twenty thousand dollars gold and to indicate a foundation of about half a million dollars gold.

In the opening arguments for the complainant, the ground was taken, based on the history of the College as recited by one ecclesiastical writer, that the College was founded by the Royal Decree of 1585 and that \$1,000 a year was devoted from the Royal Treasury to its support, that the gift of Figueroa was merely in support of the royal foundation, and that contributions were made by the government of the Islands from time to time to aid the College as a royal college. It was said that such a college was wholly free from ecclesiastical control if the King desired to make it so, and that he had shown his desire to do so in the establishment of it as a secular college of medicine and pharmacy without any instruction in morals or religion.

The contention on behalf of the complainant that the College was originally of royal foundation by grant of 1000 pesos annually was denied by the prelates appearing for the Church, and in the reply of complainant's counsel, the Commission understood this contention not to be insisted on. We come, therefore, to the argument for the Church because the issues really presented for decision are more sharply drawn by the argument for the Church and the reply of counsel for the complainant.

The argument on behalf of the Church begins with the premise that all ecclesiastical pious works, as defined by canonical writers and laws, are subject to the ultimate control of the Church; that the method of administering such works was fixed by the decrees of the Council of Trent and that by decree of Philip the Second the canonical law formulated and declared by this great church council has always been recognized as binding in the Kingdom of Spain; that under such decrees, there were two ways in which pious ecclesiastical works were administered by the Church, one through the control or visitorial power of the Ordinary or Bishop of the Church, and the other through the King; that pious works administered through the King were not subject to the control or visits of the Bishop except by license of the King, but that in controlling such works, the King was acting merely as the delegated agent or trustee of the Church. In support of the claim that the foundation of the College of San José was a pious ecclesiastical work within the operation of the decrees of the Council of Trent, references are made to the definitions of such works by writers on the canon law in describing the property devoted to them as a class of church patrimony. The authors cited describe as Church patrimony all property destined to succor the poor and needy, including in its category hospitals, asylums, colleges for the education and training of Christians, religious confraternities, and, in general, institutions and foundations of works of charity and religion, and say that two things are necessary and sufficient in order that the institutions and foundations be ecclesiastical and that their properties pertain to the church, that is to say, that they are, by full force of right, pious ecclesiastical works: first, that they be founded with the license and authority of the Diocesan Bishop, and, second, that the foundations of the said institutions have been made through motives of charity or religion, or what is equivalent, that they have been made with the idea of promoting holy religion and providing for some moral and material necessity of the founder's fellow creatures within the Church. The argument distinguishes such foundations from those which in modern states are not ecclesiastical institutions because their founders were not influenced in their action by motives of religion or Christian charity, nor did they found them in the exercise of Christian charity, but simply through sentiments of philanthropy and as acts of social beneficence, with the unmistakable absence of all Christian influence or intention. Attention is called to the Bull of Pope Alexander VI, in 1501, by which the tithes and first fruits of the Indies, with the duty of propagating the faith and endowing churches and appointing ecclesiastical ministers therein and fully maintaining them, were granted to the Kings of Spain; and to that of Pope Julius, in 1508, by which the universal patronage, to-wit: that of nominating proper persons for churches, cathedrals, monasteries, dignities, colleges and other ecclesiastical benefices and pious places, was granted to the King of Spain; and to the Concordat of 1851 between the Pope and the King of Spain, by which it was agreed that the Church should have the right of acquisition by any

legitimate title whatever, and its proprietorship in all that it possessed in the present or should acquire in the future should be respected, and that no suppression or fusion should take place without the intervention of the authority of the Holy See; and to the covenant of 1860 between the same parties, by which the Spanish government recognized anew, in a formal manner, the full and free right of the Church to acquire, hold and enjoy the usufruct and ownership without limitation or reserve of all kinds of property or values, and consequently annulled by this covenant whatever previous covenant might be contrary to it, stipulating that the property which in virtue of this right should be acquired and possessed in the future by the Church should not be counted in the endowment which had been previously assigned to it by the Concordat.

Upon these premises, the argument on behalf of the Church proceeds to point out that the foundation of Figueroa fulfilled one of the two requirements of a pious ecclesiastical work in that it was a gift by a professing Catholic, for the education of Catholics, under the administration of a Catholic order which could do nothing except with permission of the head of the Church, in letters and morals—morals which it is conceded by counsel for complainants were Catholic morals, and therefore that the foundation was made through motives of charity and religion, to promote holy religion and provide some moral need to the founder's fellow creatures within the Church; that the founder's intention to make his gift a pious ecclesiastical work could be clearly seen in the will itself, in which he authorized the patron to devote a surplus of funds to any other pious works, thereby emphatically implying that he regarded the main foundation as a pious work. Reference is also made to the construction placed upon the purpose of the founder in the royal license to permit the transmission of funds of the trust from Mexico to the Philippines, and in the decree taking the College under royal protection by which the foundation is said to be for education of the youth of Manila in theology, among other things, and the preparation of young men as ministers of the holy religion. It is then contended that the other requirement of the definition of a pious ecclesiastical work, to-wit: that it be founded with the license and authority of the Diocesan Bishop was fulfilled as to the College of San José because, before the Jesuits founded their College in 1601, they obtained a license from the representative of the Archbishop of Manila to do so, and in 1610 after the College had become the foundation of Figueroa under his will the permission originally given in 1601 was confirmed to administer the College under that foundation and permission was given to say masses in the school.

The right of the King to take the College under his protection in 1722, and to provide an administrator for the College in 1768, is attributed, in the argument for the Church to the control given to the King of Spain over Church property and tithes and first fruits by the Bull of Pope Alexander VI in 1501, and to the still wider power of universal patronage given the same monarch by the Bull of Pope Julius II in 1508, and it is said that the King was merely acting as the Pope-appointed royal patron of the College in providing administration for the College after the private patron became incapable under the Pragmatic Sanction, and that the King recognized the ecclesiastical character of the foundation in selecting a priest as administrator.

The argument that the Crown of Spain asserted an absolute right to control the purpose of the College free from the Church, by the decrees of 1870 and 1875, is met by the contention that the decree of

1870 was never enforced, and that of 1875 was only executed so far as to make the College a part of the sectarian and Church-managed University of Saint Thomas, in which the Catholic religion was taught, and the Dominican Rector administered both trusts for the same purpose, to-wit: the conduct of a University under the Catholic Church, and that the diversion of the funds of the College of San José to the various chairs of medicine and pharmacy embraced in such a University is quite in accord with the religious motives of the founder, expressed in that clause of his will in which he authorized his patron, when the original purpose failed or was satisfied, to expend the income in other pious works; but that to use the funds for a medical school under civil and secular control completely divorced from the church and association with a Catholic University would be a complete departure from the terms of the will and a violation of the intention of the testator.

Another argument made on behalf of the Church rests upon the obligation of the Government of the United States to observe as sacred, contract rights created and secured by the granting and acceptance of a charter of the Sovereign. It is said that the College of San José, by what was done, was created and became a body corporate, and that the instruments which made up the charter for its existence, including the will and its recognition by royal decree and license, prescribed a clear and well-defined government for the College by the head of a religious order, and that any attempt to take the College out of ecclesiastical control would be a breach of the contract rights acquired by those for whose benefit the trust was to be administered from the civil sovereign whose obligations in this regard passed to the United States. Much reliance was put on the decision by the Supreme Court of the United States in the well known case of Woodward vs. Dartmouth College, in which it was held not to be competent for the legislature of New Hampshire to change by legislative act the mode of choosing the trustees of Dartmouth College and their number, as prescribed in a royal charter of the King of England granted before the separation of the United States from the mother country, because the accepted charter was a contract which it was forbidden by the Constitution of the United States to a State to impair by legislative act.

The argument for the complainant in reply (assuming, as contended for the Church, that the real beginning of the College of San José as a corporate entity and a work of charity began with the vesting of the gift under the will of Figueroa, and that the events occurring between 1601 and 1608 did not change or affect the light in which the College should be viewed, and accepting, for the sake of the argument, the definition of a pious ecclesiastical work given in the argument for the Church) was that the foundation of Figueroa fell short of both requirements stated, in that it was a mere act of philanthropy and secular charity and was not intended to be a provision for the aid of the Holy Catholic Religion, or to be under the control of the Church as an ecclesiastical pious work; that the delegation of the power of control and patronage to the head of the Order of Jesus was a mere description of the person of the administrator, and was not intended to put the control of the institution under its patron as a subordinate of the Holy See; that this was most manifest from the express declaration of the testator that no ecclesiastical authority should interfere in the management of the College and its properties, and that the words "other pious works" used in the will could not, in view of this express exclusion of ecclesiastical authority from

ultimate control, be construed to mean ecclesiastical pious works. The argument, as continued, was that Figueroa's foundation failed also to fulfill the second requirement of an ecclesiastical pious work, in that it was not licensed by the diocesan authority as such. It was said that the license of the Vicar General of the Diocese, of 1601, was merely personal permission to the Provincial of the Jesuits as a priest to conduct a college and to celebrate masses, and was not a license of an ecclesiastical pious work, for, as conceded in the argument for the Church, the College of the Jesuits in 1601 was not an ecclesiastical pious work, for it lacked the substance of a foundation and the permanence involved in the obligation to continue the College forever. After the foundation by Figueroa, it was argued, there was no diocesan license or authority for the foundation, that the confirmation of the license of 1601 by a diocesan order of 1610 was a mere repetition of the personal license of 1601 to the Provincial of the Order to do that which, without the permission of the Bishop, he could not as a member of his order do. The contention further was that as this was a mere private charity for public benefit, the application to the King of Spain for his protection and for the right to be known as a royal college put it under the control of that monarch, in the exercise of his royal prerogative as a sovereign, subject only to the exercise by the Provincial of the Order of Jesus of his power as patron, and free from any interference by the Church of Rome. The expulsion of the Jesuits, it is said, deprived the trust of the trustee appointed in the will, and placed the burden of providing a trustee upon the sovereign who had become the protector of the College, and who was by general law the *parens patrie* and authorized to provide trustees for trusts of this character where the person named in the deed or instrument of foundation to execute the trust had become incapable of continuing to execute it. Continuing the argument, it was said that the rescript of the King in which he censured the Archbishop of Manila and the Governor of the Islands for despoiling the properties of the College of San José, and directed that it be returned to its former status under the will of Figueroa, the administrator to be appointed by the Governor, was an assertion by the King of Spain carried into execution, of his right, in the exercise of his royal prerogative, to control the management of the College independently of the Archbishop or of the Catholic Church. It was said that the direction to the Governor to appoint some ecclesiastic to control the College was not an admission by the King of his obligation to appoint a religious person to the control of the College, but only a conformity to the custom, then universal, of committing educational institutions to the control of members of the clerical profession, who were almost the only persons then capable of teaching, and that there is in the rescript itself an assertion of the right of the King to appoint a secular person should such a person be suitable. This argument is enforced by reference to the action of the King in the decree of 1875, by which it was held, apparently with the consent of the ecclesiastical persons who were therein concerned, that the King had authority by royal order, in view of the fact that the purpose of the founder of the College in furnishing a school for secondary education in morals and letters had become impossible, or rather, profitless, because there were other schools which much better discharged these functions in Manila, to change by decree the purpose to which the funds should be devoted and allow them to be used for the conduct and maintenance of a professional school for the education of physicians and

pharmacists. It is urged that the secular and non-sectarian character of the education to which the funds were thus devoted by order of the King is the strongest indication: first, that the original donation was regarded by those then in authority not as a religious and ecclesiastical charity, but only as a philanthropic one, and, second, that the effect of the decrees was a final decision that the King might, in the exercise of prerogative, without consulting the head of the Church of Rome or any of his ministers, treat the foundation as one completely within his civil control. The argument for the Church, that all that the King of Spain did or attempted to do in the control of the College was because of his authority as Patron of the College under the Papal Bull conceding universal patronage in the Indies, was met by the contention that ecclesiastical patronage was only the power of presenting a candidate for ecclesiastical benefices or for offices in a religious college and did not include any control over the ecclesiastical trust funds or the right to call the official incumbents to an account, and did not embrace the right to change the purposes for which the funds should be used; that powers of this kind could only be exercised by the King as a civil sovereign and *parens patriæ*.

In reply to the argument for the Church based on charter contract rights and the principles laid down in the Dartmouth College case, the answer is made that they have no application to the controversy before us for the reason, first, that it is difficult to find anything in the facts here analogous to the charter in that case, and even if the will could be so regarded, the provision that the College should be managed by the Jesuit Provincial had become impossible of execution for the reason that the person described had become incapable and the purpose profitless and impracticable. Reference is made to the decision of the Supreme Court of the United States in the Mormon Church case, 136, U. S., in which it was held that where a trust failed because of impossibility of execution, the United States as sovereign had power as *parens patriæ* to supply a trustee and to order the application of the trust funds to a purpose analogous to that originally fixed in the deed of gift or charter.

Accordingly, here, it was urged that as the status of the College, at the time of the Treaty of Paris, was that of a foundation under the civil control of the sovereign of Spain as *parens patriæ*, the United States in the same capacity had the power to make any suitable provision for the conduct of the College as a school of medicine under any directory it might see fit, and the only suitable directory in a government in which the Church was separate from the State was one free from ecclesiastic or monastic influence.

CONCLUSIONS.

