

AN ACT TO AMEND AND REPEAL CERTAIN PROVISIONS, RELATIVE TO THE JUDICIARY, OF ACT NUMBERED TWENTY-SEVEN HUNDRED AND ELEVEN, KNOWN AS THE ADMINISTRATIVE CODE, OF ACT NUMBERED ONE ...

Act No. 2941, February 14, 1921

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Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:

SECTION 1. Sections one hundred and forty-eight, one hundred and fifty-one, one hundred and fifty-two, one hundred and fifty-five, one hundred and sixty-one, and one hundred and sixty-seven of Act Numbered Twenty-seven hundred and eleven, known as the Administrative Code, are hereby amended to read as follows:

"SEC. 148. Limitation upon tenure of office; periodical exchange and transfer of judge.—Judges of first instance and auxiliary judges shall be appointed to serve until they shall reach the age of sixty-five years, subject to the transfers provided for or authorized in this Act.

"Unless otherwise provided, on March fifteenth, nineteen hundred and twenty-one, and every five years thereafter, the judges of first instance with the same salaries shall exchange judicial districts, and the same shall be done by the auxiliary judges as to the respective groups of judicial districts in which they shall serve during the ensuing five-year period. The exchange of districts or groups of judicial districts shall be determined by lot between the judges affected, observing the following rule, which shall be mandatory: no judge shall continue to serve in the district or group in which he has been serving during the last five years.

"Without prejudice to the temporary assignments provided for in sections one hundred and fifty-five and one hundred and sixty of this Code, the Governor-General, with the advice and consent of the Senate, when in his judgment the public interest requires it, may direct any judge or auxiliary judge of first instance to be transferred from one judicial district or group of judicial districts, as the case may be, to another district or group of judicial districts. The judge transferred as stated shall cease to perform the duties of his office in the district or group of judicial districts where he was performing the same and shall continue to perform the same as ordinary judge or auxiliary judge of first instance of the new district or group of judicial districts, receiving the compensation due him in the new office instead of the one that was due him in the old. The power of the Governor-General to transfer a judge in the interest of the service, established by this section, is discretionary and may be exercised without need of the consent of the judge affected.

"SEC. 151. Permanent station of clerk of court.—The head office and permanent station of a clerk of court shall be at the provincial capital or at the permanent residence of the judge presiding the court. Provincial officer as

"SEC. 152. Provincial officer as ex officio cleric of court.—When the secretary of Justice shall deem such action advisable, he may direct that the duties of the clerk of court shall be performed by a provincial officer or employee as ex officio clerk of court, in which case the salary of said employee or officer as clerk of court, ex officio, shall be fixed by the provincial board and shall be equitably distributed by said board with the approval of the Secretary of Justice between the Insular Government and the provincial government.

"SEC. 155. Restriction upon detail of judge to other district.—For the purpose of trying land registration cases only, a judge of first instance may, if the public interests so require, be detailed by the Secretary of Justice to temporary duty in a district other than his own. Save when so detailed or when assigned to vacation duty, no judge of first instance shall be required to do temporary duty in any other district than that for which he is commissioned.

"SEC. 161. Places and times of holding court.—For the Ninth Judicial District, court shall be held in the city of Manila; and in other districts which comprise not more than one province, court shall be held at the capital of the province, except as hereinafter provided. In said districts sessions of court shall be convened on all work days when there are cases ready for trial or other court business to be dispatched.

"In the following districts, court shall be held at the places and times hereinbelow specified:

"First District: At Tuguegarao, Province of Cagayan, on the first Tuesday of July and December of each year; at Santo Domingo de Basco, Province of Batanes, on the first Tuesday of March of each year.

"Second District: At Ilagan, Province of Isabela, on the first Tuesday of March and September of each year; at Bayombong, Province of Nueva Vizcaya, on the first Tuesday of July and December of each year.

