

[Act No. 2941, February 14, 1921]

AN ACT TO AMEND AND REPEAL CERTAIN PROVISIONS, RELATIVE TO THE JUDICIARY, OF ACT NUMBERED TWENTY-SEVEN HUNDRED AND ELEVEN, KNOWN AS THE ADMINISTRATIVE CODE, OF ACT NUMBERED ONE HUNDRED AND NINETY, KNOWN AS THE CODE OF PROCEDURE IN CIVIL ACTIONS AND SPECIAL PROCEEDINGS, AND OF ACT NUMBERED TWENTY-SIX HUNDRED AND SIXTY-EIGHT, KNOWN AS THE SALARY LAW, ESTABLISHING AND REGULATING EXCHANGES OF THE JUDGES AND AUXILIARY JUDGES OF FIRST INSTANCE ON MARCH FIFTEENTH, NINETEEN HUNDRED AND TWENTY-ONE AND EVERY FIVE YEARS THEREAFTER; CONFIRMING AND RATIFYING THE DISCRETIONAL POWER OF THE GOVERNOR-GENERAL TO TRANSFER, WITH THE ADVISE AND CONSENT OF THE SENATE, THE JUDGES AND AUXILIARY JUDGES OF FIRST INSTANCE FROM ONE DISTRICT TO ANOTHER OR FROM ONE GROUP OF JUDICIAL DISTRICTS TO ANOTHER GROUP, AS THE CASE MAY BE, OR FROM ONE GROUP OF JUDICIAL DISTRICTS TO A DISTRICT, OR FROM ONE DISTRICT TO A GROUP; PROVIDING THAT THE JUDGES OR AUXILIARY JUDGES OF FIRST INSTANCE WHO HAVE SERVED FIVE YEARS IN THEIR DISTRICT OR GROUP, AS THE CASE MAY BE, MAY NOT BE REAPPOINTED TO THE SAME DISTRICT OR GROUP; CREATING NEW POSITIONS OF AUXILIARY JUDGES; ESTABLISHING PROVISIONS RELATIVE TO THE TERMS OF COURT; INCREASING THE SALARIES OF THE JUDGES; REPEALING AUTHORITY TO APPOINT OR DESIGNATE SPECIAL OR SUBSTITUTE JUDGES; EXPLAINING PROVISIONS RELATIVE TO THE JUDICIARY, AND FOR OTHER PURPOSES.

Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:

SECTION 1. Sections one hundred and forty-eight, one hundred and fifty-one, one hundred and fifty-two, one hundred and fifty-five, one hundred and sixty-one, and one hundred and sixty-seven of Act Numbered Twenty-seven hundred and eleven, known as the Administrative Code, are hereby amended to read as follows:

"SEC. 148. *Limitation upon tenure of office; periodical exchange and transfer of judge.*—Judges of first instance and auxiliary judges shall be appointed to serve until they shall reach the age of sixty-five years, subject to the transfers provided for or authorized in this Act.

"Unless otherwise provided, on March fifteenth, nineteen hundred and twenty-one, and every five years thereafter, the judges of first instance with the same salaries shall exchange judicial districts, and the same shall be done by the auxiliary judges as to the respective groups of judicial districts in which they shall serve during the ensuing five-year period. The exchange of districts or groups of judicial districts shall be determined by lot between the judges affected, observing the following rule, which shall be mandatory: no judge shall continue to serve in the

district or group in which he has been serving during the last five years.

"Without prejudice to the temporary assignments provided for in sections one hundred and fifty-five and one hundred and sixty of this Code, the Governor-General, with the advice and consent of the Senate, when in his judgment the public interest requires it, may direct any judge or auxiliary judge of first instance to be transferred from one judicial district or group of judicial districts, as the case may be, to another district or group of judicial districts. The judge transferred as stated shall cease to perform the duties of his office in the district or group of judicial districts where he was performing the same and shall continue to perform the same as ordinary judge or auxiliary judge of first instance of the new district or group of judicial districts, receiving the compensation due him in the new office instead of the one that was due him in the old. The power of the Governor-General to transfer a judge in the interest of the service, established by this section, is discretionary and may be exercised without need of the consent of the judge affected.