We have thus stated the arguments pro and con in this case as fairly as we could, condensing much and possibly in some instances suggesting additional arguments on each side which do not appear in the briefs. We are now to state our conclusions:

The Treaty of Paris between Spain and the United States by which these Islands were ceded to the latter government, provides in Article 8, Section 2, "that the relinquishment or cession, as the case may be, cannot in any respect impair the property or rights which by law belong to the peaceful possession of property of all kinds, of provinces, municipalities, public or private establishments, ecclesiastical or civil bodies, or any other associations having legal capacity to acquire and

possess property in the aforesaid territories, renounced or ceded or of private individuals, of whatsoever nationality such individuals may be."

The same obligation would rest upon this Commission and the military government under the instructions of the President for the guidance of the Commission, and the question which must be decided finally to settle this controversy is: What was the status of the property and foundation of the College of San José, at the time of the ratification of the Treaty of Paris, by which the sovereignty over these Islands was transferred from Spain to the United States, and under which the public property situate in these Islands and the public civil trusts of the government and Crown of Spain to be performed here were transferred to the Government of the United States?

It is conceivable that between the Crown of Spain and the head of the Roman Catholic Church, there might have been a controversy as to the right of control and management by the crown over certain property within the territorial jurisdiction of the kingdom; but if the views of the Crown had been carried into effect by the usual methods of settling rights according to the laws and customs of the existing sovereignty, and possession and control finally established thereby, it would seem that, so far as the United States is concerned, the controversy must be deemed to have been finally settled and not capable of being reopened under the new sovereignty, at least where sufficient time has elapsed to constitute the usual period of prescription. For instance, it could hardly be maintained that the Pragmatic Sanction, under which the properties of the Order of Jesus in 1768 were confiscated and became the property of the crown of Spain, could now be set aside on the ground that this was an arbitrary act and deprived the Order of its property without due process of law. In other words, in a discussion like this, we must have a starting point, and that is, the status of the property as settled by the lawful civil decrees of the government whose sovereignty is transferred by the treaty of cession.

It is difficult to escape the inference drawn by Lieut. Col. Crowder from the decrees of 1870, that the Government of Spain then supposed it had the right to secularize the College of San José, but it is also true, as pointed out by the same gentleman in his very learned and able report on the subject, that the parts of the decree which implied this power were not enforced and were frustrated by the resistance of the ecclesiastical authorities in these Islands, and the same is to be said of the decrees of 1875 and later years, except so far as it could be said to be a secularization of the properties and foundation of the College to make it a subordinate branch for the teaching of secular subjects in a university conducted by the Dominican order of monks under the ultimate authority of the Pope.

It is apparent from the arguments stated above that among the questions which will probably be of importance in the decision of the issue of this case, one is, whether, under the Canon Law, the foundation here made in the will of Figueroa was an ecclesiastical pious work, subject to the ultimate control of the Church of Rome; another is, whether the power exercised by the King over colleges under his protection to control them without the intervention of the Archbishop was necessarily dependent upon the Papal grant, or was exercised by the Crown as its own without regard to the Church. Another, or possibly the same question stated in a different way, though not much mooted in this form in the discussion before the Commission would probably come up for decision on this issue, and that is, whether the

right of universal patronage of the Indies exercised by the Crown of Spain over such an institution as the College of San José finds its source in the Bulls of the Pope in 1493, 1501 and 1508, which have already been referred to, or only finds recognition in those Bulls of its existence, when in fact its real source was the right of discovery and sovereignty. This issue is one which has been the subject of profound discussion by learned canonists on the one side, upholding the view that the source of it was entirely ecclesiastical and papal, while, on the other, the contention of certain civilians, notably the Fiscal of the Royal Audiencia of Cuba, D. Eduardo Alonzo y Colmenares, is that the principal and pre-eminent titles on which the Kings of Spain base the universal patronage of the Indies are those of discovery and conquest of the dominion and the foundation and endowment of the institution in question; and that the Bulls are mere recognitions of a title already established. Another is, whether, even if the United States may act as *parens patrie*, its provision for a trustee and a purpose analogous to that of the founder should not be limited to that of a trustee who is a priest of the same church as the founder, and a purpose nearer to the aims of the Catholic Church than a merely secular professional school.

And doubtless other difficult questions not now considered may arise in a final argument of the case. In other words, in order to decide the merits of this case, we should probably have to consider and settle a nice question of canonical law, and investigate and discuss the historical and legal relations of the Crown of Spain to the Head of the Catholic Church. Neither of these questions do we feel competent now to decide with the materials which are before us and with the time at our disposal, nor do we need to do so. We are not a court. We are only a legislative body. It is our expressly delegated function in just such cases as this to provide a means for the peaceful and just decision of the issues arising. Had we been able to decide clearly and emphatically that the petitioners had no rights here and that their claims were so flimsy as not to merit the assistance of the legislature in bringing them to adjudication in a court of justice, we might have properly dismissed the petition and taken no action thereon, but we are of opinion—all of us—that the contentions of the petitioners present serious and difficult questions of law, sufficiently doubtful to require that they should be decided by a learned and impartial court of competent jurisdiction, and that it is our duty to make legislative provision for testing the question. If it be true that the United States is either itself the trustee to administer these funds or occupies the relation of *parens patrie* to them, it becomes its duty to provide for their administration by a proper directory, whose first function will be to assert, in the name and authority of the United States, their right to administer the funds of the College against the adverse claims of the person now in charge, who claims to hold under and by virtue of the control over the funds by the Catholic Church; and this legislative action we now propose to take, not thereby intimating an opinion upon the merits of the case, but merely by this means setting in motion the proper machinery for the ultimate decision by a competent tribunal.

The Military Government, of which we are the legislature, is a provisional government; but for all this, pending its existence, it has the power to provide for the conservation of public property, and the temporary carrying on of trusts with respect to which the sovereign is charged with any duty.

The only tribunal which we can provide for deciding this cause is a tribunal over which, by the instructions of the President, we must exercise the power of appointment. Lest, therefore, any opinion which we might intimate should be used by either side in the case to be argued and decided as authority in that tribunal, we have been careful to express no other definitive opinion than that the petitioners have presented a case of sufficient dignity and seriousness to warrant its full consideration by a court of justice. We think, moreover, as the United States occupies the relation of general trustee toward the public of the Philippines, in whose behalf the cause is here pressed, that it is not stepping beyond the bounds of impartiality for the Commission to devote from the public funds a reasonable sum for the payment of the costs and expenses of the conduct of this litigation by the complainant and those whom he represents. He claims to represent the general public and should his petition be granted and his case made, certainly the fund will be administered for the benefit of the general public. In the disturbed condition of the country, when private contributions are difficult to secure, when four years of war have made practically impossible donations for such a purpose sufficient to meet its requirements, it is right that from the public funds provision be made. We think the sum of five thousand dollars in money of the United States is sufficient for this purpose, and we shall appropriate this amount accordingly to pay the expenses of getting the evidence, preparing the record, printing the briefs, and as fees for professional services. The fund will be enough, in view of the provision which we expect to make that the petitioners may call upon the Attorney General to assist in the prosecution of the case.

It is important that the issue be decided as soon as the proper consideration of so important a question in the due course of justice can be given to it by a competent tribunal. As the United States is practically a party to the litigation, we do not think it necessary to have resort to the ordinary tribunals of first instance. The case is of such signal importance that it may very well be heard by the Supreme Court originally, and we shall provide in the act authorizing the bringing of the suit the procedure to be followed, so as to secure an early hearing on the merits.

The procedure briefly stated will be as follows:

The trustees whom we shall appoint will file their declaration or petition in the Supreme Court, setting forth the legislation under which they act and their appointment, describing the properties of the College of San José, stating in a summary manner the history of the College, under which they assert the power of the United States to provide control of the property, and praying a decree of the Court directing the surrender by the Rector of the University of Santo Tomás, in charge of the properties of the College of San José, to the petitioners. To the petition should be made parties, not only the Rector of the University who has charge of the properties, but also the Archbishop of Manila or the Episcopal Administrator of the Diocese, the Apostolic Delegate, as the representative of the Catholic Church claiming an interest in the property. A summons shall then issue in the usual form, accompanied by a copy of the petition, and shall be served upon the Rector of the University and the Archbishop, and a return of said summons shall be made by the officer authorized by the court to serve the same, within two weeks after it shall issue. The summons shall require that the parties defendant shall answer the petition within thirty days from the day fixed for

the return of the service. Upon the filing of the answer in the Supreme Court, the petitioners shall have two weeks thereafter to file a reply to new matter set up in the answer by way of defense. New matter set up by way of reply shall be taken as denied without further pleading. After the cause shall be thus at issue and the evidence taken, the Supreme Court shall give precedence to the hearing of the same, and shall set it for as early a date as possible, consistent with the proper preparation of the arguments by the opposing parties. Should the court, upon final hearing, decide that the case of the petitioners is not made out upon law and the evidence, it shall dismiss the petition and award costs against the petitioners. Should the Court, on the other hand, decide that the case of the petitioners is made out, and that the trustees appointed by this Commission are entitled to have possession and control of the foundation and properties of the College of San José, and that the Catholic Church, either through the Rector of the University or through the Archbishop, has no interest or right of control in said property for the purpose of carrying on a school of medicine and pharmacy, the Court shall enter a decree finding the right of control and management to be in the trustees and directing the dispossession of the Rector of the University of the properties of the College of San José, and decreeing an accounting against him of the rents and profits of the College during his incumbency as administrator of the College of San José, which have not been expended in conducting the College or preserving its properties, allowing, however, a credit in such accounting of a reasonable sum for counsel fees and the expenses for the litigation by him incurred. The costs of the case shall not include the counsel fees on either side.

It is not at all unlikely that before the Congress which was elected in November last and which will meet in December next shall finally adjourn it will conclude to confer upon the Supreme Court of the United States jurisdiction to consider appeals from the Supreme Court of these Islands. The present case, involving a construction of the Treaty of Paris and the effect upon public trusts of a transfer of sovereignty from a kingdom in which Church and State were united—and one might almost say inextricably fused—to one in which Church and State are kept entirely separate, is of such importance as to make most appropriate the submission of the issue to a court of the dignity, learning, ability and commanding jurisdiction of the Supreme Court of the United States. This Commission has no power to confer such jurisdiction upon that court, but it may make a legislative provision which shall prevent the decision of the Supreme Court of these Islands from being so final in its character as to make it impossible for the Congress of the United States, after its rendition, to provide an appeal to the United States Supreme Court. The law to be passed will, therefore, enact that upon the entering of the decree by the Supreme Court of the Islands, it shall be immediately carried into effect. If against the petitioner, the petition shall be dismissed and the costs awarded collected; if against the defendants, and in favor of the petitioners, the decree shall be executed by a change of possession and control of the College and an accounting; but the decree shall not become final so as to prevent an appeal, by virtue of a provision of the Congress of the United States, to the Supreme Court of the United States, or some other tribunal, until the 4th of March, 1903.

There remains to be considered the question involved in the petition to the Governor to rescind the order of General Otis suspending the

conduct of the College under the Rector of the University of Saint Thomas. In view of the conclusion which we have reached, that there is much to be said on the merits by both parties, it is clear to a demonstration, that there is no reason for disturbing or interfering with the possession of the party whose control and ownership is disputed until final decree. Without considering the wisdom or propriety of the order of General Otis, in view of the military necessity which was then said to be urgent, we are very clear that no such military necessity now exists. There is no evidence before us that the Rector of the University and others in control of the funds and property are wasting them, and no reason has been shown for the appointment of a receiver. The administration of the property by those selected by the Spanish government may certainly continue for the short time pending the hearing of the case, without serious detriment to any one concerned. The arbitrary operation of an injunctive order made without a judicial hearing should be avoided, if possible, especially where the issue is a doubtful one, and where judges and lawyers may conscientiously differ. Whether the professional education afforded under the management of those who are now in possession of the properties of the College is as advanced as it should be, or not, it is certainly better that the properties should be used for an educational purpose than that they should lie idle. We shall recommend to the Military Governor that the injunctive order against the opening of the College of San José by the Rector of the University be rescinded.

Before closing, we must fix the number and state the names of the persons to act as trustees to conduct the litigation now about to be begun, and to take charge of the College and its estates should the decision and decree of the Court be in their favor. The first trustee will be the gentleman who thus far has borne the burden of the contest for those whom he represents, Dr. T. H. Pardo de Tavera. By appointing him or any other trustee who has manifested a zeal in the cause of the complainant, we only do so in order that the question shall be energetically pushed to a settlement, and not thereby to indicate that the trustees represent our views on the issue. As the trustees, in a sense, will be asserting the validity of the exercise of power of the Government of the United States, it seems appropriate to make trustee Dr. Charles R. Greenleaf, Colonel and the Chief Surgeon, Division of the Philippines, in the U. S. Army. The third trustee will be Mr. Leon M. Guerrero, and the fourth trustee Manuel Gomez Martinez, M. D., and the fifth Frank S. Bourns, M. D.

There has been much popular and political interest in the controversy in which we have now stated our conclusions. The questions considered, however, have not had any political color at all. They have been purely questions of law and proper legal procedure, and so will they be in the court to which they are now sent. The decision of the right to control San José College cannot legitimately be affected by the political feeling which one may have for or against the Friars. It is unfortunate that the public should clothe the settlement of an issue purely legal with political significance, when it ought not to have and does not have one. But however this may be, those charged with settling it can pursue only one path, and that is the path of legal right as they see it.