"Third District: At Vigan, Province of Ilocos Sur, on the first Tuesday of January and July of each year; at Laoag, Province of Ilocos Norte, on the first Tuesday of March and September of each year; at Bangued, Province of Abra, on the first Tuesday of November of each year.

"Fourth District: At San Fernando, Province of La Union, on the first Tuesday of January and July of each year; at Baguio, Mountain Province, on the first Tuesday of April and September of each year; at Kiangnan, Mountain Province, on the first Tuesday of March and November of each year; at Bontoc, Mountain Province, on the second Tuesday of March and November of each year; at Cervantes, Mountain Province, on the third Tuesday of March and November of each year; at Tagudin, Mountain Province, on the fourth Tuesday of March and November of each year.

"Sixth District: At Cabanatuan, Province of Nueva Ecija, on the first Tuesday of April, July, and October of each year; at Tarlac, Province of Tarlac, on the first Tuesday of February and August of each year.

"Seventh District: At San Fernando, Province of Pampanga, on the first Tuesday of April and October of each year; at Malolos, Province of Bulacan, on the first Tuesday of February and August of each year.

"Eighth District: At Iba, Province of Zambales, on the first Tuesday of January, April, and October of each year; at Balanga, Province of Bataan, on the first Tuesday of March, July, and December of each year.

"Tenth District: At Cavite, Province of Cavite, on the first Tuesday of January, July, and November of each year; at Cuyo Province of Palawan, on the first Tuesday of April of each year; at Puerto Princesa, Province of Palawan, on the third Tuesday of April of each year.

"Thirteenth District: At Batangas, Province of Batangas, on the first Tuesday of February and August of each year; at Calapan, Province of Mindoro, on the first Tuesday of April and October of each year; at the township of Lubang, Lubang Island, in the Province of Mindoro, on the third Tuesday of March of each year, or whenever the judge so appoints.

"Fourteenth District: At Lucena, Province of Tayabas, on the first Tuesday of February, July, and December of each year; at Boac, subprovince of Marinduque, on the second Tuesday of April and November of each year.

"Fifteenth District: At Naga, Province of Camarines Sur, on the first Tuesday of January and July of each year; at Tigaon, Province of Camarines Sur, on the third Tuesday of September of each year; at Albay, Province of Albay, on the third Tuesday of February and the first Tuesday of October of each year; at Virac, subprovince of Catanduanes, Province of Albay, on the second Tuesday of April of each year; at Daet, Province of

Camarines Norte, on the fourth Tuesday of August of each year.

"Sixteenth District: At Sorsogon, Province of Sorsogon, on the first Tuesday of February, July, and November of each year; at Masbate, Province of Masbate, on the first Tuesday of January of each year.

"Seventeenth District: At Capiz, Province of Capiz, on the first Tuesday of February and September of each year; at Calivo, same province, on the first Tuesday of July of each year; at San Jose, Province of Antique, on the first Tuesday of April and November of each year; at Romblon, Province of Romblon, on the first Tuesday of January and August of each year.

"Eighteenth District: At Catbalogan, Province of Samar, on the first Tuesday of January and September of each year; at Borongan, same province, on the first Tuesday of July of each year; at Catarman, same province, on the first Tuesday of April of each year.

"Nineteenth District: At Tacloban, Province of Leyte, on the first Tuesday of July and November of each year; at Maasin, same province, on the first Tuesday of April and October of each year.

"Twentieth District: At Cebu, Province of Cebu, on the first Tuesday of January and July of each year, and at Dumanjug, same province, on the first Tuesday of April and October of each year.

"Twenty-first District: At Dumaguete, Province of Oriental Negros, on the first Tuesday of January and November of each year; at Tagbilaran, Province of Bohol, on the first Tuesday of March, July and October of each year; at Larena, subprovince of Siquijor, on the first Tuesday of April of each year.

