

AN ACT TO PROVIDE THAT ALL ELECTIVE PROVINCIAL AND MUNICIPAL OFFICES SHALL BE FOR FOUR YEARS; TO PROHIBIT A SECOND REELECTION TO THE SAME; TO CHANGE THE DATE OF THE GENERAL ELE...

Act No. 2045, February 03, 1911

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

Section 1. The next general election for provincial and municipal officials, including all municipal councilors, shall be held on the first Tuesday of June, nineteen hundred and twelve, and subsequent general elections on the same date each four years thereafter. The term of office of provincial and municipal officials elected at Term of office such general election or subsequent general elections shall be four years, and shall commence on the sixteenth day of October next following their election.

The present incumbents of provincial and municipal offices shall continue in office until their successors are elected or appointed and qualified: Provided, however, That if the Congress of the United States at the close of the present session shall not have postponed the next general election for Delegates to the Philippine Assembly next year, the next general election for Delegates to the Philippine Assembly and for provincial and municipal officials as above provided shall be held on the fifth day of September of the present year. In such event the following provisions of section twenty-nine of Act Numbered Fifteen hundred and eighty-two, to wit: "No person holding an elective public office, to which such person has been elected, shall present his candidacy, nor shall he be eligible while holding such office, at any municipal, provincial, or Assembly election, except for reelection to the office held by him," shall not be applicable to such election.

SEC. 2. A second reelection to any provincial or municipal office second is prohibited, except after four years.

SEC. 3. Paragraph seven of section three of Act Numbered Fifteen hundred and eighty-two, known as "The Election Law," is hereby amended to read as follows:

"So much of this Act as provides for elections of Delegates to Limited appitca-thc Philippine Assembly shall apply to the townships of Bulalacao, Calapan, Caluya, Lubang, Mamburao, Naujan, Pinamalayan, Concepcion. Abra de Ilog, San Jose, Paluan, and Sablayan in Mindoro and in the townships of Cagayancillo, Coron, Cuyo, and Puerto Pnneesa in Palawan, and the township of San Quintin in Ilocos Sur. which are hereby declared to be municipalities and containing a sufficient proportion of civilized people, for the purpose of electing Delegates to the Philippine Assembly, and for no other purpose. The provincial board of the province in which said townships are situated shall perform the duties devolved by this Act upon municipal councils with respect to such elections for Delegate to the Philippine Assembly and shall perform them sufficiently in advance of the times herein prescribed that the rights of the people or the times in which acts or duties are herein required or permitted to be done shall not be abridged. In said townships at said elections the duties herein devolved upon municipal secretaries shall be done by the township secretary. The expense of such elections shall be borne by the townships in which they are held."

SEC. 4. Paragraphs two, three, and four of section four of said Act Numbered Fifteen hundred and eighty-two are

hereby amended to read as follows:

"Whenever the election of an elective provincial officer shall have resulted in a failure to elect it shall be the duty of the Governor-General. General to issue as soon as possible a proclamation calling a special election to be held to fill said office. In the event of the death of a provincial officer-elect prior to his taking office, or whenever a provincial officer-elect shall, for any reason, fail to qualify, the Governor-General may, in his discretion, issue a proclamation calling a special election to be held to fill the vacancy, or appoint the person who shall fill the vacancy until his successor shall have been duly elected and shall have qualified for the subsequent term. In case a special election shall have been called and held and shall have resulted in failure to legally elect such provincial officer, the Governor-General shall appoint a person to fill the vacancy. The person so appointed shall hold office for the term for which the office should have been filled by election.

"Whenever a vacancy shall occur in the office of municipal president such office shall be filled by the vice-president, if there be one, for the unexpired term and until his successor is elected and qualified. Whenever a vacancy shall occur in any other elective municipal office, such office shall lie filled by appointment by the provincial board and the officer so appointed shall serve until his successor is elected and qualified. Whenever the election of an elective municipal officer shall have resulted in a failure to elect, or in the event of the death of a municipal officer-elect, prior to his taking office, or whenever any municipal officer-elect shall, for any reason, fail to qualify, the provincial board shall appoint a duly qualified elector of the municipality to fill the vacancy until his successor shall have been duly elected and shall have qualified for the subsequent term.