The Secretary will now read the bill which has passed two readings of the Commission and which now comes up for a third reading and passage.

[See Act 69.]

List of Executive appointments made by resolution of the United States Philippine Commission during the period from September 1, 1900, to February 28, 1901.

Name.	Position.	Date.
F. W. Nash	Property Clerk, Dep't Education	Sep. 8, 1900
Benito Rezon	Meteorological Observer, Baguio	Sep. 8, 1900
Joaquin Gonzales	President Civil Service Board	Sep. 20, 1900
W. E. Pepperman	Secretary Civil Service Board	Sep. 20, 1900
F. M. Kiggins	Chief Examiner, Civil Service Board	Sep. 20, 1900
C. S. Arellano	President, Civil Service Board	Sep. 24, 1900
C. C. Plehn	Chief Statistician	Oct. 1, 1900
Tomas Floridelisa	Notary Public, Camarines Sur	Oct. 1, 1900
W. E. W. MacKinley, Lt. U. S. V.	Registrar, Camarines Sur	Oct. 1, 1900
A. A. McCabe, Lt. U. S. V.	Inspector, Forestry Bureau	Oct. 4, 1900
Mariano Cui	Judge, First Instance, Bohol	Oct. 18, 1900
Gavino Sepulveda	Attorney General, Bohol	Oct. 18, 1900
Isidoro Paredes	Judge First Instance, La Union	Oct. 14, 1900
Nemesio Bonoan y Ligot	Attorney General, La Union	Oct. 24, 1900
W. F. Norris	Special Counsel for U. S. Board Claims	Nov. 15, 1900
C. W. Mead, Capt., U. S. V.	Engineer for Commission	Nov. 19, 1900
Agapito Hilario	Justice of Peace, Cebu	Dec. 10, 1900
Juan Villarrosa	Supplementary Justice of Peace, Cebu	Dec. 10, 1900
J. L. Adams	Acting Auditor	Dec. 15, 1900
H. Phelps Whitmarsh	Provincial Governor of Benguet	Dec. 18, 1900
Otto Scheerer	Provincial Secretary, Benguet	Dec. 18, 1900
Egmidio Octaviano	Provincial Inspector, Benguet	Jan. 8, 1901
Roman Roque	Supplementary Justice of Peace, San Isidro	Jan. 8, 1901
Manuel Mendoza	Justice of Peace, San Luis, Pampanga	Jan. 8, 1901
Mauricio Limson	Justice of Peace, Guagua, Pampanga	Jan. 8, 1901
Francisco Tatnibujan	Supplementary Justice of Peace, Perez Dasmariñas, Cavite	Jan. 8, 1901
Epifanio Montojo	Supplementary Justice of Peace, Silang, Cavite	Jan. 8, 1901
Inocencio Ejercito Santos	Supplementary Justice of Peace, Imus, Cavite	Jan. 8, 1901
Ceferino Abadia	Justice of Peace, San Nicolas, Cebu	Jan. 8, 1901
Alejandro Alvarado	Justice of Peace, Aparri, Cagayan	Jan. 8, 1901
Miguel Garcia y Merced	Supplementary Justice of Peace, Naic, Cavite	Jan. 8, 1901
Ceferino Joven	Provincial Governor, Pampanga	Feb. 13, 1901
Mariano Cunanan	Provincial Secretary, Pampanga	Feb. 13, 1901
W. M. Goodale, Lt. U. S. V.	Provincial Treasurer, Pampanga	Feb. 13, 1901
L. P. Butler, Lt. U. S. V.	Provincial Supervisor, Pampanga	Feb. 13, 1901
Juan Garcia	Provincial Fiscal, Pampanga	Feb. 13, 1901
Perfecto Sison	Provincial Governor, Pangasinan	Feb. 16, 1901
Macario Fabila	Provincial Secretary, Pangasinan	Feb. 16, 1901
Thomas Hardeman, Capt. U. S. V.	Provincial Treasurer, Pangasinan	Feb. 16, 1901
Frank Maloney, Lt. U. S. V.	Provincial Supervisor, Pangasinan	Feb. 16, 1901
Ignacio Villamor	Provincial Fiscal, Pangasinan	Feb. 16, 1901
Wallis O. Clark, Capt. U. S. A.	Provincial Governor, Tarlac	Feb. 18, 1901
Juan Cordona	Provincial Secretary, Tarlac	Feb. 18, 1901
Henry Morrow, Lt. U. S. V.	Provincial Treasurer, Tarlac	Feb. 18, 1901
Robert S. Welsh, Lt. U. S. V.	Provincial Supervisor, Tarlac	Feb. 18, 1901
Victoriano Tañedo	Provincial Fiscal, Tarlac	Feb. 18, 1901
José Serapio	Provincial Governor, Bulacan	Feb. 27, 1901
Francisco Morelos	Provincial Secretary, Bulacan	Feb. 27, 1901
Ernest A. Greenough, Capt. U. S. V.	Provincial Treasurer, Bulacan	Feb. 27, 1901
E. C. Wells, Lt. U. S. V.	Provincial Supervisor, Bulacan	Feb. 27, 1901
Mariano Crisostomo	Provincial Fiscal, Bulacan	Feb. 27, 1901

APPOINTMENTS.

BY THE SECRETARY OF WAR.

Under the provisions of the Executive Order of the President of the United States of February 23, 1901, recited in Act No. 90 of the United States Philippine Commission, the Secretary of War is empowered to appoint certain officers. Appointments under this Act with the date of the Secretary of War's commission and the date of the assumption of duties in the Philippine Islands assigned to them by Act 90, follow:

	Appointed.	Ass'm'd Du-ties.
A. L. Lawshe, Auditor	Dec. 15, 1900	Feb. 15, 1901
Frank A. Branagan, Treasurer	Mar. 7, 1901	Apr. 16, 1901
W. W. Barre, Deputy Auditor	Mar. 12, 1901	April 1, 1901

BY THE POSTMASTER GENERAL AND APPROVED BY THE SECRETARY OF WAR.

	Appointed.	Ass'md Duties.
C. M. Cotterman, Director General of Posts		Mar. 7, 1901

BY THE COMMISSION AND THE MILITARY GOVERNOR.

PROVINCIAL OFFICERS.

During the second and third quarter appointments were made by resolutions of the United States Philippine Commission to the positions authorized by law in the various provincial governments organized in the Archipelago. A complete list of present incumbents corrected to June 1, 1901, together with the date of the oath of office, prescribed in section 6, Act 83, U. S. P. C., follow:

Attention is called to paragraph 2 of Act 107 of the United States Philippine Commission, whereby the Military Governor is empowered to fill temporarily certain vacancies. Appointments made under this Act are so noted:

Name.	Position.	Province.	Date of oath.
H. Phelps Whitmarsh	Governor	Benguet	*Dec. 18, 1900
Otto Scheerer	Secretary	Benguet	*Dec. 18, 1900
Emigdio Octaviano	Inspector	Benguet	*Jan. 5, 1901
Ceferino Joven	Governor	Pampanga	Feb. 21, 1901
Mariano Cunanan	Secretary	Pampanga	Feb. 21, 1901
Wm. H. Goodale, Lt., 41st	Treasurer	Pampanga	Feb. 21, 1901
L. P. Butler, Lt., 41st	Supervisor	Pampanga	Feb. 23, 1901
Juan Garcia	Fiscal	Pampanga	Feb. 21, 1901
Perfecto Sison	Governor	Pangasinan	Feb. 21, 1901
Macario Fabila	Secretary	Pangasinan	Feb. 23, 1901
Thos. H. Hardeman, Capt., 30th	Treasurer	Pangasinan	May 15, 1901
C. C. Williams-Foote, Lt., 32d	Supervisor	Pangasinan	Mar. 11, 1901
Ignacio Villamor	Fiscal	Pangasinan	Feb. 21, 1901
Wallis O. Clark, Capt., 12th	Governor	Tarlac	Feb. 21, 1901
Juan Cordona	Secretary	Tarlac	Feb. 21, 1901
R. J. Fanning, Capt., 41st	Treasurer	Tarlac	Apr. 6, 1901
† Henry Wessell, Lt., 41st	Supervisor	Tarlac	Apr. 8, 1901
Victoriano Tañedo	Fiscal	Tarlac	Feb. 21, 1901
José Serápío	Governor	Bulacan	Mar. 4, 1901
Francisco Morales	Secretary	Bulacan	Mar. 4, 1901
E. A. Greenough, Capt., 41st	Treasurer	Bulacan	Mar. 4, 1901
Edward C. Wells, Lt., 32d	Supervisor	Bulacan	Mar. 4, 1901
Mariano Crisostomo	Fiscal	Bulacan	Mar. 4, 1901
John H. Goldman, Capt., 32d	Governor	Bataan	Mar. 5, 1901
José M. Lerma	Secretary	Bataan	Mar. 4, 1901
H. K. Love, Lt., 32d	Treasurer	Bataan	Mar. 6, 1901
C. F. Vance, ex-Sgt. Maj., 41st	Supervisor	Bataan	Mar. 4, 1901
Oscar Soriano	Fiscal	Bataan	Mar. 4, 1901
Cornelius Gardener, Col., 30th	Governor	Tayabas	Mar. 13, 1901
Gervasio Unson	Secretary	Tayabas	Mar. 13, 1901
J. W. C. Abbott, Lt., 30th	Treasurer	Tayabas	Mar. 13, 1901
† Harry D. Blasland, Lt., 30th	Supervisor	Tayabas	May 31, 1901
Sofio Alandy	Fiscal	Tayabas	Mar. 13, 1901
E. M. Johnson, Maj., 26th	Governor	Romblon	Mar. 16, 1901
Cornelio Madrigal	Secretary	Romblon	Mar. 16, 1901
A. S. Williams, Capt., 29th	Treasurer	Romblon	Mar. 16, 1901
† Charles A. Wood, Lt., 26th	Supervisor	Romblon	Apr. 20, 1901
Fernando Gomez Ramos	Fiscal	Romblon	
Bonifacio Serrano	Governor	Masbate	Mar. 18, 1901
	Secretary	Masbate	
Charles Snider, Jr., Lt., 27th	Treasurer	Masbate	†
George Lander, ex-Corp., 2d (Fiscal of Romblon)	Supervisor	Masbate	Mar. 18, 1901
	Fiscal	Masbate	†
Martin Delgado	Governor	Iloilo	Apr. 11, 1901
Jovito Yusay	Secretary	Iloilo	Apr. 11, 1901
F. A. Thompson, Lt., 38th	Treasurer	Iloilo	Apr. 12, 1901
	Supervisor	Iloilo	

* Law 49, organizing Province of Benguet, does not require oath. Dates of resolutions appointing these officers are therefore given.

† Appointed under paragraph 2, Act 107, U. S. P. C.

‡ Oath not received to date.