"Twenty-fourth District: At Surigao, Province of Surigao, on the first Tuesday of January, April and July of each year; at Butuan, Province of Agusan, on the first Tuesday of March and October of each year. A special term of court shall also be held once a year in either the municipality of Tandang or the municipality of Hinatuan, Province of Surigao, in the discretion of the court.

"Twenty-fifth District: At Cagayan, Province of Misamis, on the first Tuesday of January and July of each year; at Malaybalay, Province of Bukidnon, Department of Mindanao and Sulu, on the first Tuesday of September of each year; at Iligan, Province of Lanao, Department of Mindanao and Sulu, on the first Tuesday of March of each year; but the March term may be held at Dansalan in the discretion of the court.

"Twenty-sixth District: At Zamboanga, Department of Mindanao and Sulu, on the first Tuesday of January and July of each year; at Cotabato, same department, on the first Tuesday of February and August of each year; at Davao, same department, on the first Tuesday of March and September of each year; at Jolo, same department, on the first Tuesday of April and November of each year; at Dapitan, Province of Zamboanga, same department, on the first Tuesday of December of each year.

"Notwithstanding the provisions of this section, whenever weather conditions, the condition of the roads, the number of cases or the interests of the administration of justice require it, a judge may, with the approval of the Secretary of Justice, advance or postpone the term of court or transfer the place of holding the same to another municipality within the same judicial district, and, in land registration cases, to any other place more convenient to the parties.

"SEC. 167. Division of business among branches of court of Ninth District.—In the Court of First Instance of the Ninth District all cases relative to the registration of real estate in the city of Manila and all matters involving the exercise of the powers conferred upon the fourth branch of said court or the judge thereof in reference to the registration of land shall be within the exclusive jurisdiction of said fourth branch and shall go or be assigned thereto for disposition according to law. All other business appertaining to the Court of First Instance of said district shall be equitably distributed among the judges of the four branches in such manner as shall be agreed upon by the judges themselves; but in proceeding to such distribution of the ordinary cases a smaller share shall be assigned to the fourth branch, due account being taken of the amount of land registration

work which may be required of this branch.

"Nothing contained in this section and in section one hundred and sixty-nine shall be construed to prevent the temporary designation of judges to act in this district in accordance with sections one hundred and fifty-five and one hundred and sixty or to prevent the other judges of the district, including the auxiliary judges, to hear registration cases in order to assist the judge of the fourth branch in disposing of such cases."

SEC. 2. The following section one hundred and fifty-seven (a) is hereby inserted between sections one hundred and fifty-seven and one hundred and fifty-eight of Act Numbered Twenty-seven hundred and eleven, known as the Administrative Code:

"SEC. 157. (a) In addition to the seven auxiliary judges of first instance provided for in the preceding section, there shall be seven other auxiliary judges of first instance who shall be assigned to the several groups of judicial districts in the following manner: Two to the second group, two to the third group, two to the fifth group, and one to the sixth group."

SEC. 3. The judges of first instance of the fifth, ninth, twentieth, and twenty-third judicial districts shall receive an annual salary of nine thousand pesos each; those of the third, sixth, seventh, eleventh, twelfth, thirteenth, fourteenth, fifteenth, nineteenth, twenty-second, and twenty-sixth, eight thousand pesos, and those of the other judicial districts and the auxiliary judges of first instance, seven thousand pesos. The Clerk of the Supreme Court, six thousand pesos.

SEC. 4. Section one hundred and forty-five of Act Numbered Twenty-seven hundred and eleven; sections three hundred and seventy-eight, three hundred and seventy-nine, and three hundred and eighty of Act Numbered One hundred and ninety; subsection (p) of section one of Act Numbered Twenty-six hundred and sixty-eight, and all acts or parts of acts inconsistent with the provisions of this Act, are hereby repealed: Provided, That pending cases instituted in accordance with the acts hereby repealed shall be carried to final judgment in conformity with said acts.

SEC. 5. This Act shall take effect on its approval.

Approved, February 14, 1921.

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