

AN ACT PROVIDING THAT CERTAIN DUTIES IN RELATION TO THE BUREAU OF JUSTICE AND THE BUREAU OF THE INSULAR TREASURY, NOW REQUIRED BY LAW TO BE PERFORMED BY THE CIVIL GOVERNOR, SHAL...

Act No. 1153, May 11, 1904

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

SECTION 1. The following administrative acts relating to the Bureau of Justice and to the Bureau of the Insular Treasury, now authorized by law to be performed by the Civil Governor, shall hereafter be performed by the Secretary of Finance and Justice:

- To request or direct a judge of any Court of First Instance to hold the Court of First Instance in any province as provided by section fifty-two of Act Numbered One hundred and thirty-six.
- To approve the appointments of clerical assistants, translators, interpreters, stenographers, and typewriters, and to approve the compensation of such assistants, as provided in paragraph (c) of section forty-seven of Act Numbered One hundred and thirty-six, as amended by Act Numbered Three hundred and twenty-five.
- To direct, in writing, any judge at large to perform the duties of a judge of the Court of First Instance in any province in the Islands or of the city of Manila, as provided in section three of Act Numbered Three hundred and ninety-six.
- To direct judges of the Court of Customs Appeals to perform the duties of judges of the Courts of First Instance in any province in the Philippine Islands, or in the city of Manila, as provided in section three of Act Numbered Eight hundred and sixty-four.
- To direct the Attorney-General to present to the Court of First Instance having territorial jurisdiction over the place in which a crime was committed, for which a person has been duly convicted by provost courts or a military commission, properly confirmed by order of the military commander, in cases where the lawful judgments and sentences have not been executed and can not be executed, a record of the proceedings showing the conviction and sentence of the defendant in such proceedings and the confirmation thereof when necessary, and praying that the defendant be brought before the court, to show cause why the sentence as disclosed by the record of the proceedings should not be executed by order of the Court of First Instance, as provided in Act Numbered Eight hundred and sixty-five.
- To make special calls upon judges at large during the court vacation, as provided in paragraph (b) of section five of Act Numbered One hundred and thirty-six, as amended by Act Numbered Eight hundred and sixty-seven.
- To issue an order naming the judge of the Supreme Court and the judges of all Courts of First Instance who shall remain on duty, subject to call, for the purposes of interlocutory jurisdiction, throughout the Islands during court vacation, and to assign to the regular judges of the Courts of First Instance the districts over which they shall exercise interlocutory jurisdiction, and to modify the order issued in the premises from time to time, upon the

recommendation of the Chief Justice, as provided in paragraph (c) of section five of Act Numbered One hundred and thirty-six, as amended by Act Numbered Eight hundred and sixty-seven. The recommendation by the Chief Justice of the Supreme Court of the names of the judges who shall be assigned to duty during vacation period, as provided in the paragraph last referred to, shall be made to the Secretary of Finance and Justice instead of to the Civil Governor.

- To issue calls upon a judge at large of the Court of First Instance assigned to vacation duty to visit any district and there to hold court as a judge of that district to dispose of interlocutory matters; as provided in paragraph (c) of section five of Act Numbered One hundred and thirty-six, as amended by Act Numbered, Eight hundred and sixty-seven.

- To direct, when in his judgment the emergency shall require, any judge assigned to vacation duty to hold during the vacation period a special term of court in any district, there to hear civil and criminal cases and enter final judgment therein, as provided in paragraph (f) of section five of Act Numbered One hundred and thirty-six, as amended by Act Numbered Eight hundred and sixty-seven,

- To assign five months' vacation to judges of the Supreme Court and judges of the Courts of First Instance not assigned to vacation duty, as provided in paragraph (g) of section five of Act Numbered One hundred and thirty-six, as amended by Act Numbered Eight hundred and sixty-seven, and to postpone the extra three months' vacation in the ease of any judge from one year to the next, if required by the public business, as provided in the paragraph last referred to.

- To make announcement, by an order in writing, of the leaves of absence of judges of the Supreme Court and judges of Courts of First Instance, as provided in paragraph (j) of section five of Act Numbered One hundred and thirty-six, as amended by Act Numbered Eight hundred and sixty-seven; and likewise to pass upon and approve leaves of absence of judges, which duty is now ordinarily performed by the Civil Governor, but which is not plainly provided for by existing law.

- To issue an order naming the judge of the Court of Land Registration and judge of the Court of Customs Appeals who shall remain on duty during court vacation, and to direct any judge of the Court of Customs Appeals who is assigned to vacation duty, when in his judgment the emergency shall so require, to hold during the vacation period a special term of the Court of First Instance in any district, either to hear civil or criminal causes and to enter final judgment therein, as provided in section one of Act Numbered One thousand and fifty-six and likewise to assign live months vacation to a judge of the Court of Land Registration or of the Court of Customs Appeals, as provided in the section and Act last named likewise to grant leaves of absence to judges of the Court of Customs Appeals and of the Court of Land Registration, a duty which is now not clearly provided for by existing law.

- To require a judge at large of the Court of First Instance to perform the duties of judge of the Court of Land Registration in any province of the Philippine Islands or in the city of Manila, as provided in section six of Act Numbered Four hundred and ninety-six, as amended by section one of Act Numbered Eleven hundred and eight.

- To direct the temporary detail of any provincial fiscal from one province to any other province in the Islands to perform therein such duties as may be assigned to him, in accordance with the provisions of Act Numbered Eleven hundred and twenty-five.

- To approve investments to be made by the Treasurer of the Philippine Islands of the assurance fund accruing under Act Numbered Four hundred and ninety-six, in accordance with the provisions of section one hundred thereof.

SEC. 2. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section two of "An Act prescribing the order of procedure by the Commission in the enactment of laws," passed September twenty-sixth, nineteen hundred.

SEC. 3. This Act shall take effect on its passage.

Enacted, May 11, 1904.

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