

AN ACT PROHIBITING THE TRAFFIC IN INTOXICATING LIQUORS WITHIN CERTAIN DISTANCES OF LAND USED BY THE UNITED STATES FOR MILITARY PURPOSES AND AT CERTAIN CAMPS THEREIN NAMED.

Act No. 709, March 28, 1903

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

SECTION 1. No license shall be granted by a municipal councilor other municipal authority or provincial authority for the sale of any intoxicating liquors, beer, or wine, at any place or on any premises situated within a distance of two miles of land now used or hereafter to be used by the United States for military purposes at Camp Stotsenberg, in the municipality of Mabalacat, Province of Pampanga; Camp Morrison, municipality of Salomague, Province of Ilocos Sur; Camp Jossman, municipality of Guimaras, Province of Iloilo; Camp Gregg, municipality of Bayambang, Province of Pangasinan; in or near the municipality of Los Baños, Province of La Laguna; in or near the municipality of Ilagan, Province of Misamis; in or near the municipality of Batangas, Province of Batangas; in or near the municipality of Legaspi, Province of Albay; in or near the municipality of Sorsogon, Province of Sorsogon; in or near the municipality of Santo Tomas, Province of La Laguna; at Fort William McKinley, near San Pedro Macati, Province of Rizal or within a distance of one and one-half miles of land used or to be used by the United States for military purposes at Camp Wallace, in the municipality of San Fernando, Province of La Union; at Pasay barracks, municipality of Pasay, Province of Rizal; in or near the municipality of Nueva Caceres, Province of Ambos Camarines; in or near the municipality of Lucena, Province of Tayabas; in or near the municipality of Calamba, Province of La Laguna; or within a distance of one mile of land used by the United States for military purposes at Santa Mesa in the city of Manila: Provided, however, That the prohibitions herein provided shall not extend to the following described land within the prohibited areas; Land situated on the left bank of the Pasig River within one mile of Santa Mesa in the city of Manila; land within a circle with a radius of five hundred and eighty yards with a center at the middle of the road in the immediate front of the parish church of the municipality of Batangas, Province of Batangas; land within a circle with a radius of four hundred yards with the center at the southwest corner of the prison in Albay, Province of Albay; land within a circle with a radius of four hundred yards with the center at the southeast corner of the old Tribunal at Daraga, in the Province of Albay; land within a circle of seven hundred yards with the center at the door of the church of San Rafael, in the town of Legaspi, Province of Albay; land within a circle with a radius of three hundred yards with the center at the door of the parish church in Santo Tomas, Province of Batangas; land within a circle with a radius of five hundred yards with the center at the center of the public square in the town of Pasig, Province of Rizal; land within a circle with a radius of seven hundred yards with the center at the center of the public square in the municipality of Nueva Caceres, Province of Ambos Camarines.

SEC. 2. Any person who shall sell, furnish, or give away any intoxicating liquors, wine, or beer, within the boundaries prohibited in the preceding section shall be punished for each offense by a fine not exceeding one hundred dollars, in money of the United States, or by imprisonment at hard labor not exceeding six months, or by both said punishments, in the discretion of the court.

SEC. 3. Persons to whom licenses have heretofore been granted for the sale of intoxicating liquors within the limits prohibited by this Act, and whose licenses have not yet expired, shall be entitled to be reimbursed, from the treasury into which their license fees have been paid, such a proportion of the fees paid as the time for which the license has yet to run bears to the whole time for which the license was granted; but shall be subject to all the penalties provided by law for selling, furnishing, or giving away intoxicating liquors without a license after this Act shall come into force.

SEC. 4. For the purpose of enforcing this Act, and for no other purpose, the commanding officers of the United States troops stationed at the places named in the first section of the law shall have the powers of a justice of the peace, as denned by existing laws. Prosecutions before such officers, acting as justices of the peace, shall be governed by the provisions of General Orders Numbered Fifty-eight. Office of the Military Governor for the Philippine Islands, dated Manila, Philippine Islands, April twenty-third, nineteen hundred, and the amendments thereof, and all rights of appeals secured by such order and the amendments thereof shall be allowed to defendants prosecuted under this Act. Any order for arrest issued by authority of this Act may be executed by a military officer or soldier designated for that purpose by the officer commanding, as justice of the peace. The imprisonment of defendants convicted under this Act shall be in the civil jail of the province, or the city of Manila, as the case may be. All questions of appeal shall be determined in the manner provided in said General Orders Numbered

Fifty-eight. Commanding officers acting as justices of the peace by virtue of this section shall not be entitled to fees as justices of the peace for services so rendered; nor shall military officers or soldiers making arrests or serving process be entitled to fees for said services. All fines and costs imposed by virtue of this Act shall be paid into the treasury of the municipality in which the offense was committed, or into the Insular Treasury for the benefit of the city of Manila, as the case may be.

SEC. 5. For the purpose of avoiding future misunderstandings and of facilitating the enforcement of this Act, it shall be the duty of the commanding officer of the United States troops stationed at each of the places named in the first section of this Act to notify the municipal authorities of the municipalities affected hereby of the making of a survey and the running of the line of the precincts within which, by virtue of this Act, the licensing of saloons for the sale of intoxicating liquors is prohibited; and it shall be the duty of such commanding officer and of the municipal officers, after the line shall have been run, to notify all persons then engaged in the sale of intoxicating liquors within the prohibited territory of the operation of this Act and of the time within which they must remove their places of business.

SEC. 6. This Act shall take effect on the first day of May, nine-teen hundred and three, except in so far as it applies to the saloons now licensed within the municipality of Bayambang, in the Province of Pangasinan, and the municipality of Los Baños, in the Province of La Laguna, and as to the municipality of Bayambang and the municipality of Los Baños, this Act shall take effect six months from the date of its passage.

Enacted, March 28, 1903.

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