

AN ACT MAKING APPLICABLE TO THE DEPARTMENT OF MINDANAO AND SULU THE PROVISIONS OF THE ADMINISTRATIVE CODE, WITH CERTAIN EXCEPTION.

Act No.2664., October 14, 1916

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

SECTION 1. The provisions of the Administrative Code are hereby made applicable to the Department of Mindanao and Sulu, except as otherwise herein provided.

SEC. 2. Ex officio justices of the peace of municipal districts may, in their deiscreation, transfer any case within their jurisdiction to the justice of the peace of the nearest organized municipality in the province. The process of ex officio justices of the peace may be served outside of the municipal districts over which they hold jurisdiction, in the same manner and in the same cases as in the process of the justice of the peace court of organized municipalities. No fees of any kind shall be taxed or awarded against the municipal districts in any actions or criminal proceedings heard by justices of the peace of said municipal districts, nor against organized municipalities in which any actions or criminal proceedings are heard on account of transfer from the justice of the peace of any municipal districts.

The fees imposed by a justice of the peace for any infraction of provincial and municipal ordinances shall accrue to the corresponding municipal treasury if the violations have been committed within the territory of organized municipalities, and if committed outside of the territory of organized municipalities the fine shall be covered into the corresponding provincial treasury, for the benefit of the municipal district concerned.

The Governor-General may, in his discretion, authorize a municipal district president to act as justice of the peace to try cases for violation of municipal ordinances within his district.

SEC. 3. The justices of the peace of the capitals of each of the seven provinces of the Department shall receive annual salaries not to exceed the amounts stated in the following schedule: For the justice of the peace of the capital of the Province of Zamboanga, two thousand four hundred pesos; and for the justices of the peace of the capitals of the Provinces of Agusan, Bukidnon, Cotabato, Davao, Jolo, and Lanao, one thousand five hundred pesos each. In case no qualified lawyers are available to fill the positions of justice of the peace and auxiliary justice of the capital of any province of the Department, the Governor-General shall appoint temporarily, by and with the consent of the Upper House of the Philippine Legislature, the necessary justice of the peace and auxiliary justice for the capital of such province in accordance with the provisions of general law relating to appointment and salaries of justices of the peace and auxiliary justices for municipalities not capitals of provinces, in which case the justice of the peace and auxiliary justice so appointed shall have and exercise the same jurisdiction, powers, and duties as are provided by general law for justices of the peace of municipalities not capitals of provinces. No salary shall be paid to public officers appointed justices of the peace or auxiliary justices while acting in such public office.

SEC. 4. Chief clerks of the provincial treasurer's offices shall be notaries public, for the sole purpose of

administering, free of charge, oaths in connection with notices to persons delinquent in the payment of the land tax, and other matters in relation to the accounts of the provincial treasurer's offices.

The judge of the Court of First Instance may appoint any government officer or employee in the Department of Mindanao and Sulu as notary public, provided no fees of any kind shall be charged for his private benefit.

SEC. 5. Officers and employees of the Department of Mindanao and Sulu shall be considered Insular for the purposes of the travel expense law, contained in chapter sixteen of said Administrative Code.

SEC. 6. All physicians now occupying salaried positions as health or medical officers in the Department of Mindanao and Sulu, except medical officers of the Philippine Constabulary, shall be commissioned in the Philippine Health Service and shall have rank within their respective grades with other officers of the Philippine Health Service, in accordance with their length of service. Nothing in this Act shall be construed to legislate out of the service, or to reduce the salary and privileges enjoyed by any person occupying a position under the health or medical service in said department while serving in said department. Whenever any officer shall hereafter be transferred from the division of Mindanao and Sulu to duty with the Philippine Health Service in any other division, such transfer shall be made at the base pay of his grade, plus such benefits from seniority and length of service as are provided in chapter twenty-five of the Administrative Code. Medical officers commissioned as herein provided shall be entitled to civil service privileges from the date Act Numbered Twenty-four hundred and sixty-eight, reorganizing the Philippine Health Service, became effective.

SEC. 7. Section twenty-five hundred and sixty-nine (a) of the Administrative Code is hereby amended to read as follows:

"(a) Appropriations.-To appropriate and expend public funds of the department. Unexpended balances of appropriations made pursuant to the provisions hereof shall be returned to the Insular Treasury. Resolutions of the Administrative Council appropriating public funds shall be submitted to the Philippine Legislature by the department governor within the first fifteen days of the next ensuing session thereof, and unless disapproved or amended by the Legislature at said session they shall at the close of such period have the force and effect of law in the Department of Mindanao and Sulu."

SEC. 8. Act Numbered Three hundred and twenty-three of the former legislative council, entitled "An Act prescribing the method of allowance of traveling expenses of department and provincial officers and employees", and all Acts or parts of Acts inconsistent herewith are hereby repealed. All things done and actions taken in accordance with the provisions hereof prior to the passage of this Act are hereby ratified and confirmed.

SEC. 9. This Act shall take effect upon its passage.

Enacted, October 14, 1916.

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