"Upon the failure to elect any Delegate at election at which the office is authorized to be filled, or upon the death or disqualification of a person elected a Delegate before the beginning of his official term, or whenever a vacancy shall occur in the office of Delegate to the Philippine Assembly, the Governor-General shall make a proclamation of a special election to fill such office for the unexpired term, specifying the district in which the election is to be held, and the date thereof, which shall not be less than forty nor more than ninety days, reckoned from the date of the proclamation."

The last paragraph of section four of said Act Numbered Fifteen hundred and eighty-two is hereby stricken out and repealed.

SEC. 5. Section seven of Act Numbered Fifteen hundred and eighty-two is hereby amended to read as follows:

"SEC. 7. Division into districts, and representation.—Each district for which provision is hereinafter made shall be entitled to elect one Delegate to the Assembly: Provided, however, That the whole number elected from any province shall not exceed the number prescribed for that province in section five of this Act.

"The provinces hereinbefore mentioned as being entitled to elect more than one Delegate are hereby divided into Assembly districts, as follows:

"Albay : First District—Composed of the municipalities of Bacacay, Libog, Malilipot, Malinao, Tabaco, and Tiwi. Second District—Composed of the municipalities of Albay, Bato. Calolbon, Manito, Pandan, Rapu-Rapu, Viga, and Virac. Third District— Composed of the municipalities of Camalig, Guinobatan, Jovellar, Libon, Ligao, Oas, and Polangui.

"Ambos Camarines: First District—Composed of the municipalities of Basud, Cabusao, Capalonga. Daet, Gainza, fndan, Labo, Libmanan, Lupi, Mambulao, Milaor, Minalabac, Pamplona, Para-eale, Pasacao, Eagay, San Fernando, San Vicente, Sipocot, and Talisay. Second District—Composed of the municipalities of Bao, Bato, Bula, Calabanga, Carnaligan, Canaman, Iriga, Magarao,. Nabua, Fueva Caceres, and Pili. Third District—Composed of the municipalities of Buhi, Caramoan, Goa, Lagonoy, Sagnay, San Jose, Siruma, Tigaon, and Tinambac.

"Batangas: First District—Composed of the municipalities of Balayan, Calaca, Lemery, Nasugbu, Taal, Talisay,

Tanauan, and Tuy. Second District—Composed of the municipalities of Alitag-tag, Batangas, Bauan, Cuenca, and Ibaan. Third District—Composed of the municipalities of Lipa, Loboo, Rosario, San Jose, San Juan de Bocboc, and Santo Tomas.

"Bohol: First District—Composed of the municipalities of Antequera, Baclayon, Calape, Corella, Cortes, Dauis, Loon, Maribojoc, Panglao, and Tagbilaran. Second District—Composed of the municipalities of Alburquerque, Balilihan, Batuan, Bilar, Carmen, Di-miao, Inabanga, Loay, Loboc, Sevilla, and Tubigon. Third District—Composed of the municipalities of Anda, Candijay, Duero, Garcia-Hernandez, Guindulman, Jagna, Jetafe, Mabini, Sierra-Bullones, Talibon, Ubay, and Valencia.

"Bulacan: First District—Composed of the municipalities of—Bulacan. Booaue, Bulacan, Galumpit, Hagonoy, Malolos, Paombong, Pulilan, and Quingua. Second District—Composed of the municipalities of Angat, Baliuag, Meycauayan, Norzagaray, Obando, Polo, San Ilde-fonso. San Miguel, San Bafael, and Santa Maria.