Name.	Position.	Province.	Date of oath.
Ruperto Montinola	Fiscal	Iloilo	Apr. 11, 1901
Willard C. Holbrook, Major 37th	Governor	Antique	Apr. 13, 1901
* W. S. Scott, Lt. Col., 44th	Governor	Antique	
Angel Salazar	Secretary	Antique	Apr. 13, 1901
F. L. Wilson, Lt., 44th	Treasurer	Antique	Apr. 13, 1901
	Supervisor	Antique	
Vicente Gella	Fiscal	Antique	Apr. 13, 1901
Hugo Vidal	Governor	Capiz	Apr. 15, 1901
Simeon Mobo	Secretary	Capiz	Apr. 15, 1901
† Marion C. Raysor, Capt., 44th	Treasurer	Capiz	Apr. 15, 1901
W. O. Thoruton, Lt., 38th	Treasurer	Capiz	June 1, 1901
‡ Thomas Leonard, Capt., 44th	Supervisor	Capiz	May 1, 1901
Alejandro Pardo	Fiscal	Capiz	Apr. 15, 1901
Julio Llorente	Governor	Cebu	Apr. 18, 1901
Leoncio Albuero	Secretary	Cebu	Apr. 18, 1901
F. S. Young, Lt., 44th	Treasurer	Cebu	Apr. 18, 1901
James F. Case, Maj., 40th	Supervisor	Cebu	
Miguel Logarta	Fiscal	Cebu	Apr. 18, 1901
Aniceto Clarin	Governor	Bohol	Apr. 20, 1901
Macario Sarmiento	Secretary	Bohol	Apr. 20, 1901
F. L. Dengler, Lt., 44th	Treasurer	Bohol	Apr. 20, 1901
	Supervisor	Bohol	
Gabino Sepulveda	Fiscal	Bohol	Apr. 20, 1901
José Ruiz de Luzuriaga	Governor	Occ. Negros	May 1, 1901
José Hilado	Secretary	Occ. Negros	May 1, 1901
Leandro Locsin	Treasurer	Occ. Negros	May 1, 1901
	Supervisor	Occ. Negros	
Manuel Blanco	Fiscal	Occ. Negros	May 1, 1901
Demetrio Lorena	Governor	Orn. Negros	May 1, 1901
Juan Montenegro	Secretary	Orn. Negros	May 1, 1901
	Treasurer	Orn. Negros	
¶ Alfred T. Clifton, Lt., Signal Corps, U. S. V.	Treasurer	Orn. Negros	May 25, 1901
	Supervisor	Orn. Negros	
	Fiscal	Orn. Negros	
Henry T. Allen, Maj. 43d	Governor	Leyte	Apr. 22, 1901
Simeon Espina	Secretary	Leyte	Apr. 22, 1901
W. S. Conrow, Lt., 43d	Treasurer	Leyte	Apr. 22, 1901
	Supervisor	Leyte	
	Fiscal	Leyte	
A. U. Betts, Capt., 47th	Governor	Albay	May 27, 1901
L. Thomas	Secretary	Albay	May 17, 1901
H. L. Lauders, Lt., 41st	Treasurer	Albay	May 15, 1901
Ladislaus Szily	Supervisor	Albay	May 15, 1901
Marcial Calleja	Fiscal	Albay	May 16, 1901
Geo. Curry, Lt., 11th Cav	Governor	Ambos Camarines	Apr. 28, 1901
Ramon Enrile	Secretary	Ambos Camarines	Apr. 28, 1901
J. Q. A. Braden, Maj., 36th	Treasurer	Ambos Camarines	May 15, 1901
Elmer O. Worrick, Capt., 45th	Supervisor	Ambos Camarines	May 4, 1901
Fulgencio Contreras	Fiscal	Ambos Camarines	Apr. 28, 1901
J. G. Livingston, Capt., 47th	Governor	Sorsogon	Apr. 30, 1901
Leon Parasy Perez	Secretary	Sorsogon	Apr. 30, 1901
E. W. Terry Capt., 47th	Treasurer	Sorsogon	Apr. 30, 1901
Geo. A. Purington, Lt., 47th	Supervisor	Sorsogon	May 27, 1901
Petricio Bailon	Fiscal	Sorsogon	Apr. 30, 1901
Ricardo Paras	Governor	Marinduque	May 1, 1901
Eduardo Nepomuceno	Secretary	Marinduque	May 1, 1901
A. B. Kelly, Lt., 38th	Treasurer	Marinduque	May 10, 1901
Victor C. Lewis, ex-Sergt, 31st	Supervisor	Marinduque	May 27, 1901
	Fiscal	Marinduque	
Felix Roxas	Governor	Batangas	May 2, 1901
Florencio Caedo	Secretary	Batangas	May 2, 1901
R. D. Blanchard, Lt., 38th	Treasurer	Batangas	May 2, 1901
	Supervisor	Batangas	
Diego Gloria	Fiscal	Batangas	May 9, 1901
Prudencio Garcia	Governor	Surigao	May 27, 1901
Hermenegildo Narcisus	Secretary	Surigao	
Luther E. Kelly, Capt., 40th	Treasurer	Surigao	
Charles O. Thomas, Lt., 31st	Supervisor	Surigao	
Francisco Soriano	Fiscal	Surigao	
Manuel Corrales	Governor	Misamis	
Apolinar Velez	Secretary	Misamis	
Eugene Barton, Capt., 40th	Treasurer	Misamis	May 28, 1901
	Supervisor	Misamis	
Nicolas Capistrano	Fiscal	Misamis	

* Resignation accepted, May 25, 1901.

† Resignation accepted, May 9, 1901.

‡ Resignation accepted, May 23, 1901.

§ Oath not received to date.

¶ Resignation accepted May 27, 1901.

BY THE COMMISSION.

Chairman of Municipal Organization Committees authorized by Sec. 91 of the Municipal Code (Act No. 82, United States Philippine Commission), together with the dates of resolutions authorizing their appointment:

Name.	Province or town.	Date of res.
Perfecto Sison, Governor	Pangasinan	March 13
Wallis O. Clark, Governor	Tarlac	March 13
José Serapio, Governor	Bulacan	March 13
Cornelius Gardener, Governor	Tayabas	March 13
Manuel Argüelles	Batangas	March 13
Capt. H. H. Bandholtz, 2d Inft	Marinduque	March 15
Evan M. Johnston, Governor	Romblon	March 16
Gaspar Zurbitu	Masbate (except town of Masbate)	March 18
Bonifacio Serrano, Governor	Town of Masbate	March 18
Major Robert E. Noble	Iloilo	March 25
Lt. Ora E. Hunt, 18th Inft	Capiz	March 25
* Wm. S. Scott, Governor	Antique	March 25
Willard A. Holbrook, Governor	Antique	May 27
Capt. Wm. P. Evans, 19th Inft	Cebu	March 25
† Capt. W. J. Kendrick, 10th Inft	Surigao	April 6
‡ Maj. J. F. Case, 10th Inft	Cagayan (Misamis)	April 7
Henry T. Allen, Governor	Leyte	April 22
Julio Llorente, Governor	Cebu (with Evans)	April 22
George Curry, Governor	Ambos Camarines	April 27
J. G. Livingston, Governor	Sorsogon	April 30
Felix M. Roxas, Governor	Batangas	May 6
Ceferino Joven, Governor	Town of Minalan, Pampanga	May 6
José Tupas	Town of Morong, Morong	May 9
Casimiro Escamis	Town of Zaragosa, Province of Nueva Ecija	May 10
Col. A. A. Harbach, 1st Inft	Town of Catbalogan, Samar	May 10
Ambrosio Flores	Laguna	May 14
A. U. Betts, Governor	Albay	May 15
Prudencia Garcia, Governor	Surigao	May 25
Manuel Corrales, Governor	Misamis	May 25
Col. James Pettit, 31st Inft	Town of Zamboanga	May 31

* Resignation accepted, May 25, 1901.

† Regiment left for United States, May 15, 1901.

‡ Appointed Supervisor of Cebu

COPY OF RESOLUTION OF COMMISSION, MARCH 9, 1901.

Resolved, that the Commission, of its own motion, directs that the towns of Balanga, Pilar, Orion, Mariveles, Abucay, Samal, Orani, Hermosa and Dinalupijan, all in the Province of Bataan, shall be organized under the Municipal Code; that for the town of Balanga, H. Marco be appointed Chairman of the organization committee; for the town of Pilar, D. Reyes; for the town of Orion, S. Rodriguez; for Mariveles, C. Rodriguez; for Abucay, L. Ganson; for Samal, A. Yason; for Orani, Y. Fongeo; for Hermosa, M. Nuguid, and for Dinalupijan, S. Reyhipolito, and that the Chairman proceed forthwith to organize their respective towns, etc.

SPECIAL AGENT OF THE FORESTRY BUREAU.

P. L. Sherman Appointed May 18, 1901

This appointment was made under the following resolution:

Resolved, that Dr. P. L. Sherman be appointed Special Agent of the Forestry Bureau, at a salary of one hundred and fifty dollars (\$150.00), gold, per month, to go to the Straits Settlements, Java, and, if necessary, to Sumatra, and investigate methods of obtaining gutta percha, paying special attention to the new process of extracting it from leaves, bark and twigs;

Resolved further, that Dr. Sherman be allowed his necessary and actual traveling expenses while engaged in the investigation.

IN THE PHILIPPINE WEATHER BUREAU, UNDER ACT 131.

[Excerpt from the minutes of proceedings of May 24.]

On motion of Commissioner Worcester: Resolved, That Joseph Algue is hereby appointed Director of the Philippine Weather Bureau, that John Doyle, Balthazar Terror and Joseph Clos are appointed Assistant Directors of the said Bureau, and that Marcial Sola is appointed Corresponding Secretary and Librarian.

BY THE PRESIDENT OF THE UNITED STATES.

Name.	Position.	To date from—
William H. Taft	Civil Governor of the Philippine Islands	July 4, 1901
Dean C. Worcester	Secretary of the Interior	Sept. 1, 1901
Luke E. Wright	Secretary of Commerce and Police	Sept. 1, 1901
Henry C. Ide	Secretary of Finance and Justice	Sept. 1, 1901
Bernard Moses	Secretary of Public Instruction	Sept. 1, 1901
Trinidad H. Pardo de Tavera	Member of the U. S. Philippine Commission	Sept. 1, 1901
Benito Legarda	Member of the U. S. Philippine Commission	Sept. 1, 1901
José Luzuriaga	Member of the U. S. Philippine Commission	Sept. 1, 1901

BY THE SECRETARY OF WAR AT THE REQUEST OF THE COMMISSION.

Jester, James J.	Disbursing Agent at Washington	May 16, 1901
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APPOINTMENTS MADE BY THE COMMISSION AND BY THE CIVIL GOVERNOR WITH THE CONSENT OF THE COMMISSION.

Fergusson, A. W.	Executive Secretary	July 16, 1901
Williams, Dan R.	Secretary of the Commission	July 16, 1901
Yanes, Francisco J.	Spanish Secretary	July 20, 1901
Winthrop, Beckman	Asst. Executive Secretary	July 20, 1901
Carpenter, Fred W.	Private Secretary to the Civil Governor	July 22, 1901
Stafford, Eugene H.	Attending Physician and Surgeon to civil employes.	Aug. 7, 1901
Washburn, William S.	Chairman of the Philippine Civil Service Board	Aug. 24, 1901
Buenacamino, Felipe	Member of Civil Service Board	July 1, 1901
Massey, Solan F.	Insular Purchasing Agent	July 1, 1901
Shields, Edmund G.	Insular Purchasing Agent	July 25, 1901
McCabe, Albert E.	Asst. Chief, Forestry Bureau	July 20, 1901
Saderra, Miguel	Asst. Director Weather Bureau	June 15, 1901
Maus, Lewis M.	Commissioner of Public Health	Aug. 1, 1901
Meacham, Franklin A.	Chief Health Inspector	July 13, 1901
Gomez, Manuel	Secretary of the Board of Health	July 13, 1901
Allen, Henry T.	Chief Philippines Constabulary	Aug. 1, 1901
Baker, David J.	First Assistant Chief of Constabulary	Aug. 1, 1901
Goldsborough, Washington L.	Second Assistant Chief Constabulary	Aug. 8, 1901
Taylor, Wallace L.	Third Assistant Chief Constabulary	Aug. 8, 1901
Shields, E. G.	Collector of Customs, Jolo	June 28, 1901
Sime, Hugh T., vice Shields.	Collector of Customs, Jolo	Aug. 5, 1901
Cornwine, R. M.	Collector of Customs, Zamboanga	June 28, 1901
Stanley, John S., vice Baker	Cashier, Custom House	Aug. 1, 1901
Clark, W. H.	Supt. Intendencia Building	July 22, 1901
Robinson, H. M.	Asst. Director General of Posts	Aug. 1, 1901
Holmes, Norman M.	Eng. Benguet Wagon Road	Aug. 15, 1901

THE PHILIPPINE JUDICIARY.

Arellano, Cayetano	Chief Justice	June 15, 1901
Torres, Florentino	Associate Judge	June 15, 1901
Cooper, Joseph F.	Associate Judge	June 15, 1901
Smith, James F.	Associate Judge	June 15, 1901
Willard, Charles A.	Associate Judge	June 15, 1901
Mapa, Victorino	Associate Judge	June 15, 1901
Ladd, Fletcher	Associate Judge	June 15, 1901

THE PHILIPPINE JUDICIARY—Continued.

JUDGES OF COURTS OF FIRST INSTANCE.

Name.	Position.	To date from—
Blount, James H., jr	First Judicial District	June 15, 1901
Parades, Isidoro	Second Judicial District	June 15, 1901
Johnson, Elias F	Third Judicial District	June 15, 1901
Araullo, Manuel	Fourth Judicial District	June 15, 1901
Rojas, Felix M	Fifth Judicial District	June 15, 1901
Villamor, Ignacio	Sixth Judicial District	June 15, 1901
Linebarger, Paul W	Seventh Judicial District	June 15, 1901
Carson, Adam C	Eighth Judicial District	June 15, 1901
Bates, Henry C	Ninth Judicial District	June 15, 1901
Jusay, Estanislatus	Tenth Judicial District	June 15, 1901
Carlock, Lyman J	Eleventh Judicial District	June 15, 1901
Leon, Juan de	Twelfth Judicial District	June 15, 1901
Ickis, Warren H	Thirteenth Judicial District	June 15, 1901
Whitsett, George P	Fourteenth Judicial District	June 15, 1901
Kincaid, William A	Manila	June 15, 1901
Odlin, Arthur F	Manila	June 15, 1901
Norris, Wm. F	Extra Court for Negros	July 29, 1901

ATTORNEY GENERAL'S DEPARTMENT.

Wilfley, Libbeus R	Attorney General	June 15, 1901
Arceta, Gregorio	Solicitor General	June 15, 1901
Constantino, Antonio	Assistant Attorney General	June 15, 1901

FISCALS FOR COURTS IN UNORGANIZED PROVINCES, APPOINTED UNDER ACT NO. 160 AND ACT NO. 140.

Sans y Conde, Antonio	Fourteenth Judicial District	July 11, 1901
Molina, Santiago	Thirteenth Judicial District	July 13, 1901

APPOINTMENTS IN THE JUDICIAL SERVICE TO POSITIONS AUTHORIZED BY ACT NO. 136, U. S. P. C.

Peterson, James S	Sheriff of Manila	June 19, 1901
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CLERKS OF COURT.

Fisher, Fred C	Supreme Court	June 15, 1901
McMicking, J.	Court of First Instance of Manila	June 21, 1901
McFie, Ralph E. (declined)	Asst. Clerk for Court of First Instance of Manila	June 21, 1901
Graham, Arthur E.	Asst. Clerk for Court of First Instance of Manila	July 1, 1901

Provinces.

