

AN ACT FIXING THE DATE FOR THE GENERAL ELECTIONS FOR DELEGATES TO THE PHILIPPINE ASSEMBLY AND FOR PROVINCIAL AND MUNICIPAL OFFICIALS, AND AMENDING SECTION TWENTY-SEVEN OF ACT NU...

Act No. 2170, February 06, 1912

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By authority of the United States, he it enacted by the Philippine Legislature, that:

SECTION 1. The general elections for Delegates to the Philippine Assembly and for provincial and municipal officials, including all municipal officials," municipal councilors, shall be held on the first Tuesday of June nineteen hundred and twelve, and on the first Tuesday of June of every fourth year thereafter.

SEC. 2. Section twenty-seven of Act Numbered Fifteen hundred and eighty-two, known as the Election Law, is hereby amended to read as follows:

"SEC. 27. Election contests.—The Assembly shall be the judge Election contests, of the elections, returns, and qualifications of its members. The time for the filing of the contests, the notification thereof, and the expenses, costs, and bonds shall be fixed by resolution of the Assembly which shall be effective until repealed. Contests in all elections for the determination of which provision has not been made otherwise shall be heard by the Court of First Instance having jurisdiction in the judicial district in which the election was held, upon motion by any candidate voted for at such election. The contests shall be filed with the court within two weeks after the election and shall be decided by the same as soon as possible after the hearing of the contest. Such court shall have exclusive and final jurisdiction, except as hereinafter provided, and shall forthwith cause the registry lists and all ballots used at such election to be brought before it and examined, and to appoint the necessary officers therefor and to fix their compensation, which shall be payable in the first instance out of the provincial treasury, and to issue its mandamus directed to the hoard of canvassers to correct its canvass in accordance with the facts as found. If in any case the court shall determine that no person was lawfully elected it shall forthwith so certify to the Governor-General, who shall order a special election to fill the office or offices in question as hereinbefore provided: Provided, however, That an appeal may be taken to the Supreme Court, within ten days, from any final decision rendered by the Court of First Instance on contests of elections for provincial governors, for the review, amendment, repeal, or confirmation of such decision, and the procedure thereon shall be the same as in a criminal cause.

"Before the court shall entertain any such motion or admit an appeal, the party making the motion or filing the appeal shall give bond in an amount fixed by the court with two sureties satisfactory to it, conditioned that he will pay all expenses and costs incident to such motion or appeal, or shall deposit cash in court in lieu of such bond. If the party paying such expenses and costs shall be successful they shall be taxed by the court and entered and be collectible as a judgment against the defeated party.

"All proceedings under this section shall be upon motion with notice of not to exceed twenty days to all candidates voted for and not upon pleadings or by action, and shall be heard and determined by the court in the judicial district in which the election was held regardless of whether said court be at the time holding a regular or stated term. In such proceedings the registry list as finally corrected by the board of inspectors shall be

conclusive as to who was entitled to vote at such election.

"The clerk of the court in which any such contest is instituted shall give immediate notice of its institution and also of the determination thereof to the Executive Secretary."

Enacted, February 6, 1912.

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