

AN ACT TO AMEND SECTION TWENTY-FIVE HUNDRED AND SIXTY-TWO AND TO INSERT FOUR NEW SECTIONS BETWEEN SECTIONS TWENTY-FIVE HUNDRED AND SIXTY-TWO AND TWENTY-FIVE HUNDRED AND SIXTY-TH...

Commonwealth Act No. 224, November 29, 1936

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Be it enacted by the National Assembly of the Philippines:

SECTION 1. Section twenty-five hundred and sixty-two of Act Numbered Twenty-seven hundred and eleven, known as the Revised Administrative Code, is hereby amended to read as follows:

"SEC. 2562. The Municipal Court.—There shall be a Municipal Court for the City of Baguio, for which one judge shall be appointed. In case of absence, sickness or incapacity of the judge of the Municipal Court, the Secretary of Justice may designate any assistant attorney of the Bureau of Justice or provincial fiscal to act as judge of the Municipal Court of the City of Baguio, with all the powers of the regular judge of said Court; but such acting judge shall not receive any additional compensation during the time he is acting as judge."

SEC. 2. Four new sections are hereby inserted between sections twenty-five hundred and sixty-two and twenty-five hundred and sixty-three, of Act Numbered Twenty-seven hundred and eleven, which shall be known as sections twenty-five hundred and sixty-two-A, twenty-five hundred and sixty-two-B, twenty-five hundred and sixty-two-C, and twenty-five hundred and sixty-two-D, and shall read as follows:

"SEC. 2562-A. Jurisdiction, of the Municipal Court.— The Municipal Court shall have territorial jurisdiction embracing the entire police jurisdiction of the city, and shall hold a daily session, Sundays and legal holidays alone excepted. Said court shall have exclusive jurisdiction over all criminal cases arising under the ordinances of the city, and over all criminal cases under the penal laws of the Philippines where the offense is committed within the police jurisdiction of the city and the maximum punishment is by imprisonment for not more than six months, or a fine of not more than two hundred pesos, or both. It shall also have concurrent jurisdiction with the Court of First Instance over all criminal cases arising under the laws relating to gambling and management of lotteries, to assaults where the intent to kill is not charged or evident upon the trial, to larceny, embezzlement and estafa where the amount of money or property stolen, embezzled or otherwise involved does not exceed the sum or value of two hundred pesos, to the sale of intoxicating liquors, to falsely impersonating an officer, to malicious mischief, to trespass on Government or private property, and to threatening to take human life. It may also conduct preliminary examinations for any offense, without regard to the limits of punishment, and may release, or commit and bind over any person charged with such offense to secure his appearance before the proper court.

"The judge of the Municipal Court shall exercise like and equal jurisdiction in civil actions as that conferred upon justices of the peace in general.

"The Municipal Court shall follow the same procedure as that provided by law in justices of the peace court, and shall have the same incidental powers. The same procedure as in the justice of the peace court shall also be followed on appeal from the Municipal Court to the Court of First Instance.

"SEC. 2562-B. Costs, fees, fines, and forfeitures in the Municipal Court.—All costs, fees, fines, and forfeitures shall be collected by the clerk of the court, who shall keep a docket of those imposed and of those collected, and shall turn over collections of the same to the city treasurer for the benefit of the city, on the next business day after the same are collected, and take receipts therefor.

"SEC. 2562-C. The clerk of the Municipal Court.—The clerk of the Municipal Court shall keep its seal and affix it to all orders, judgments, certificates, records, and other documents issued by the court. He shall keep a docket of the trials in the court, in which he shall record in a summary manner the name of the defendant, the charge against him, the name of the prosecuting witness, the date of the arrest, the appearance of the defendant, the date of the trial, and the nature of the judgment, together with the fines and costs adjudged or collected in accordance with the judgment. He shall have power to administer oaths.

"SEC. 2562-D. Qualifications and salary of the judge of the Municipal Court.—No person shall be appointed Judge of the Municipal Court of the City of Baguio, unless he shall be (1) at least thirty years of age; (2) citizen of the Philippines or of the United States, and (3) have practiced law in the Philippines for a period of four years prior to his appointment or shall during like period have held in the Philippines any office for which a lawyer's diploma is an indispensable requisite. The salary of the Judge of the Municipal Court of the City of Baguio shall be four thousand eight hundred pesos per annum. With the approval of the Secretary of the Interior first had, the city council may, in its discretion, provide quarters for the Judge of the Municipal Court or commute the same, in addition to his salary."

SEC. 3. This Act shall take effect upon its approval.

Approved, November 29, 1936.

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