Valdes, Pedro L	Ilocos Norte	July 18, 1901
Tamayo, Estanislao	Union and Benguet	July 24, 1901
Santos, Pastor B	Pangasinan	June 27, 1901
Domantay, Roman	Tarlac	June 27, 1901
Mercado, Moricio	Pampanga	June 27, 1901
Paguia, Arcadio	Bulacan	June 27, 1901
Baltazar, Luis	Bataan	June 27, 1901
Oliveros, José	Rizal	July 2, 1901
Vicent, Luis	Laguna	July 24, 1901
Diva, Ladislao	Cavite	July 6, 1901
Merchan, Juan	Tayabas	June 27, 1901
Viltasis, Felipe	Capiz	June 27, 1901
Casten y Zalazar, Licerio	Iloilo	June 27, 1901
Cuadra, Mariano	Occ. Negros	June 27, 1901
Saavedra, Juan	Orn. Negros	June 27, 1901
Cuenc, Mariano	Cebu	June 27, 1901
Torralba, Margarito	Bohol	June 27, 1901
Romualdez, Norberto	Leyte	June 27, 1901
Chaves y Roa, Macrobio	Misamis	June 27, 1901
Carag, Antonio	Ag. 22, 1901	Aug. 22, 1901
Crisostomo, José	Zambales	Aug. 28, 1901
Gray, John W	Batangas	June 27, 1901
Arejola, Ludovico	Ambos Camarines	June 27, 1901
MacDougell, R. S. (declined)	Comandancia of Dapitan, Districts of Zamboanga, Cottabatto and Davao and Islands of Basilan	July 9, 1901
McFie, Ralph E	Comandancia of Dapitan, Districts of Zamboanga, Cottabatto and Davao and Islands of Basilan	July 13, 1901
Lacayo, Trinity E	For the 14th Judicial District	July 6, 1901
Atienza, Feliz	Special for the Island of Negros	Aug. 5, 1901
Arce, Manuel G. de	Manila, Municipal Court (District south of the Pasig)	Aug. 7, 1901
Varanda, Carlos	Manila, Municipal Court (District north of the Pasig)	Aug. 8, 1901

THE PHILIPPINE JUDICIARY—Continued.

JUSTICES OF THE PEACE.

NAME.	TOWN.	PROVINCE.	To date from—
Chaves, Leandro	Castilla	Sorsogon	July 20, 1901
Hernandez, Rafael	Gubat	Sorsogon	July 20, 1901
Bellistros, Antonio	Sorsogon	Sorsogon	July 20, 1901
García, Ramon	Bacon	Sorsogon	July 20, 1901
Leon, Benito de	Casiguran	Sorsogon	July 20, 1901
Alindogan, Lino	Inban	Sorsogon	July 20, 1901
Soriano, Gregorio	Moncada	Tarlac	July 22, 1901
Timbol, Dámaso	Concepcion	Tarlac	July 22, 1901
Martínez, Manuel	Tarlac	Tarlac	July 22, 1901
Barcelona, José	Lucena	Tayabas	July 25, 1901
San Augustin, Escolástico	Tayabas	Tayabas	July 25, 1901
Eleazar, Quirino	Lucban	Tayabas	July 25, 1901
Gala, Julian de	Suriaya	Tayabas	July 25, 1901
Nadres, Benigno	Candelaria	Tayabas	July 25, 1901
Martínez, Gerardo	Gumaca	Tayabas	July 25, 1901
Salumbides, Pio	Lopez	Tayabas	July 25, 1901
Abastillas, José	Pagbilao	Tayabas	July 25, 1901
García, Francisco	Guinayangan	Tayabas	July 25, 1901
Caraos, Fortunato	San Narciso	Tayabas	July 25, 1901
Bercelos, Juan	Bondoc	Tayabas	July 25, 1901
Tesalona, Tomas	Mulaney	Tayabas	July 25, 1901
Trage, Roberto	Maclelon	Tayabas	July 25, 1901
Glinoga, Eulalio	Pitogo	Tayabas	July 25, 1901
Cubinig, Faustino	Catanauan	Tayabas	July 25, 1901
Merano, Ambrosio	Unisan	Tayabas	July 25, 1901
Gonsalez, Cándido	Tiaon	Tayabas	July 25, 1901
Enriquez, Bernardeno	Antimonan	Tayabas	July 25, 1901
Clado, Matias	Sampaloc	Tayabas	July 25, 1901
Pinzon, Anastasio	Cavite	Cavite	Aug. 1, 1901
Arrieta, Anastasio	Aguilar	Pangasinan	Aug. 1, 1901
Fortich, Macario	Alava	Pangasinan	Aug. 1, 1901
Manavis, Jacobo	Alcala	Pangasinan	Aug. 1, 1901
Abalahin, Hermogenes	Asingan	Pangasinan	Aug. 1, 1901
Leon, Miguel de	Binmaley	Pangasinan	Aug. 1, 1901
Tajardo, Juan	Bayambang	Pangasinan	Aug. 1, 1901
Acosta, Honorio	Bautista	Pangasinan	Aug. 1, 1901
Moran, Juan	Binalonan	Pangasinan	Aug. 1, 1901
Castillo, José	Balungao	Pangasinan	Aug. 1, 1901
Macasiel, Sotero	Calasiao	Pangasinan	Aug. 1, 1901
Corleto, Vicente	Lingayen	Pangasinan	Aug. 1, 1901
Velasquez, Manuel	Mangatarem	Pangasinan	Aug. 1, 1901
Lumbino, Marcelo	Malasiqui	Pangasinan	Aug. 1, 1901
Vallesteros, Ulpiano	Mangaldan	Pangasinan	Aug. 1, 1901
Aquino, Antonio de	Manaoag	Pangasinan	Aug. 1, 1901
Camacho, Alejandro	Pozorrubio	Pangasinan	Aug. 1, 1901
Romero, Cecilio	Rosales	Pangasinan	Aug. 1, 1901
Baun, Roque	S. Carlos	Pangasinan	Aug. 1, 1901
Bautista, Lorenzo	Sta. Barbara	Pangasinan	Aug. 1, 1901
Ulandan, Juan	S. Fabian	Pangasinan	Aug. 1, 1901
Castilla, Cipriano	S. Jacinto	Pangasinan	Aug. 1, 1901
Mejía, Lucas	S. Nicolas	Pangasinan	Aug. 1, 1901
Cereso, Francisco	S. Manuel	Pangasinan	Aug. 1, 1901
Padillo, Pedro E.	Sta. Maria	Pangasinan	Aug. 1, 1901
Marqueta, José	S. Quintin	Pangasinan	Aug. 1, 1901
Canonisado, Pascual	Sto. Tomas	Pangasinan	Aug. 1, 1901
Rosario, Francisco	S. Isidro	Pangasinan	Aug. 1, 1901
Ramoran, José	Sual	Pangasinan	Aug. 1, 1901
Espino, Francisco	Salasa	Pangasinan	Aug. 1, 1901
Valdez, Felix	Tayug	Pangasinan	Aug. 1, 1901
Mananguil, Juan	Umingan	Pangasinan	Aug. 1, 1901
Perez, Primitivo	Urdaneta	Pangasinan	Aug. 1, 1901
Manzon, Julian	Urbistondo	Pangasinan	Aug. 1, 1901
Ordenez, Mariano	Villasis	Pangasinan	Aug. 1, 1901
Manlolo, Sisto	Badajoz	Romblon	Aug. 1, 1901
Fullar, Gabino	Despujol	Romblon	Aug. 1, 1901
Fabriala, Liborio	Coreneta	Romblon	Aug. 1, 1901
Armalo, Emilio	Odiogan	Romblon	Aug. 1, 1901
Marcelo, Lucas	Looc	Romblon	Aug. 1, 1901
Mallen, Bernabe	Magallenes	Romblon	Aug. 1, 1901
Cometa, Francisco	Cajidlocan	Romblon	Aug. 1, 1901
Recto, Francisco	San Fernando	Romblon	Aug. 1, 1901
Fabala, Fermín	Banton	Romblon	Aug. 1, 1901
Gadaoni, Fernando	Santa Fe	Romblon	Aug. 1, 1901
Mendoza, Juan	Murcia	Tarlac	Aug. 1, 1901
Perez, Cabino	Pura	Tarlac	Aug. 1, 1901
Dayrit, Alejandro	Bamban	Tarlac	Aug. 1, 1901
Aquino, Juan	Gerona	Tarlac	Aug. 1, 1901
Evangelista, Mariano	Anao	Tarlac	Aug. 1, 1901
García, Justo	Capas	Tarlac	Aug. 1, 1901
Palarca, Juan	O'Donnell	Tarlac	Aug. 1, 1901

THE PHILIPPINE JUDICIARY—Continued.

JUSTICES OF THE PEACE—continued.

NAME.	TOWN.	PROVINCE.	To date from—
Mateo, Isidoro.....	Sta. Ignacia	Tarlac.....	Aug. 1, 1901
Apostol, Lorenzo.....	S. Clemente.	Tarlac.....	Aug. 1, 1901
Castillo, Juan.....	La Paz	Tarlac.....	Aug. 1, 1901
Madrilajos, Bonifacio.....	Romblon	Romblon.....	Aug. 5, 1901
Pimentel, Ramon.....	Daet	Ambos Camarines.....	Aug. 5, 1901
Pajarillo, Romas.....	Indan	Ambos Camarines.....	Aug. 5, 1901
Vargas, Santiago.....	Telisay	Ambos Camarines.....	Aug. 5, 1901
Quinones, Silvestre.....	Basud	Ambos Camarines.....	Aug. 5, 1901
Sanchez, Pedro.....	Paracale	Ambos Camarines.....	Aug. 5, 1901
Alvarez, Francisco.....	Nueva Caceres	Ambos Camarines.....	Aug. 5, 1901
Villafuerte, Santiago.....	Magarao	Ambos Camarines.....	Aug. 5, 1901
Moreno, Telesforo.....	Bonbon	Ambos Camarines.....	Aug. 5, 1901
Partugal, Eustaquio.....	Quipayo	Ambos Camarines.....	Aug. 5, 1901
Cardena, Julio.....	Calabanga	Ambos Camarines.....	Aug. 5, 1901
Asug, Mariano.....	Tinambac	Ambos Camarines.....	Aug. 5, 1901
Anacleto, Pedro.....	Milaor	Ambos Camarines.....	Aug. 5, 1901
Barenas, Romas.....	Minalabag	Ambos Camarines.....	Aug. 5, 1901
Desa, Ludovico.....	San Fernando	Ambos Camarines.....	Aug. 5, 1901
Ursua, Vincente.....	Libmanan	Ambos Camarines.....	Aug. 5, 1901
Imperial, Engracio.....	Pili	Ambos Camarines.....	Aug. 5, 1901
Laines, Pablo.....	Bula	Ambos Camarines.....	Aug. 5, 1901
Beltran, Nicolas.....	Baao	Ambos Camarines.....	Aug. 5, 1901
Ocampo, José Severo.....	Nabua	Ambos Camarines.....	Aug. 5, 1901
Dumamay, Pablo.....	Bato	Ambos Camarines.....	Aug. 5, 1901
Mompombanua, Felipe.....	Iriga	Ambos Camarines.....	Aug. 5, 1901
Carrascoso, Juan.....	Buhi	Ambos Camarines.....	Aug. 5, 1901
Natividad, Casimiro.....	Tigaon	Ambos Camarines.....	Aug. 5, 1901
Puentebella, Mariano.....	Sagnay	Ambos Camarines.....	Aug. 5, 1901
Garchitorena, José.....	Goa	Ambos Camarines.....	Aug. 5, 1901
Obias, Braulio.....	San José de Lagonoy	Ambos Camarines.....	Aug. 5, 1901
Pamar, Patricio.....	Lagonoy	Ambos Camarines.....	Aug. 5, 1901
Alvarez, Benedicto.....	Caramoan	Ambos Camarines.....	Aug. 5, 1901
Pensscola, Francisco.....	Mauban	Tayabas.....	Aug. 6, 1901
Lerum, Juan.....	Calanag	Tayabas.....	Aug. 6, 1901
Afable, Gerardo.....	Alabat	Tayabas.....	Aug. 6, 1901
Agregado, Vicente.....	Batangas	Batangas.....	Aug. 8, 1901
Reyes, Jorge de los.....	Bauan	Batangas.....	Aug. 8, 1901
Andal, Florentino.....	San José	Batangas.....	Aug. 8, 1901
Africa, Benito.....	Lipa	Batangas.....	Aug. 8, 1901
Meer, Jacinto.....	Santo Tomas	Batangas.....	Aug. 8, 1901
Villa, Gregorio de.....	San Juan	Batangas.....	Aug. 8, 1901
Lontoc, Vicente.....	Taal	Batangas.....	Aug. 8, 1901
Marcial, Inocensio.....	San Louis.	Batangas.....	Aug. 8, 1901
Laurel, Sotero.....	Tanauan	Batangas.....	Aug. 8, 1901
Generoso, Mariano.....	Lemery	Batangas.....	Aug. 8, 1901
Rodriguez, Felix.....	Calaca	Batangas.....	Aug. 8, 1901
Oñola, Enrique.....	Pandan	Antique.....	Aug. 12, 1901
Reyes, Patricio de los.....	Sebaste	Antique.....	Aug. 12, 1901
Palacios, Manuel.....	Colasi	Antique.....	Aug. 12, 1901
Española, Policarpo.....	Tibiao	Antique.....	Aug. 12, 1901
Palacios, Lazaro.....	Barbaza	Antique.....	Aug. 12, 1901
Esparagosa, Victoriano.....	Nalupa Nueva	Antique.....	Aug. 12, 1901
Bautista, Melchor.....	Guisijan	Antique.....	Aug. 12, 1901
Guitierrez, Juan.....	Bugason	Antique.....	Aug. 12, 1901
Alarcán, Cándido.....	Valeerrama	Antique.....	Aug. 12, 1901
Deipuyat, Inocencio.....	Caritan	Antique.....	Aug. 12, 1901
Apayat, Rafael.....	Patnongan	Antique.....	Aug. 12, 1901
Maghari, Felipe.....	San Pedro	Antique.....	Aug. 12, 1901
Moralcz, Manuel.....	Sibalon	Antique.....	Aug. 12, 1901
Marfil, Florentino.....	San Remigio	Antique.....	Aug. 12, 1901
Maucay, Eugenio.....	Egaña	Antique.....	Aug. 12, 1901
Villarvert, Anacleto.....	San José	Antique.....	Aug. 12, 1901
Javier, Exequiel.....	Antique	Antique.....	Aug. 12, 1901
Natan, Simplicio.....	Guintas	Antique.....	Aug. 12, 1901
Rubite, Mamerto.....	Dao	Antique.....	Aug. 12, 1901
Fayla, Enrique.....	Aniny-i.	Antique.....	Aug. 12, 1901
Alzona, Cayo.....	Canta Cruz	La Laguna.....	Aug. 12, 1901
Rivera, José.....	Pansanjan	La Laguna.....	Aug. 12, 1901
Rosa, Anselmo de.....	Siniloan	La Laguna.....	Aug. 12, 1901
Vicuña, Cipriano.....	Mavitac	La Laguna.....	Aug. 12, 1901
Carrillo, Clemente.....	Biñang	La Laguna.....	Aug. 12, 1901
Perlas, Pedro.....	Santa Rosa	La Laguna.....	Aug. 12, 1901
Delfino, Dominador.....	Cabuyao	La Laguna.....	Aug. 12, 1901
Agustin, Juan Villa.....	Victoria	Tarlac.....	Aug. 12, 1901
Bengson, Vicente.....	Camiling	Tarlac.....	Aug. 12, 1901
Ubaldo, Elias.....	Paritqui	Tarlac.....	Aug. 12, 1901
Caperecho, Jorge.....	Moriones	Tarlac.....	Aug. 12, 1901
Almonte, Tomas.....	Albay	Albay.....	Aug. 12, 1901
Roco, Angel.....	Legaspi.	Albay.....	Aug. 12, 1901
Rey, Nicolas.....	Libón	Albay.....	Aug. 12, 1901
Gregorio, José.....	Polangui	Albay.....	Aug. 12, 1901