"Cagayan: First District—Composed of the municipalities of —cagayan. Alcala. Amulung, Aparri, Baggao, Calayan, Camalaniugan, Gatta-ran, Iguig, Lal-lo, Pefia Blanca, and Tuguegarao. Second District—Composed of the municipalities of Abulug, Claveria, Enrile, Mauanan, Pamplona, Piat. Sanchez-Mira, Santo Nino. Solana, and Tuao.

"Capiz: First District—Composed of the municipalities of Capiz, — Dao, Dumarao, Iuisan, Panay, Panitan, Pilar, Pontevedra, and Sigma. Second District—Composed of the municipalities of Calivo, Dumalag, Jamindan, Lezo, Libacao, Mambusao, New Washington, Sapien, and Tapas. Third District—Composed of the municipalities of Badajoz, Buruanga, Cajidiocan, Ibajay, Looc, Malinao, Nabas, Odiongan, Romblon, San Fernando, and Taft.

"Cebu: First District—Composed of the municipalities of Bogo, —Ceba-Borbon, Carmen, Catmon, Danao, Filar, San Francisco, Tabogon, and Tudela. Second District—Composed of the municipalities of Cebu, Liloan, Mandaue, and Opon. Third District—Composed of the municipalities of Carcar, Minglanilla, Naga, San Fernando, and . Talisay. Fourth District—Composed of the municipalities of Argao, Dalaguete, and Sibonga. Fifth District—Composed of the municipalities of Alegria, Badian, Boljo-on, Ginatilan, Malabuyoc, Moalbual, Oslob, and Samboan. Sixth District—Composed of the municipalities of Aloguinsan, Barili, Dumanjug, Pinamungajan, and Toledo. Seventh District—Composed of the municipalities of Asturias, Balamban, Bantayan, Daan-Bantayan, Medellin, San Be-migio, Santa Fe, and Tuburan.

"Ilocos Norte: First District—Composed of the municipalities —Ilocos N^orte-of Bacarra, Bangui, Laoag, Pasuquin, Piddig, San Miguel, and Vintar. Second District—Composed of the municipalities of Badoc, Batac, Dingras, Paoay, San Nicolas, and Solsona.

"Ilocos Sur: First District—Composed of the municipalities of —Ilocos Sur-Bantay, Cabngao, Caoayan, Lapog, Magsingal, Santa Catalina, Santo Domingo, San Vicente, Sinait, and Vigan. Second District—Composed of the municipalities of Candon, Narvacan, San Esteban, Santa Cruz, Santa Lucia, Santa Maria, and Santiago. Third District—Composed of the municipalities of Bangued, Bucay, Dolores, La Paz, Pilar, San Quintin (township), Santa, and Tayum.

"Iloilo: First District—Composed of the municipalities of Guimbal, Miagao, Oton, San Joaquin, and Tigbauan. Second District— Composed of the municipalities of Arevalo, Buenavista, Iloilo, and Jaro. Third District—Composed of the municipalities of Caba-tuan, Leon, and Santa Barbara. Fourth District—Composed of the municipalities of Barotac Nuevo, Dumangas, Dingle, Janiuay, and Pototan. Fifth District—Composed of the municipalities of : Balasan, Banate, Passi, and Sara.

"La Laguna: First District—Composed of the municipalities of Alaminos, Bay, Binan, Cabuyao, Calamba, Cahruan, Los Bafios, Pila, San Pablo, San Pedro Tunasan, and Santa liosa. Second District— Composed of the municipalities of Cavinti. Famy, Lilio, Longos, Luisiana, Lumban, Mabitac, Magdalena. Majayjay, Nagcarlan, Paete, Pagsanjan, Pangil, Santa Cruz, Santa Maria, and Siniloan.

"La Union : First District—Composed of the municipalities of Bacnotan, Balaoan, Bangar, Luna, San Fernando, and San Juan. Second District—Composed of the municipalities of Agoo, Aringay, Bauang, Cabaian, Rosario, Santo Tomas and Tubao.

