

AN ACT PROVIDING A PROCEDURE FOR THE FIRST ELECTION OF THIRD MEMBERS OF PROVINCIAL BOARDS IN THE VARIOUS PROVINCES OF THE DEPARTMENT OF MINDANAO AND SULU, AND AUTHORIZING THE GO...

Act No. 2429, December 12, 1914

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

SECTION 1. Qualifications of third members.—The third members of the provincial boards of the provinces in the Department of Mindanao and Sulu must be qualified electors of their provinces, under the provisions of Act Numbered Twenty-four hundred and eight, and not less than twenty-five years of age.

SEC. 2. Electors.—Vice-presidents and councilors in municipalities organized under Act Numbered Thirty-five of the legislative council and under Act Numbered Eighty-two of the Philippine Commission, and such vice-presidents and councilors of municipal districts as the department governor may designate, are authorized to vote for the election of third members for their respective provinces.

SEC. 3. Procedure.—The third members shall be elected in the following manner:

At eight antemeridian on the date fixed by the Governor-General, the electors referred to in the preceding paragraph shall meet in joint convention at the capital of the province. The convention shall be called to order by the provincial secretary-treasurer who shall call the roll of the qualified members of the convention in accordance with the list previously prepared by him, and he shall be present during the convention. As soon as a quorum is verified the convention shall proceed by secret ballot to the election from among their own number of a presiding officer and three tellers. The provincial secretary-treasurer may upon request of any member of the convention, assist such member in the preparation of any ballot cast during the convention and he shall regard the information so imparted to him as secret and confidential. It shall be the duty of the tellers at all stages of the subsequent proceedings to receive and count the ballots as cast and the presiding officer shall then announce the result of such ballots as stated to him by said tellers. After the election of said tellers, the next order of business shall be the selection by the convention of a third member of the provincial board, who shall also be chosen by the convention by secret ballot. A plurality of the members of the convention present and entitled to vote shall be necessary to elect. The action of the convention shall be forwarded to the department governor by the provincial secretary-treasurer, after being duly certified by him. The department governor shall confirm the selection of the person thus elected unless it shall be found that he was illegally elected or that he is ineligible under the provisions of Act Numbered Fifteen hundred and eighty-two, as amended.

SEC. 4. Election contests.—Any duly qualified candidate voted for at an election held in accordance herewith, may contest the result of the election as announced by the tellers in the convention, under the provisions of said Act Numbered Fifteen hundred and eighty-two, as amended

SEC. 5. Traveling expenses.—The actual and necessary expenses of transportation of the electors or members of the convention aforesaid in going to the capital or other designated place and returning therefrom, for the purpose of electing a third member as above provided, shall be paid from the provincial treasury. The account of such

expenses of transportation shall be approved by the provincial governor before payment.

SEC. 6. Places of election—In case it is not feasible to call the convention of municipal and district vice-presidents and councilors in the various capitals of provinces, the department governor may designate by executive order such other convenient place or places for the holding of the election herein authorized. In the event two or more places are designated for the holding of elections, the department governor shall appoint any deputy provincial governor to perform the powers and duties vested herein in the provincial secretary-treasurer.

SEC. 7. Law governing general election of third members.—When a general election for provincial governors and third members of the provinces of the Department of Mindanao and Sulu shall be held in accordance with the provisions of paragraph (c) of section twenty-two of Act Numbered Twenty-four hundred and eight, the election of said third members shall be held under the provisions of Act Numbered Fifteen hundred and eighty-two, as amended.

SEC. 8. Election of vice-presidents and municipal councilors.—for the purpose of the first election of vice-presidents and councilors of the municipalities of the Department of Mindanao and Sulu, provided for in section thirty-nine of Act Numbered Twenty-four hundred and eight, the governor of the department shall fix by executive order the date for the holding of such election. The vice-presidents chosen in said election shall hold office until their qualified successors, chosen in the next general election under the provisions of Act Numbered Fifteen hundred and eighty-two, as amended, shall take office. Of the number of councilors to be elected, the one-half receiving the smaller number of votes shall be declared elected for a term which shall expire upon the assumption of duties by their successors chosen in the next general election under the general election law, and the one-half receiving the larger number of votes shall be declared elected for a term of four years longer.

SEC. 9. Procedure in municipal elections.—In the election of vice-presidents and municipal councilors herein provided, all the necessary procedure relative thereto shall be in accordance with the provisions of Act Numbered Fifteen hundred and eighty-two, as amended, so far as the same are not inconsistent with the provisions of Act Numbered Twenty-four hundred and eight.

SEC. 10. Date effective.—This Act shall take effect on its Date effective, passage.

Enacted, December 12, 1914.

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