THE PHILIPPINE JUDICIARY—Continued.

JUSTICES OF THE PEACE—continued.

NAME.	TOWN.	PROVINCE.	To date from—
Robiciza, Dionisio.....	Ons.....	Albay.....	Aug. 12, 1901
Lopez, Lorenzo.....	Ligao.....	Albay.....	Aug. 12, 1901
Villareal, Enrique.....	Guinabatan.....	Albay.....	Aug. 12, 1901
Nieves, Guillermo.....	Camalig.....	Albay.....	Aug. 12, 1901
Jancian, Balbino.....	Daraga.....	Albay.....	Aug. 12, 1901
Medina, Mannel.....	Tabaco.....	Albay.....	Aug. 31, 1901
Pena, Amacleto.....	Mallino.....	Albay.....	Aug. 31, 1901
Azunc, Pantaleon.....	Tive.....	Albay.....	Aug. 31, 1901
Romano, Nicolas.....	Bacaycay.....	Albay.....	Aug. 31, 1901
Blance, Santiago.....	Malihpot.....	Albay.....	Aug. 31, 1901
Balance, Diego S.....	Libog.....	Albay.....	Aug. 31, 1901
Diez, Marcos.....	Surigao.....	Surigao.....	Aug. 31, 1901
Lardisabal, Emilio.....	Boac.....	Marinduque.....	Aug. 31, 1901
Sevilla, Rosauro.....	Gazan.....	Marinduque.....	Aug. 31, 1901
Mancja, Evaristo.....	Torrijos.....	Marinduque.....	Aug. 31, 1901
Lecaros, Vicente.....	Santa Cruz.....	Marinduque.....	Aug. 31, 1901
Nepomuceno, Vicente.....	Mogpog.....	Marinduque.....	Aug. 31, 1901
Roque, Lorenzo.....	Bulan.....	Sorsogon.....	Aug. 31, 1901
Pulay, Esteban.....	Barceloma.....	Sorsogon.....	Aug. 31, 1901
Brocio, Fermin.....	Magallanes.....	Sorsogon.....	Aug. 31, 1901
Jarza, Esteban.....	Cagayan.....	Misamis.....	Aug. 31, 1901
Corrales, Carlos.....	Mambajo.....	Misamis.....	Aug. 31, 1901
Remalado, Juan.....	Balingasag.....	Misamis.....	Aug. 31, 1901
Espidido, Vicente.....	Iponan.....	Misamis.....	Aug. 31, 1901
Rivera, José.....	Opol.....	Misamis.....	Aug. 31, 1901
Zuleta, José.....	Iloilo.....	Iloilo.....	Aug. 31, 1901
Saguingsing, Manuel Loesing y.....	Molo.....	Iloilo.....	Aug. 31, 1901
A Vanceña, Honoratio.....	Arévalo.....	Iloilo.....	Aug. 31, 1901
Carreon, Cipriano.....	Oton.....	Iloilo.....	Aug. 31, 1901
Altura, Ramon.....	Tigbauan.....	Iloilo.....	Aug. 31, 1901
Trinidad, Benedicto.....	Cordoba.....	Iloilo.....	Aug. 31, 1901
Gayonado, Domingo.....	Guimbal.....	Iloilo.....	Aug. 31, 1901
Orbe, Anselmo Nacionales.....	Niagno.....	Iloilo.....	Aug. 31, 1901
Santagudo, Valeriano.....	San Joaquin.....	Iloilo.....	Aug. 31, 1901
Miraflores, Mamerto.....	Mandurriao.....	Iloilo.....	Aug. 31, 1901
Salazar, Andres.....	San Miguel.....	Iloilo.....	Aug. 31, 1901
Tubut, Luis Tabianan y.....	Allmodian.....	Iloilo.....	Aug. 31, 1901
Canillas, Feliciano Calopis y.....	Leon.....	Iloilo.....	Aug. 31, 1901
Tagaruma, Manuel.....	Tubungan.....	Iloilo.....	Aug. 31, 1901
Manipula, Antonio.....	Igaras.....	Iloilo.....	Aug. 31, 1901
Jaranilla, Elueterio.....	La Paz.....	Iloilo.....	Aug. 31, 1901
Lopez, Benito.....	Jaro.....	Iloilo.....	Aug. 31, 1901
Guillem, José Gubuyan y.....	Pabia.....	Iloilo.....	Aug. 31, 1901
Robles, Procepio Umadjay y.....	Sta. Barbara.....	Iloilo.....	Aug. 31, 1901
Bermejo, Eugenio.....	Cabatuan.....	Iloilo.....	Aug. 31, 1901
Jesena, Doroteo.....	Maasin.....	Iloilo.....	Aug. 31, 1901
Marin, Rafael.....	Januay.....	Iloilo.....	Aug. 31, 1901
Patie, Florencio.....	Mina.....	Iloilo.....	Aug. 31, 1901
Bunol, Fulgencio.....	Luceno.....	Iloilo.....	Aug. 31, 1901
Magbunua, Mariano.....	Pototan.....	Iloilo.....	Aug. 31, 1901
Dayot, Luis C.....	Dingle.....	Iloilo.....	Aug. 31, 1901
Hermano, Ceferino.....	Duenas.....	Iloilo.....	Aug. 31, 1901
Paciente, Francisco.....	San Enrique.....	Iloilo.....	Aug. 31, 1901
Aguilar, Simeon.....	Passi.....	Iloilo.....	Aug. 31, 1901
Celestial, José.....	Calinog.....	Iloilo.....	Aug. 31, 1901
Lucero, Mauricio.....	Lumbunao.....	Iloilo.....	Aug. 31, 1901
Gustilo, Norberto.....	Leganes.....	Iloilo.....	Aug. 31, 1901
Puertollano, Gregorio.....	Zaraga.....	Iloilo.....	Aug. 31, 1901
Castro, Casimiro.....	Sto. Domingo.....	Nueva Ecija.....	Aug. 31, 1901
Soriano, Emilio.....	Aliaga.....	Nueva Ecija.....	Aug. 31, 1901
Lustre, Ponciano.....	Jaen.....	Nueva Ecija.....	Aug. 31, 1901
Crespo, Francisco.....	Cabiao.....	Nueva Ecija.....	Aug. 31, 1901
Adorable, Marciano.....	Gapan.....	Nueva Ecija.....	Aug. 31, 1901
Cando, Martin.....	San Antonio.....	Nueva Ecija.....	Aug. 31, 1901
Nieves, Marcelino.....	Zaragoza.....	Nueva Ecija.....	Aug. 31, 1901
Aguilar, Ger vacio.....	San Leonardo.....	Nueva Ecija.....	Aug. 31, 1901
Barrio, Mariano del.....	Santa Rosa.....	Nueva Ecija.....	Aug. 31, 1901
Aromin, Tomás.....	Cuyapo.....	Nueva Ecija.....	Aug. 31, 1901
Hagan, Eulalio.....	Bongabon.....	Nueva Ecija.....	Aug. 31, 1901
Nielo, Wenceslao.....	Pastrana.....	Leyte.....	Aug. 31, 1901
Mercado, Estanislao.....	Manson.....	Leyte.....	Aug. 31, 1901
Sulla, Tarcelo.....	Cubugayan.....	Leyte.....	Aug. 31, 1901
Aberluz, Justo.....	Cahagnaan.....	Leyte.....	Aug. 31, 1901
Ramos, Epifanio Suela.....	Jaro.....	Leyte.....	Aug. 31, 1901
Parral, Marcos.....	Carigara.....	Leyte.....	Aug. 31, 1901
Trani, Melecio.....	Naval.....	Leyte.....	Aug. 31, 1901
Cordero, Luis.....	Barauen.....	Leyte.....	Aug. 31, 1901
Carpio, Lope.....	Billran.....	Leyte.....	Aug. 31, 1901
Martinez, Rafael.....	Palompon.....	Leyte.....	Aug. 31, 1901
Castro, Alejandro.....	Maripipi.....	Leyte.....	Aug. 31, 1901
Chavarri, Juan.....	Culaba.....	Leyte.....	Aug. 31, 1901

THE PHILIPPINE JUDICIARY—Continued.

JUSTICES OF THE PEACE—continued.

NAME.	TOWN.	PROVINCE.	To date from—
Fonerrado, Samuel	Barugo	Leyte	Aug. 31, 1901
Niegos, Julian	Capoocan	Leyte	Aug. 31, 1901
Villanueva, Eduardo	Alang-alang	Leyte	Aug. 31, 1901
Aleuino, Kiremon	Baybay	Leyte	Aug. 31, 1901
Seminiano, Martino	San Miguel	Leyte	Aug. 31, 1901
Dimiguillo, Angel	Dumangas	Noilo	Aug. 31, 1901
Tupas, Montano Blancaflor y	Barotac-nuevo	Noilo	Aug. 31, 1901
Arandilla, Alejandro	Anilao	Noilo	Aug. 31, 1901
Banadares, Francisco	Banate	Noilo	Aug. 31, 1901
Bantilan, Felipe	Barotac-viejo	Noilo	Aug. 31, 1901
Villabos, Vicente	Navalaz	Noilo	Aug. 31, 1901
Zambarano, Mateo	Buenavista	Noilo	Aug. 31, 1901
Villanueva, Domingo	Nagaba	Noilo	Aug. 31, 1901
Geicana, Andres Garcia	N. Valencia	Noilo	Aug. 31, 1901
Malapaya, Mariano	Sara	Noilo	Aug. 31, 1901
Deles, Salvador	San Dionisio	Noilo	Aug. 31, 1901
Solis, Guillermo	Carles	Noilo	Aug. 31, 1901
Bernardo, Francisco	Barasoñan	Bulacan	Aug. 31, 1901
Aduna, Pedro	Hagonoy	Bulacan	Aug. 31, 1901
Macam, Deogracias	Calumpit	Bulacan	Aug. 31, 1901
Lim, Teodoro	San Miguel	Bulacan	Aug. 31, 1901
Pilar, Luis H. del	Bulacan	Bulacan	Aug. 31, 1901
José, Pedro Arrienda	Guiguinto	Bulacan	Aug. 31, 1901
Puatu, Gregorio	Bigaa	Bulacan	Aug. 31, 1901
Parulan, Pedro	Bocaue	Bulacan	Aug. 31, 1901
Ferrer, Dalmacio	Marilao	Bulacan	Aug. 31, 1901
Alarilla, Vicente	Meycauayan	Bulacan	Aug. 31, 1901
Guansing, Enoc	Polo	Bulacan	Aug. 31, 1901
San Diego, Diego de	Obando	Bulacan	Aug. 31, 1901
Jesus, Mariano de	Santa Maria	Bulacan	Aug. 31, 1901
Celestino, Cirilo	Norzagaray	Bulacan	Aug. 31, 1901
Reyes, Hermogenes	Malolos	Bulacan	Aug. 31, 1901
Dioniso, José Boidon	Santa Isabela	Bulacan	Aug. 31, 1901
Burlongan, Albino	Paombong	Bulacan	Aug. 31, 1901
Teodoro, Teoforico	Pulilan	Bulacan	Aug. 31, 1901
Osores, Adriano	Quiingua	Bulacan	Aug. 31, 1901
Collantes, José	Baliuag	Bulacan	Aug. 31, 1901
Mateo, Domingo R	Buston	Bulacan	Aug. 31, 1901
Valero, Ambrosio	San Rafael	Bulacan	Aug. 31, 1901
Bantigas, Benito	San Ildefonso	Bulacan	Aug. 31, 1901
Avela, Simon	San José	Bulacan	Aug. 31, 1901
Otayco, Pedro	Angat	Bulacan	Aug. 31, 1901
Rodriguez, Simeon	Orion	Bataan	Aug. 31, 1901
Banson, Luis	Pilar	Bataan	Aug. 31, 1901
Mendoza, Angel	Balanga	Bataan	Aug. 31, 1901
Limcanoo, Urbano	Abucay	Bataan	Aug. 31, 1901
Santiago, Bonifacio	Mabatang	Bataan	Aug. 31, 1901
Consunji, Roque	Samal	Bataan	Aug. 31, 1901
Pascual, Claro	Orani	Bataan	Aug. 31, 1901
Yabot, Juan	Hermosa	Bataan	Aug. 31, 1901
Leysan, Froilan	Dinalupijan	Bataan	Aug. 31, 1901
Mendoza, Anacleto	Mariveles	Bataan	Aug. 31, 1901

AUXILIARY JUSTICES OF THE PEACE.