"Leyte: First District—Composed of the municipalities of Baybay, Biliran, Caibiran, Kawayan, Leyte, Merida, Naval, Ormoc, Palompon, San Isidro, and Yillaba. Second District—Composed of the municipalities of Bato, Cabalian, 'Hilongos, Hindang, Inopacan, Liloan, Maasin, Macrohon, Matalom, Pintuyan, and Sogod. Third District—Composed of the municipalities of Abuyog, Bartigo, Burauen, Carigaia, Dagami, Hinunangan, Hinundayan, and Jaro. Fourth District—Composed of the municipalities of Alangalang, Babatngon, Dulag, Palo, San Miguel, Tacloban, Tanauan, and Tolosa.

"Manila: First District—Composed of the districts of Binondo, Intramuros, San Nicolas, and Tondo. Second District—Composed of the districts of Ermita, Malale, Paco, Pandacan, Quiapo, Sampaloc, San Miguel, Santa Ana, and Santa Cruz.

"Misamis: First District—Composed of the municipalities of Balingasag, Gingoog, Mambajao, Sagay, Tagoloan, and Talisayan. Second District—Composed of the municipalities of Baliangao, Cagayan, Initao, Jimenez, Langaran, Misamis and Oroquieta.

"Occidental Negros: First District—Composed of the municipalities of Cadiz, Escalante, Manapla, Sagay, San Carlos, Saravia, Silay, and Victorias. Second District—Composed of the municipalities of Bacolod, Bago, La Carlota, Murcia, Talisay, and Valla-dolid. Third District—Composed of the municipalities of Binal-bagan, Cauayan, Himamaylan., Hnigaran, Ilog, Isabela, Kabankalan, and Pontevedra.

"Oriental Negros: First District—Composed of the municipalities of Ayuquitan, Bais, Dumaguete, Guijulngan. Manjuyod, Si-bulan, Tanjay, and Tayasan. Second District—Composed of the municipalities of Bacong, Dauin, Larena, Lazi, Luzuriaga, Maria, San Juan, Siaton, Siquijor, Tolong, and Zamboanguita.

"Pampanga : First Disfi'iet—Composed of the municipalities of Angeles, Bacolor, Floridablanca, Guagna, Luhao, Macabebe, Masan-tol, Porac, Santa Rita, and Sexmoan. Second District—Composed of the municipalities of Apalit, Arayat, Candaba, Mabalacat, Maga-lan, Mexico, Minalin, San Fernando, San Luis, and San Simon.

"Pangasinan : First District—Composed of the municipalities of Agno, Aguilar, Alaminos, Anda, Balincagnin, Bani, Bolinao, Dasol, Infanta, Lingaycn, Salasa, San Isidro de Potot, San Tsidro Labrador, and Sual. Second District—Composed of the municipalities of Binmaley, Dagupan, Mangatarem, San Carlos, and Urbiztondo. Third District—Composed of the municipalities of Alava, Bayam-bang, Calasiao, Malasiqui, Mangaldan, Mapandan, San Fabian, and Santa Barbara. Fourth District—Composed of the municipalities of Alcala, Bautista, Binalonan, Manaoag, Pozorrubio, San Jacinto, Santo Tomas, Urdaneta, and Villasis. Fifth District—Composed of the municipalities of Asingan, Balungao, Natividad, Rosales, San Manuel, San Xieolas, San Quintin, Santa Maria, Tayug, and Umingan.

"Rizal: First District—Composed of the municipalities of Caloocan, Las Piñas, Malabon, Navotas, Paranaque, Pasay, Pateros, San Felipe Neri, San Juan del Monte, San Pedro Macati, and Taguig. Second District—Composed of the municipalities of Antipolo, Binangonan, Jalajala, Mariquina, Montalban, Morong, Pasig, Pililla, San Mateo, Tanay, and Taytay.

