

AN ACT PROVIDING FOR THE ESTABLISHMENT OF A PROVINCE TO BE KNOWN AS THE MOUNTAIN PROVINCE, FOR THE ESTABLISHMENT OF A PRISON AT BONTOC FOR NON-CHRISTIAN CRIMINALS, CHANGING THE ...

Acts No. 1876., August 18, 1908

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

SECTION 1. There is hereby established a province which shall be known as the Mountain Province. It shall include the subprovince of Benguet which shall have the boundaries of the present Province of Benguet ; the subprovince of Amburayan, which shall have the boundaries of the present subprovince of Amburayan; the subprovince of Lepanto which shall have the boundaries of the present subprovince of Lepanto; the subprovince of Bontoc, which shall have the boundaries of the present subprovince of Bontoc; the subprovince of Ifugao, which shall have the boundaries of the former comandancia of Quiangan the subprovince of Kalinga, which shall have the boundaries of the present subprovince of Kalinga; and the subprovince of Apayao, which shall have the boundaries of the present subprovince of Apayao: Provided, however, That this organization of subprovinces as a part of the Mountain Province shall in no way affect the present representation in the Philippine Assembly.

SEC. 2. (a) There shall be a governor of the Mountain Province. He shall reside and have his office at Bontoc, which shall be the capital of the province. He shall receive compensation at the rate of not to exceed six thousand pesos per annum, with quarters.

(b) There shall be a lieutenant-governor of the subprovince of Benguet who shall reside and have his office at Baguio, which shall be the capital of the subprovince. He shall receive compensation at the rate of not to exceed three thousand six hundred pesos per annum, with quarters.

(c) There shall be a lieutenant-governor of the subprovince of Amburayan, who shall reside and have his office at Tagudin, which shall be the capital of the subprovince. He shall receive compensation at the rate of not to exceed two thousand eight hundred pesos per annum.

(d) There shall be a lieutenant-governor of the subprovince of Ifugao, who shall reside and have his office at Banaue, which shall be the capital of the subprovince. He shall receive compensation at the rate of not to exceed three thousand two hundred pesos per annum, with quarters.

(e) There shall be a lieutenant-governor of the subprovince of Lepanto, who shall reside and have his office at Cervantes, which shall be the capital of the subprovince. He shall receive compensation at the rate of not to exceed three thousand pesos per annum, with quarters.

(f) There shall be a lieutenant-governor of the subprovince, of Bontoc, who shall reside and have his office at Bontoc, which shall be the capital of the subprovince. He shall receive compensation at the rate of not to exceed three thousand two hundred pesos per annum, with quarters.

(g) There shall be a lieutenant-governor of the subprovince of Kalinga, who shall reside and have his office at

such place as the Governor-General shall hereafter fix by executive order, which place shall be the capital of the subprovince. He shall receive compensation at the rate of not to exceed three thousand two hundred pesos per annum, with quarters.

(h) There shall be a lieu tenant-governor of the subprovince of Apayao. who shall reside and have his office at Taut, which shall be the capital of the subprovince. He shall receive compensation at the rate of not to exceed three thousand two hundred pesos per annum, with quarters.

(i) There shall be a secretary-treasurer of the province, who shall reside and have his office at the capital of the province. He shall receive compensation at the rate of not to exceed five thousand pesos per annum, with quarters.

(j) There shall be a supervisor of the province, who shall reside and have his office at the capital of the province. He shall receive compensation at the rate of not to exceed four thousand pesos per annum, with quarters.

(k) There shall be such subordinate employees of the Mountain Province as the provincial board shall recommend and the Executive Secretary approve.

SEC. 3. The Mountain Province shall be organized under the Special Provincial Government Act Numbered Thirteen hundred and ninety-six and the provisions of sections one to twenty-two, inclusive, of said Act, as amended, and the provisions of Act Numbered Thirteen hundred and ninety-seven, entitled "The Township Government Act," as amended, shall apply to said province and to its townships and settlements, respectively.

Within the territory of their respective subprovinces the lieutenant-governors of the Mountain Province shall have the powers and perform the duties prescribed for and imposed upon lieutenant-governors by subdivisions (e) and (f) paragraph three of section twenty-four of the Special Provincial Government Act.

SEC. 4. All unexpended balances in the treasury of the Province of Cagayan belonging to the subprovince of Apayao; in the treasury of the Province of La Union, belonging to the non-Christian inhabitants fund in the treasury of the Province of Lepanto-Bontoc, and in the treasury of the Province of Benguet, and ninety per centum of all non-Christian inhabitants funds in the treasury of the Province of Nueva Vizcaya. shall be transferred to the treasury of the Mountain Province and shall be expendable for the benefit of said province.

SEC. 5. In lieu of the Provision made by section one of Act Numbered Eighteen hundred and fifty-three for the Provinces of Benguet and Lepanto-Bontoc, the Mountain Province shall be entitled to its pro rata share of the special fund of ten per centum of internal-revenue collections, payable to the road and bridge fund of certain provinces.

SEC. 6 In determining the amount of internal-revenue funds intern payable to the Mountain Province and to the Province of Nueva Province Vizcaya, the Auditor shall take into account the total approximate population of said provinces as certified to him by the Secretary of the Interior and approved by the Philippine Commission: Provided, That certification as to the number of inhabitants of the subprovince of Kalinga and of the Province of Nueva Vizcaya may be corrected by the Secretary of the Interior with the approval of the Philippine Commission after an enumeration of the people shall have been made, and thereafter the distribution of the internal-revenue to which the Mountain Province and the Province of Nueva Vizcaya are entitled shall be made on the basis of such corrected certificate.