Nicolas, Catalino	Cavite	Cavite	Aug. 1, 1901
Amorsolo, Pedro	Daet	Ambos Camarines	Aug. 5, 1901
Generoso, Pedro	Indan	Ambos Camarines	Aug. 5, 1901
Santua, Arcadio	Talisay	Ambos Camarines	Aug. 5, 1901
Ortega, Felino	Basud	Ambos Camarines	Aug. 5, 1901
Tagala, Pedro	Paracale	Ambos Camarines	Aug. 5, 1901
Ruivivar, Carlos	Nueva Cáceres	Ambos Camarines	Aug. 5, 1901
Portugal, Victor	Magarao	Ambos Camarines	Aug. 5, 1901
Viola, Mariano	Bonbon	Ambos Camarines	Aug. 5, 1901
Jansalin, Felix	Quipuyo	Ambos Camarines	Aug. 5, 1901
Valle, Policarpo del	Calabanga	Ambos Camarines	Aug. 5, 1901
Samsan, Fausto	Tinambac	Ambos Camarines	Aug. 5, 1901
Amador, Julian	Milao	Ambos Camarines	Aug. 5, 1901
Pajardo, Baldomero	Minalabag	Ambos Camarines	Aug. 5, 1901
Calinog, Inocencio	San Fernando	Ambos Camarines	Aug. 5, 1901
Colores, Ligorio	Libmanan	Ambos Camarines	Aug. 5, 1901
Canuto, Felix	Pili	Ambos Camarines	Aug. 5, 1901
Flores, Juan Losa	Bula	Ambos Camarines	Aug. 5, 1901
Barlin, German	Baao	Ambos Camarines	Aug. 5, 1901
Bolivar, Anastasio	Nabua	Ambos Camarines	Aug. 5, 1901
Calleja, Eligio	Bato	Ambos Camarines	Aug. 5, 1901
Nagrampa, Gil	Iriga	Ambos Camarines	Aug. 5, 1901
Lancaon, Severino	Buhl	Ambos Camarines	Aug. 5, 1901
Jacob, José	Tigaon	Ambos Camarines	Aug. 5, 1901
Garchitorea, Arturo	Sagnay	Ambos Camarines	Aug. 5, 1901

THE PHILIPPINE JUDICIARY—Continued.

AUXILIARY JUSTICES OF THE PEACE—continued.

NAME.	TOWN.	PROVINCE.	To date from—
Perfecto, José	Goa	Ambos Camarines	Aug. 5, 1901
Palma, Regino	S. José de Lagonoy	Ambos Camarines	Aug. 5, 1901
Rivero, Mariano	Lagonoy	Ambos Camarines	Aug. 5, 1901
Condis, Casareo	Caramoan	Ambos Camarines	Aug. 5, 1901
Tolentino, Ventura	Batangas	Batangas	Aug. 8, 1901
Buenviege, Cipriano	Bauan	Batangas	Aug. 8, 1901
Marques, Louis	San José	Batangas	Aug. 8, 1901
Templo, José	Lipa	Batangas	Aug. 8, 1901
Castillo, Pedro	Santo Tomás	Batangas	Aug. 8, 1901
Marisigan, Francisco	San Juan	Batangas	Aug. 8, 1901
Atienza, Tiofilo	Taal	Batangas	Aug. 8, 1901
Huerte, Mariano	S. Louis	Batangas	Aug. 8, 1901
Laurena, Cayetano	Tanauan	Batangas	Aug. 8, 1901
Panganiban, Agapito	Lemery	Batangas	Aug. 8, 1901
Bacal, Apolinario	Calaca	Batangas	Aug. 8, 1901
Reyes, Macario	Surigao	Aug. 31, 1901	
Domingo, Santiago Santo	Boac	Marinduque	Aug. 31, 1901
León, José de	Gazan	Marinduque	Aug. 31, 1901
Mundo, Froilán de	Torrijos	Marinduque	Aug. 31, 1901
Regino, Estanislao	Santa Cruz	Marinduque	Aug. 31, 1901
Mantala, Frisco	Mogpog	Marinduque	Aug. 31, 1901
Bucarrisas, Filomeno	Cagayan	Misamis	Aug. 31, 1901
Borromeo, Gregorio	Mambajao	Misamis	Aug. 31, 1901
Almendrala, Daniel	Balingasag	Misamis	Aug. 31, 1901
Prado, Fausto de	Iponan	Misamis	Aug. 31, 1901
Yasay, Pablo	Opol	Misamis	Aug. 31, 1901
Concejal, Domingo Gutierrez	Romblon	Romblon	Aug. 31, 1901
Montesa, Felix	Badajos	Romblon	Aug. 31, 1901
Fabre, Teodoro	Dinsupul	Romblon	Aug. 31, 1901
Fortuna, Daniel	Odiungan	Romblon	Aug. 31, 1901
Gabima, Hugo	Looc	Romblon	Aug. 31, 1901
Inocencio, Salvador	Santa Fe	Romblon	Aug. 31, 1901
Fabii, Nicolas	Banton	Romblon	Aug. 31, 1901
Familiano, Atanacio	Corcuera	Romblon	Aug. 31, 1901
Baranda, Pedro	San Fernando	Romblon	Aug. 31, 1901
Militar Balbino	Cajidiocan	Romblon	Aug. 31, 1901
Tansiongco, Marcelo	Magallanes	Romblon	Aug. 31, 1901
Kanete, Manuel	Pastrana	Leyte	Aug. 31, 1901
Jesus, Esteban de	Maason	Leyte	Aug. 31, 1901
Roldan, Pedro	Cabucgayán	Leyte	Aug. 31, 1901
Perez, Romulado	Cahagnaan	Leyte	Aug. 31, 1901
Pace, Ponciano Horca y	Jaro	Leyte	Aug. 31, 1901
Reamillo, Pastor	Carigara	Leyte	Aug. 31, 1901
Paula, Pedro	Naval	Leyte	Aug. 31, 1901
Esplanada, Balbino	Barauen	Leyte	Aug. 31, 1901
Taboso, Pedro	Biliran	Leyte	Aug. 31, 1901
Velez, Antonio	Palompon	Leyte	Aug. 31, 1901
Pido, Anastasio	Culaba	Leyte	Aug. 31, 1901
Araza, Vicente	Barugo	Leyte	Aug. 31, 1901
Misigal, Ignacio	Capocoran	Leyte	Aug. 31, 1901
Coquia, Dionisio	Alang-alang	Leyte	Aug. 31, 1901
Costas, Dalmacio	Baybay	Leyte	Aug. 31, 1901
Babula, Lorenzo	San Miguel	Leyte	Aug. 31, 1901
Guangco, Esperidion	Hoilo	Aug. 31, 1901	
Quinsay, Ramon Avanceña y	Molo	Hoilo	Aug. 31, 1901
Chavez, Francisco	Arévalo	Hoilo	Aug. 31, 1901
Novera, Remigio	Oton	Hoilo	Aug. 31, 1901
Torrefranca, Ignacio	Tigbauan	Hoilo	Aug. 31, 1901
Baltazar, Camilio	Cordoba	Hoilo	Aug. 31, 1901
Gemarin, Miguel	Guimbal	Hoilo	Aug. 31, 1901
Nonato, Tomás	Miagao	Hoilo	Aug. 31, 1901
Diez, Adriano	San Joaquin	Hoilo	Aug. 31, 1901
Mirafleres, Gervasio	Mandurriao	Hoilo	Aug. 31, 1901
Malaga, Domingo	San Miguel	Hoilo	Aug. 31, 1901
Tolentino, Salomon Algallar	Alimodian	Hoilo	Aug. 31, 1901
Salazar, Enrique Caballín y	Leon	Hoilo	Aug. 31, 1901
Tanlogan, Isidro	Tubungan	Hoilo	Aug. 31, 1901
Espeleta, Andecdato	Igbaras	Hoilo	Aug. 31, 1901
Benedicto, Inocentes	La Paz	Hoilo	Aug. 31, 1901
Jimenez, Arsenio	Jaro	Hoilo	Aug. 31, 1901
Confesor, Perpetuo Gumban y	Pavia	Hoilo	Aug. 31, 1901
Suobiron, Regino Solimap	Santa Barbara	Hoilo	Aug. 31, 1901
Montaño, Isidro	Cabatuan	Hoilo	Aug. 31, 1901
Modejar, Francisco	Maasin	Hoilo	Aug. 31, 1901
Tubayan, José	Janiuay	Hoilo	Aug. 31, 1901
Legrito, Leoncio	Mina	Hoilo	Aug. 31, 1901
Siquio, Melquiades	Lucena	Hoilo	Aug. 31, 1901
Dosado, Vicente	Pototan	Hoilo	Aug. 31, 1901
Dalipe, Julian	Dingle	Hoilo	Aug. 31, 1901
Espino, Pedro Espino y	Duenas	Hoilo	Aug. 31, 1901
Villalobos, Florencio	San Enrique	Hoilo	Aug. 31, 1901
Palmones, Rafael	Passi	Hoilo	Aug. 31, 1901

THE PHILIPPINE JUDICIARY—Continued.
AUXILIARY JUSTICES OF THE PEACE—continued.

NAME.	TOWN.	PROVINCE.	To date from—
Castigador, Tiburcio	Calinog	Iloilo	Aug. 31, 1901
Lemana, Santiago	Lanbunao	Iloilo	Aug. 31, 1901
Jinon, Modesto	Leganes	Iloilo	Aug. 31, 1901
Peristuelo, Valeriano	Zarraga	Iloilo	Aug. 31, 1901
Jinete, Gregorio Evangelista	Dumangas	Iloilo	Aug. 31, 1901
Okendo, Vicente Tupaz	Narotoc nuevo	Iloilo	Aug. 31, 1901
Apura, Alejandro	Anilao	Iloilo	Aug. 31, 1901
Banaria, Fernando	Banate	Iloilo	Aug. 31, 1901
Fuentes, Pedro Causing y	Banotoc-viejo	Iloilo	Aug. 31, 1901
Benedicto, Narciso	Navalas	Iloilo	Aug. 31, 1901
Santos, Canuto de los	Buinavista	Iloilo	Aug. 31, 1901
Villanueva, Sofronio	Nagaba	Iloilo	Aug. 31, 1901
Galon, Alberto Gonzaga	Nuv. Valencio	Iloilo	Aug. 31, 1901
Salcedo, Angel	Sara	Iloilo	Aug. 31, 1901
Gorrez, Esperidion	San Dionicio	Iloilo	Aug. 31, 1901
Andrada, Casimiro	Carles	Iloilo	Aug. 31, 1901
Santos, Estevan de los	Orion	Bataan	Aug. 31, 1901
Calimbas, Julian	Pilar	Bataan	Aug. 31, 1901
Du, Cesario	Balanga	Bataan	Aug. 31, 1901
Estrella, Geraldo	Abucay	Bataan	Aug. 31, 1901
Tiongson, Sacarias	Mabutang	Bataan	Aug. 31, 1901
Talastas, Hermenegildo	Samal	Bataan	Aug. 31, 1901
Sevilla, Geronimo	Orani	Bataan	Aug. 31, 1901
Jesus, José, de	Hermosa	Bataan	Aug. 31, 1901
Reyes, Adriano de los	Dinalupjua	Bataan	Aug. 31, 1901
Alejo, Gregorio	Mariveles	Bataan	Aug. 31, 1901

APPOINTMENTS IN THE MUNICIPAL GOVERNMENT FOR THE CITY OF MANILA.

