

AN ACT CONFERRING ADMIRALTY JURISDICTION UPON PROVOST COURTS.

Act No. 76, January 24, 1901

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By 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 Number Sixty-four, issued from the office of the United States Military Governor in the Philippine Islands, on December fifth, eighteen hundred and ninety-nine, as declares the ordinary civil courts competent to take cognizance of offenses in admiralty is hereby repealed.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 Number Twenty-three, of the Military Governor, issued on June twenty-fourth, eighteen hundred and ninety-nine, 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 two thousand 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 two thousand 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 Number Seventy-two, issued by the Military Governor, on December twenty-fourth, eighteen hundred and ninety-nine, 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.

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