"SEC. 151. *Permanent station of clerk of court.*—The head office and permanent station of a clerk of court shall be at the provincial capital or at the permanent residence of the judge presiding the court. Provincial officer as

"SEC. 152. *Provincial officer as ex officio cleric of court.*—When the secretary of Justice shall deem such action advisable, he may direct that the duties of the clerk of court shall be performed by a provincial officer or employee as *ex officio* clerk of court, in which case the salary of said employee or officer as clerk of court, *ex officio*, shall be fixed by the provincial board and shall be equitably distributed by said board with the approval of the Secretary of Justice between the Insular Government and the provincial government.

"SEC. 155. *Restriction upon detail of judge to other district.*—For the purpose of trying land registration cases only, a judge of first instance may, if the public interests so require, be detailed by the Secretary of Justice to temporary duty in a district other than his own. Save when so detailed or when assigned to vacation duty, no judge of first instance shall be required to do temporary duty in any other district than that for which he is commissioned.

"SEC. 161. *Places and times of holding court.*—For the Ninth Judicial District, court shall be held in the city of Manila; and in other districts which comprise not more than one province, court shall be held at the capital of the province, except as hereinafter provided. In said districts sessions of court shall be convened on all work days when there are cases ready for trial or other court business to be dispatched.

"In the following districts, court shall be held at the places and times hereinbelow specified:

"First District: At Tuguegarao, Province of Cagayan, on the first Tuesday of July and December of each year; at Santo Domingo de Basco, Province

of Batanes, on the first Tuesday of March of each year.

"Second District: At Ilagan, Province of Isabela, on the first Tuesday of March and September of each year; at Bayombong, Province of Nueva Vizcaya, on the first Tuesday of July and December of each year.

"Third District: At Vigan, Province of Ilocos Sur, on the first Tuesday of January and July of each year; at Laoag, Province of Ilocos Norte, on the first Tuesday of March and September of each year; at Bangued, Province of Abra, on the first Tuesday of November of each year.

"Fourth District: At San Fernando, Province of La Union, on the first Tuesday of January and July of each year; at Baguio, Mountain Province, on the first Tuesday of April and September of each year; at Kiangan, Mountain Province, on the first Tuesday of March and November of each year; at Bontoc, Mountain Province, on the second Tuesday of March and November of each year; at Cervantes, Mountain Province, on the third Tuesday of March and November of each year; at Tagudin, Mountain Province, on the fourth Tuesday of March and November of each year.

"Sixth District: At Cabanatuan, Province of Nueva Ecija, on the first Tuesday of April, July, and October of each year; at Tarlac, Province of Tarlac, on the first Tuesday of February and August of each year.

"Seventh District: At San Fernando, Province of Pampanga, on the first Tuesday of April and October of each year; at Malolos, Province of Bulacan, on the first Tuesday of February and August of each year.

"Eighth District: At Iba, Province of Zambales, on the first Tuesday of January, April, and October of each year; at Balanga, Province of Bataan, on the first Tuesday of March, July, and December of each year.

"Tenth District: At Cavite, Province of Cavite, on the first Tuesday of January, July, and November of each year; at Cuyo Province of Palawan, on the first Tuesday of April of each year; at Puerto Princesa, Province of Palawan, on the third Tuesday of April of each year.

"Thirteenth District: At Batangas, Province of Batangas, on the first Tuesday of February and August of each year; at Calapan, Province of Mindoro, on the first Tuesday of April and October of each year; at the township of Lubang, Lubang Island, in the Province of Mindoro, on the third Tuesday of March of each year, or whenever the judge so appoints.

"Fourteenth District: At Lucena, Province of Tayabas, on the first Tuesday of February, July, and December of each year; at Boac, subprovince of Marinduque, on the second Tuesday of April and November of each year.

"Fifteenth District: At Naga, Province of Camarines Sur, on the first Tuesday of January and July of each year; at Tigaon, Province of Camarines Sur, on the third Tuesday of September of each year; at Albay, Province of Albay, on the third Tuesday of February and the first Tuesday of October of each year; at Virac, subprovince of Catanduanes, Province