

AN ACT AMENDING ACT NUMBERED TWO HUNDRED AND NINETY, ENTITLED "AN ACT PROVIDING AN INEXPENSIVE METHOD OF ADMINISTRATION UPON THE ESTATES OF CIVIL EMPLOYEES OF THE PHILIPPINE GOV..."

Act No. 1041, January 12, 1904

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

SECTION 1. Section one of Act Numbered Two hundred and ninety, entitled "An Act providing an inexpensive method of administration upon the estates of civil employees of the Philippine Government who are citizens of the United States, and who die in the service of the Insular Government leaving small estates upon which no regular administration is deemed advisable," is hereby amended by adding at the end thereof the following:

"In case the head of a Bureau, provincial officer or employee of any Bureau or province, who is a citizen of the United States, shall die while in the service, having to his credit earned leave of absence, the salary due and the amount due to the deceased by reason of earned leave of absence shall be paid to the Treasurer of the Philippine Islands, and be by him administered in the manner in this section provided. But in addition to the purposes for which such estate may be applied by the Treasurer, as herein-before provided, the Treasurer is also authorized to pay the expenses of the transportation of the remains of the deceased to the United States, if such transportation is desired by the surviving relatives, so far as the funds in his hands will enable him to pay such expenses: Provided, nevertheless, That if there should be a regular administration upon the estate of the deceased, then the sum due to the deceased, by reason of earned leave of absence standing to his credit, after the payment of unpaid funeral expenses and transportation of the remains, if desired, to the United States, if any, shall be turned over to the regular executor or administrator of the estate of the deceased: And provided further, That in case the deceased head of a Bureau, provincial officer or employee of any Bureau or province was a native or citizen of the Philippine Islands, the amount due him at the date of death for salary and for compensation in lieu of accrued leave shall be paid, not to the Treasurer of the Philippine Islands, but to the legal representative of the deceased according to law: And provided further, That in case said sum does not exceed one hundred dollars, and there has been no regular administration upon the estate of the deceased, and it appears that the estate is not sufficient to warrant the expense of a regular administration, said sum shall be paid to the next of kin who, in the opinion of the Auditor, is entitled thereto, in the following order: First, widow; second, children; third, father; fourth, mother; fifth, brothers and sisters in equal proportion; and such payment shall extinguish the liability of the Government for the sum so paid. But such determination by the Auditor shall not be conclusive as to who the lawful heir or next of kin is, and any person claiming said sum, or any part thereof, as lawful heir or next of kin may vindicate his right to the same by action in court against the person who received the same, anything in this Act to the contrary notwithstanding."

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, January 12, 1904.

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