"Samar: First District—Composed of the municipalities of Allen, ~Samar-Bobon, Calbayog, Capul, Catarman, Catubig, Laoang, Lavezares, Oquendo, Palapag, Pambujan, San Antonio, Santa Margarita, and Minamhacan. Second District—Composed of the municipalities of Almngro, Basey, Calbiga, Catbalogan, Gandara, Santa Rita, Santo Nino, Tarangnan, Villareal, Wright, and Zumarraga. Third District—Composed of the municipalities of Balangiga, Borongan, Doloros, Guiuan, Llorente, Oras, Salcedo, San Julian, Sulat and Taft.

"Sorsogon: First District—Composed of the municipalities of Bin-nil, Barcelona, Bulusan, Casiguran, Castilla,

Gubat, Irosin, Sorsogon, Matnog, Prieto-Dias, Santa Magdalena, and Sorsogon. Second District—Composed of the municipalities of Aroroy, Bulan, Cataingan, Dimasalang, Donsol, Magallanes, Masbate, Milagros, Pilar, San Fernando, San Jacinto, and San Pascual.

"Tarlac : First District—Composed of the municipalities of Anao, Camiling, Gerona, Moncada, Paniqui, Pura, and San Manuel. Second District—Composed of the municipalities of Bamban, Capas, Conepcion, La Paz, Tarlac, and Victoria.

"Tayabas: First District—Composed of the municipalities of Ati- —Tayabas, Unman, Baler, Candelaria, Casiguran, Dolores, Infanta, Lucban, Lucena, Mauban, Pagbilao, Polillo, Sampaloe, Sariaya, Tayabas, and Tiaong. Second District—Composed of the municipalities of Alabat, Iloilo, Calauag, Catanduan, Gasan, Guinayangan, Gumaca, Lopez, Mogpog, Mulanay, Pitogo, Santa Cruz, Torrijos, and Unisan.

"The provincial boards of each of the above-named provinces, within ten-weeks after the passage of this Act, shall cause to be prepared and filed with the Executive Secretary an outline map or plan of each of the Assembly districts within such province, showing the location and names of the municipalities, or portions thereof, included in each district. A copy of the said map or plan shall also be posted and kept posted in at least three conspicuous public places in each municipality and barrio thereof composing each district, at least ninety days prior to every general election."

SEC. 6. Section eight of Act Numbered Fifteen hundred and eighty-two is hereby amended to read as follows:

"SEC. 8. Election precincts.—Each municipality shall have at least one election precinct, The municipal council in each municipality containing more than four hundred voters shall, at least sixty days before the first election held under the provisions of this Act, divide the municipality into precincts in such a manner that the same, so far as practicable, shall be composed of contiguous and compact territory, and shall contain not to exceed four hundred voters: Provided, however, That wherever any barrio or barrios of any municipality are made a part of a district in which the rest of the municipality is not included, the municipal council of the said municipality shall define the precincts of said barrio or barrios. If at any election the number of voters registered in any election precinct shall exceed four hundred, the municipal council shall, at least four months before the following election, redistrict said municipality as above provided: And provided further, That any municipality having not more than one election precinct which has for any reason been consolidated with another and has, by reason of such consolidation, become a barrio, shall constitute an election precinct, even if it have less than four hundred voters, if the distance between its remotest barrio and the nearest polling place of the municipality to which it was annexed, by the shortest road, shall exceed five miles. Maps or plans plainly showing the boundaries of the precinct shall be posted and kept posted at the polling place or places and at two other conspicuous public places in each precinct for at least forty-five days before each election, and the plans of all the precincts of the municipality shall lie kept posted at the municipal building for the same number of days before each election. Notice and plan of such redivision shall be filed with the provincial treasurer."