NAME.	POSITION.	To date from—
Herrera, Arsenio Cong	President of the Municipal Board	Aug. 6, 1901
Baldwin, Barry	Member of the Municipal Board	Aug. 6, 1901
Tutherly, William	Member of the Municipal Board	Aug. 6, 1901
Davies, A. L. B.	Secretary of the Municipal Board	Aug. 6, 1901
Mead, C. W.	City Engineer	Aug. 6, 1901
Wheeler, Robert C.	First Assistant City Engineer	Aug. 21, 1901
Alejandro, José	Second Assistant City Engineer	Aug. 6, 1901
Williams, D. S.	Second Assistant City Engineer	Aug. 6, 1901
Mudge, Jerome L.	Superintendent of Streets, Parks, Bridges, Docks, and Wharves.	Aug. 6, 1901
Casey, Henry R.	Superintendent of Water and Sewers	Aug. 6, 1901
Dorington, Lafayette A.	Superintendent of Buildings and Illumination	Aug. 6, 1901
Curry, George	Superintendent of Police	Aug. 6, 1901
Trowbridge, Charles R.	Chief of the Secret Service	Aug. 6, 1901
Dodge, Frederick R.	Chief of the Department of Fires and Building Inspection.	Aug. 6, 1901
Hoey, John W.	Assistant Chief of Dept. of Fires and Building Inspection.	Aug. 13, 1901
Hausserman, John W.	City Attorney	Aug. 6, 1901
Reyes, Modesto	Assistant District Attorney	Aug. 6, 1901
Bishop, William H.	Prosecuting Attorney	Aug. 6, 1901
Changco, Dionisio	First Assistant Prosecuting Attorney	Aug. 6, 1901
Ner, José	Second Assistant Prosecuting Attorney	Aug. 6, 1901
Trent, Grant T.	Third Assistant Prosecuting Attorney	Aug. 6, 1901
Macmanus, Augustus, F. W.	Judge Municipal Court, District North of Pasig	Aug. 6, 1901
Varanda, Carlos	Clerk of Court	Aug. 6, 1901
Liddell, James M.	Judge Municipal Court, District South of Pasig	Aug. 6, 1901
Ricafort, Pedro	Justice of the Peace	Aug. 6, 1901
Quintero, José Maria	Justice of the Peace	Aug. 6, 1901
Veloso, Martiniano	Auxiliary Justice of the Peace	Aug. 6, 1901
Gabriel, Perfecto	Auxiliary Justice of the Peace	Aug. 6, 1901
Sleeper, Charles H.	City Assessor and Collector	Aug. 6, 1901
Steere, Henry	Chief Deputy Assessor	Aug. 6, 1901
Cromwell, Ellis	Chief Deputy Collector	Aug. 6, 1901
Ortigas, Francisco	Member of Advisory Board, Intramuros	Aug. 6, 1901
Yangco, Teodoro	Member of Advisory Board, Binondo	Aug. 6, 1901
Paterno, José	Member of Advisory Board, Santa Cruz	Aug. 6, 1901
Pabalan, Antonio	Member of Advisory Board, Paco	Aug. 6, 1901
Calderon, Felipe	Member of Advisory Board, Ermita	Aug. 6, 1901
Somosa, Vicente	Member of Advisory Board, Malate	Aug. 6, 1901
Rodriguez, Rogaciano	Member of Advisory Board, San Nicolas	Aug. 6, 1901
Feleiano, Crispulo	Member of Advisory Board, Tondo	Aug. 6, 1901
Tuason, Juan	Member of Advisory Board, Quiapo	Aug. 6, 1901
Velasco, Miguel	Member of Advisory Board, San Miguel	Aug. 6, 1901
Reyes, Rafael	Member of Advisory Board, Sampaloc	Aug. 6, 1901
Aleman, José	Member of Advisory Board, Sampaloc	Aug. 9, 1901
Infanta, José	Member of Advisory Board, Ermita	Aug. 9, 1901
Alcantara, Tomás	Member of Advisory Board, Intramuros	Aug. 9, 1901

PROVINCIAL APPOINTMENTS.

The following additional changes are reported in the Provincial Service for the period May 31st to August 31st. Additions and alterations should be made accordingly in the list published in the preceding quarterly volume:

Name.	Position.	Town.	Date of Oath or Resolution.
Roman, Espiritu, vice Villamor.	Fiscal	Pangasinan	June 22, 1901
Hopson, Sidney A., vice Wessels.	Supervisor	Tarlac	Aug. 21, 1901
McLain, Chas. C., vice Abbott	Treasurer	Tayabas	June 24, 1901
Beard, Wolcott Lee	Supervisor	Tarlac	Aug. 21, 1901
DeLano, Harry C.	Supervisor	Surigao	Aug. 21, 1901
Perkins, Albert H.	Supervisor	Orn. Negros	Aug. 21, 1901
Patterson, Silas B.	Supervisor	Leyte	Aug. 21, 1901
Kendall, Charles H.	Supervisor	Batangas	Aug. 21, 1901
King, Horace W.	Supervisor	Bohol	Aug. 21, 1901
Holcombe, Joseph G.	Supervisor	Cebu	Aug. 21, 1901
Farnham, Charles H.	Supervisor	Bulacan	Aug. 21, 1901
Fitzhugh, Smith K., vice Blasland.	Supervisor	Tayabas	July 22, 1901
Ker, Emiliano, vice Ramos	Fiscal	Romblon Masbate	June 25, 1901
Hodgson, Telfair	Supervisor	Antique	June 17, 1901
Leonard, Thomas, vice Leonard	Supervisor	Capiz	June 13, 1901
Sutherland, R. H., vice Dengler.	Treasurer	Bohol	To take effect July 1, 1901. } June 18, 1901
Fauntleroy, James D.	Supervisor	Occidental Negros	June 15, 1901
Peed, Henry A., vice Clifton	Treasurer	Oriental Negros	June 28, 1901
Hilado y Ledesina, Innocente	Fiscal	Oriental Negros	June 21, 1901
Singson, Secundo	Fiscal	Leyte	Aug. 9, 1901
Loesin, Leandro, vice Luzurriaga.	Governor	Occidental Negros	Aug. 9, 1901
Santamaria, Francisco, vice Reyes.	Fiscal	Cavite	Aug. 9, 1901
Lang, Louis M., vice Loesin.	Treasurer	Occidental Negros	Aug. 9, 1901
Gmit, Joseph H., vice Allen	Governor	Leyte	Aug. 9, 1901
Ross, James, vice Curry	Governor	Ambos Camarines	Aug. 9, 1901
Preston, William B.	Supervisor	Iloilo	Aug. 12, 1901
Greene, John V., vice Fanning	Treasurer	Tarlac	Aug. 13, 1901
Fanning, Richard J., vice Terry	Treasurer	Sorsogon	Aug. 13, 1901
Sherwood, Reuel E.	Treasurer	Masbate	Aug. 13, 1901
Hopson, Sydney H., vice Butler	Supervisor	Pampanga	Aug. 13, 1901
Sans, Francisco, vice Johnson	Governor	Romblon	Aug. 13, 1901

ORIGINAL APPOINTMENTS.—IN PROVINCES ORGANIZED BY THE COMMISSION DURING THIS QUARTER.

Flores, Ambrosio	Governor	Rizal	June 18, 1901
*Raymundo, Hilario	Secretary	Rizal	June 12, 1901
Tupas, José	Secretary	Rizal	June 24, 1901
Hill, James E.	Treasurer	Rizal	June 14, 1901
Dieck, Robert G.	Supervisor	Rizal	Aug. 21, 1901
Ramos, Fernando Grey	Fiscal	Rizal	June 14, 1901
Trias, Mariano	Governor	Cavite	June 22, 1901
Tirona, Daniel	Secretary	Cavite	June 20, 1901
Shearer, R. M.	Treasurer	Cavite	June 12, 1901
Austin, Fred T.	Supervisor	Cavite	June 12, 1901
† Reyes, Modesto	Fiscal	Cavite	June 18, 1901
Santamaria, Francisco	Fiscal	Cavite	Aug. 12, 1901
Kreps, Jacob F.	Governor	Nueva Ecija	June 28, 1901
Santos, Epifanio de los	Secretary	Nueva Ecija	July 2, 1901
Day, Richard C.	Treasurer	Nueva Ecija	July 2, 1901
Higley, Albert H.	Supervisor	Nueva Ecija	Aug. 13, 1901
Manalac, Ramon	Fiscal	Nueva Ecija	July 2, 1901
Ortega, Joaquin	Governor	La Union	Aug. 15, 1901
Aspre, Andres	Secretary	La Union	Aug. 15, 1901
Tompkins, Dean	Treasurer	La Union	Aug. 15, 1901
Baltazar, Joaquin	Fiscal	La Union	Aug. 15, 1901
Horton, Clarence F.	Supervisor	La Union	Aug. 21, 1901
Crisolgo, Mena	Governor	Ilocos Sur	Aug. 16, 1901
Ferrer, Fernando	Secretary	Ilocos Sur	Aug. 16, 1901
Ney, C. W. (transferred)	Treasurer	Ilocos Sur	Aug. 16, 1901
Grau, Geo. R.	Treasurer	Ilocos Sur	Aug. 22, 1901
Singson, Vicente	Fiscal	Ilocos Sur	Aug. 16, 1901
Shuman, Edward P.	Supervisor	Ilocos Sur	Aug. 21, 1901
Bowen, Major W. H. C.	Governor	Abra	Aug. 19, 1901
Villamor, Juan	Secretary	Abra	Aug. 19, 1901
Scott, W. J.	Treasurer	Abra	Aug. 19, 1901
Paredes, Lucas	Fiscal	Abra	Aug. 19, 1901
	Supervisor	Abra	Aug. 19, 1901
Agbayani, Aguedo.	Governor	Ilocos Norte	Aug. 20, 1901
Agcañili, Julio.	Secretary	Ilocos Norte	Aug. 20, 1901

* Resignation accepted June 18, 1901.

† Appointed city attorney of Manila.

ORIGINAL APPOINTMENTS.—IN PROVINCES ORGANIZED BY THE COMMISSION DURING THIS QUARTER—
continued.

Name.	Position.	Town.	Date of Oath or Resolution.
Currie, John M.	Treasurer.	Ilocos Norte	Aug. 20, 1901
Soriano, Policarpo	Fiscal	Ilocos Norte	Aug. 20, 1901
Taylor, Denzil H.	Supervisor	Ilocos Norte	Aug. 21, 1901
Gonzaga, Gracio	Governor	Cagayan	Aug. 22, 1901
Salo, Pastor.	Secretary	Cagayan	Aug. 22, 1901
Ney, C. W.	Treasurer	Cagayan	Aug. 22, 1901
Navat, Modesto	Fiscal	Cagayan	Aug. 22, 1901
Keys, Edward A.	Supervisor	Cagayan	Aug. 22, 1901
Johnston, Capt. Wm. H.	Governor	Isabela	Aug. 24, 1901
Dichoso, Francisco	Secretary	Isabela	Aug. 24, 1901
Povey, Geo. W.	Treasurer	Isabela	Aug. 24, 1901
Revilla, Bartolome	Fiscal	Isabela	Aug. 24, 1901
	Supervisor	Isabela	
Lasaca, Potenciano	Governor	Zambales	Aug. 28, 1901
Alba, Gabriel	Secretary	Zambales	Aug. 28, 1901
Morrison, A. C.	Treasurer	Zambales	Aug. 28, 1901
Manday, Juan	Fiscal	Zambales	Aug. 28, 1901
Manter, Ralph B.	Supervisor	Zambales	Aug. 28, 1901

CHAIRMAN OF MUNICIPAL ORGANIZATION COMMITTEES.

NAME.	PROVINCE.	To date from.
Trias, Mariano	Cavite	July 24, 1901
Gardener, Cornelius	Hingoso, Tayabas	June 20, 1901
Tavera, T. H. Pardo de	Laguna	June 21, 1901
Goldman, J. H.	Bagae and Mabatang, Bataan	July 2, 1901
Caedo, Florencio	Batangas	July 16, 1901
Lasaca, Potenciano	Zambales	Aug. 28, 1901
Johnston, Capt. W. H.	Isabela	Aug. 24, 1901
Gonzaga, Gracio	Cagayan	Aug. 22, 1901
Agbayani, Agueno	Ilocos Norte	Aug. 20, 1901
Crisologo, Mena	Ilocos Sur	Aug. 16, 1901
Bowen, Maj. W. H. C.	Abra	Aug. 19, 1901
Ortega, Joaquin	La Union	Aug. 15, 1901
Betts, A. U.	Albay	Aug. 29, 1901
Kreps, Jacob L.	Nueva Ecija	June 12, 1901

ASST. CHAIRMAN OF MUNICIPAL COMMITTEES.

Manday, Juan	Zambales	Aug. 28, 1901
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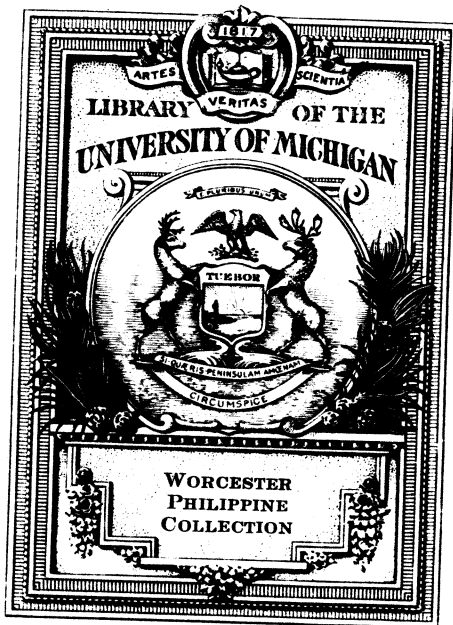
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