SEC. 7. There is hereby added to the present territory of the Additional territory, Nueva Vizcaya, Province of Nueva Vizcaya all of that territory inhabited by the Ilongo or Ibilaos embraced in the former Spanish comandancia of Binatanagn. The boundaries of the territory thus added to the Province of Nueva Vizcaya may at any time be more definitely fixed or changed by executive order of the Governor-General.

SEC. 8. When a Constabulary officer is detailed to perform the duties of governor or lieutenant-governor in the Mountain Province, in addition to his regular duties, he may receive such additional compensation, nor in excess of the salary allowed for the position to which he is detailed, as the Philippine Commission may approve.

SEC. 9. Section five of Act Numbered Eight hundred and sixty-seven; as amended, is hereby further amended by striking out the words "The Mountain Judicial District shall consist of the Provinces of Lepanto-Bontoc, Bengual, Nueva Vizcaya, and La Union," and inserting in lieu thereof the words "The Mountain Judicial District shall consist of the Mountain Province and of the Provinces of Nueva Vizcaya and La Union".

SEC. 10. That part of section seven of Act Numbered Eight hundred and sixty-seven, as amended, which provides for the times and places of holding regular terms of Courts of First Instance in the Mountain District is hereby amended so as to read as follows:

"MOUNTAIN DISTRICT.

"At Baguio, in and for the subprovince of Benguet of the Mountain Province, commencing on the first Tuesday of April and October of each year.

"At San Fernando, in and for the Province of La Union, commencing on the first Tuesday of January and July of each year.

"At Bayumbong, in and' for the Province of Nueva Vizcaya, commencing on the first Tuesday of June and December of each year.

"At Bontoc, in and for the subprovinces of Amburayan, Lepanto, Buntoc, Ifugao, Kalinga and Apayao of the Mountain Province, commencing on the first Tuesday of May and the second Tuesday of November of each year.

"In Courts of First Instance in the Mountain District, process shall be served by the governor of the province in which the court is held acting as an officer of the court as in other provinces, by a sheriff appointed and qualified as in other provinces, by a sheriff appointed and qualified as in other provinces, by a deputy appointed by the governor, as he may elect."

Whenever a question of jurisdiction arises between the Court of First Instance of the Mountain District and the Court of First Instance of any adjoining district, due to uncertainty as to the

exact location of the boundaries of the Mountain District as defined by this Act, the court first acquiring jurisdiction over any such case shall have exclusive jurisdiction thereof;

Whenever a question of jurisdiction arises between the Court of First Instance of the Mountain District and a justice of the peace court of an adjoining district, or whenever a question of jurisdiction arises between a justice of the peace court of the Mountain District and the Court of First Instance of an adjoining district, due to uncertainty as to the exact location of the boundaries of the Mountain District as defined by this Act, the court first acquiring jurisdiction shall have exclusive jurisdiction thereof;

Whenever a question of jurisdiction arises between a justice of the peace court of the Mountain District and a justice of the peace court of an adjoining district, due to uncertainty as to the exact location of the boundaries of the Mountain District, as defined by this Act, the court first acquiring jurisdiction over any such case shall have exclusive jurisdiction thereof;

Whenever a question of jurisdiction arises between a justice of the peace court of the Mountain Province and a justice of the peace court of an adjoining province, due to uncertainty as to the exact location of the boundaries of the Mountain Province, as defined by this Act, the justice of the peace court first acquiring jurisdiction over any such case shall have exclusive jurisdiction thereof:

Provided, That in such cases of conflict of jurisdiction, if the accused or defendant, or any of the accused or defendants, is a member of a non-Christian tribe, the Court of First Instance of the Mountain District or the justice of the peace courts of the Mountain District or of the Mountain Province, as the case may be, shall have exclusive jurisdiction thereof.

SEC. 11. All cases criminal or civil, and all judicial proceedings of every kind and character pending lie fore the Courts of First Instance at the time section nine of this Act takes effect and over which such courts would have had jurisdiction in case the limits of the Mountain District had not been extended by this Act, shall continue, until finally disposed of under the jurisdiction of such courts, anything in this Act to the contrary notwithstanding.

SEC 12. There shall be established at Bontoc a prison which shall be a provincial and Insular prison for the detention and confinement of provincial prisoners of the Mountain Province and of Insular prisoners who are members of non-Christian tribes of the Mountain Province or of the Province of Nueva Vizcaya.

The maintenance of Insular prisoners of the Mountain Province or of Nueva Vizcaya, detained or eon lined at Bontoc and the return transportation of all such Insular prisoners from their place of detention or confinement to their homes when discharged shall be paid from the appropriation for the Mountain Province or from that of the Province of Nueva Vizcaya, as the case may be.

SEC. 13. All Acts or parts of Acts inconsistent, with the provisions of this Act are hereby repealed.

SEC. 14. This Act shall go into effect, in whole or in part, at such time or times as may be fixed by executive order of the Governor-General.

SEC. 15. 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 twenty-sixth, nineteen hundred.

Enacted, August 18,1908.

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