SEC. 7. Paragraph three of section twelve of said Act Numbered Fifteen hundred and eighty-two, as amended, is hereby further amended to read as follows:

"No person shall be eligible to election as a Delegate to the Philippine Assembly, provincial governor, or third member of a provincial board unless, not less than ten days before the day set for the election, he shall have filed with the proper provincial board a written certificate, over his signature, that he thereby announces or permits to be announced, his candidacy for the position to be mentioned in said certificate. Said certificate shall state the political party to which the candidate belongs and shall contain a statement that the person offering his candidacy is a resident of the Assembly district or of the province, as the case may be, in which his candidacy is offered, that he is a duly qualified elector of said Assembly district or province, as the case may be, and that he is eligible to hold the office for which he is a candidate: Provided, however, That in case of the

death or disqualification of any candidate who has duly announced his candidacy, occurring within the ten days next preceding the day of election, as hereinbefore mentioned, it shall be lawful for any other duly qualified person to file, on or before noon of the day set for the election, a certificate of his candidacy for the position for which the deceased or disqualified person was a candidate."

SEC. 8. The first and second paragraphs of section fifteen of said Act are hereby amended to read as follows :

"It shall be the duty of the municipal council in each municipality wherein a general election is to be held to appoint, ninety days immediately prior to the date of such general election, three inspectors of election and one poll clerk for each election precinct therein who shall hold office for four years. Should there be in such municipality one or more political parties or branches thereof which shall have polled thirty per centum or over of the votes cast at the preceding general election, then two of the said inspectors shall belong to the party which polled the largest number of votes in said municipality at the said preceding election and the other inspector shall belong to the party which polled the next largest number of votes at said election: Provided, however, That the inspectors so appointed shall be persons proposed by the representative or representatives of such political parties.

"Any person appointed as inspector who accepts appointment and qualifies for the office shall be ineligible to be elected or appointed to any other office during the entire time for which he was appointed as such inspector. No person who holds any public office, or is a candidate for public office, shall be eligible to appointment as inspector or poll clerk."

SEC. 9. Section seventeen of The Election Law is hereby amended by adding, after the words "in the fifth column the respective residences of such persons by street and number or, if there be none, by a brief description of the locality thereof," the following:

"In the sixth column the qualification or qualifications by virtue of which he has taken the elector's oath."

SEC. 10. The seventh paragraph of section seventeen of The Election Law is hereby amended by making the first sentence read as follows:

"Any person who applies for registration, or who is registered. Challenges. may, at any of the first four meetings of the board, be challenged by an}- inspector, qualified voter, or candidate, or representative of such candidate authorized in writing."

SEC. 11. The first paragraph of section twenty-one of The Election Law is hereby amended by making the first sentence thereof read as follows:

"SEC. 21. Conduct of elections.—At all the elections held under the provisions of this Act the polls shall be open from seven o'clock tions' in the morning until six in the afternoon, during which period not more than one member of the board of inspectors shall be absent at one time, and then for not to exceed twenty minutes at one time."

SEC. 12. The second paragraph of section twenty-two of said Act Numbered Fifteen hundred and eighty-two is hereby amended to read as follows:

"The voter on receiving his ballot shall forthwith retire alone to Method or voting. one of the empty polling booths and shall there prepare his ballot by writing in the proper space for each office the name of the person for whom lie desires to vote. A voter otherwise qualified who declares that he can not write, or that from blindness or other physical disability he is unable to prepare his ballot, may make an oath to the effect, that he is so disabled and the nature of his disability and that he desires the inspectors to assist him in the preparation of such ballot. The board shall keep a record of all such oaths taken and file the same with the municipal secretary with the other records of the board after the election. Two of the inspectors, each of whom shall belong to a different political party, shall ascertain the wishes of the voter, and one of them shall prepare the

ballot of the voter according to his wishes, in the presence of the other inspector, and out of view of any other person. The information thus obtained shall be regarded as a privileged communication. No voter shall be allowed to occupy a booth already occupied by another voter, or to occupy a booth more than eight minutes in case there are voters waiting to occupy booths, or to speak or converse with any one other than as herein provided while within the polling place. It shall be unlawful to erase any printing from the ballot or to add any distinguishing feature thereto, or to intentionally tear or deface the same, or to make any mark thereon other than the names of the candidates voted for."

Enacted, February 3, 1911.

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