

AN ACT AMENDING SUBSECTION (D) OF SECTION TWO AND SECTION THREE OF ACT NUMBERED EIGHTEEN HUNDRED AND SIXTY-EIGHT, ADDING SEVERAL PARAGRAPHS TO THE END OF SECTION FOUR OF SAID AC...

Act No. 2385, February 28, 1914

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

SECTION 1. Subsection (d) of section two of Act Numbered Eighteen hundred and sixty-eight is hereby amended to read as follows:

"(d) To secure the settlement of differences between employer and laborer and between master and servant and player and laborer. to avert strikes and lockouts, acting as arbitrator between the parties interested, summoning them to appear before it, and advising and bringing about, after hearing their respective allegations and evidence, such arrangement as these may, in his judgment, show to be just and fair."

SEC. 2. Section three of said Act Numbered Eighteen hundred and sixty-eight is hereby amended to read as follows :

"SEC. 3. The Director and Assistant Director of the Bureau of Labor shall have power to issue subpoenas and subpoenas duces tecum within the territory of the Philippine Islands: Provided, however, That a person shall not be compelled to appear if summoned to appear in a municipality other than the one in which the subpoena is issued. They shall be empowered, further, to receive and take affidavits and the testimony of witnesses and experts when they deem it necessary for the proper compliance with the obligations mentioned in section two of Act Numbered Eighteen hundred and sixty-eight.

"The appearance or testimony of an absent or contumacious witness may be secured by petition to the municipal court, justice of the peace court, or Court of First Instance.

"Any person voluntarily or maliciously swearing or testimony, fying falsely on any material point in an investigation conducted in accordance with this Act by the Director or Assistant Director of Labor shall be liable to the penalty provided by existing law for perjury.

"Any person obstructing or resisting the Director of Labor or his deputies in the performance of their duties deputies, prescribed by law shall, upon conviction, be punished by imprisonment for not more than six months or by a fine of not more than three hundred pesos, or both, in the discretion of the court."

SEC. 3. Section four of said Act Numbered Eighteen hundred and sixty-eight is hereby amended by adding, at the end thereof, the following:

"The Bureau of Labor shall also have an attorney, who Attorney, shall be known as 'attorney of the Bureau of Labor' and shall receive compensation at the rate of three thousand six hundred pesos per annum. Said attorney shall assist the Director or Assistant Director of Labor in all legal questions by them submitted to him, and shall bring suit gratuitously, in the proper courts, for laborers or servants when he shall deem this proper after the failure of the endeavors to bring about a friendly settlement made by the Director or Assistant Director of

Labor in the performance of the duties imposed and the exercise of the powers conferred upon them by subsection (d) of section two of Act Numbered Eighteen hundred and sixty-eight. Actions instituted under this section shall be exempt from legal fees, and it shall be the duty of the clerk of the Court of First Instance or justice of the peace before whom the cases mentioned in this section are brought, to register the same and take the proper action on them free of cost, including sheriff's fees: Provided, however, That the attorney of the Bureau of Labor shall not bring suit under this Act unless the plaintiff shall have previously secured a certificate of indigency from the proper court."

SEC. 4. The sentences of the courts trying cases filed under this Act shall provide, in case of judgment in favor of the plaintiff, for the payment by the defendant of the sum of twenty-five pesos as costs of the attorney of the Bureau of Labor, which sum shall be collected in the same manner as the other costs of the court and shall be covered by the clerk of the court or justice of the peace concerned into the Insular Treasury and credited to the general funds.

SEC. 5. Act Numbered Twenty-two hundred and fifty-eight is hereby repealed and its provisions declared null and void.

SEC. 6. This Act shall take effect on its passage.

Enacted, February 28, 1914.

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