

[Act No. 2409, July 24, 1914]

AN ACT EXTENDING TO THE DEPARTMENT OT MINDANAO AND SULU THE PROVISIONS OF GENERAL LAWS PROVIDING FOR THE ORGANIZATION, JURISDICTION, PROCEDURE, AND FEES OF JUSTICE OF THE PEACE COURTS, WITH CERTAIN EXCEPTIONS, AND FOR OTHER PURPOSES.

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

SECTION 1. The provisions of general laws providing for the organization, jurisdiction, procedure, and fees of justice of the peace courts are hereby extended and made applicable to the Department of Mindanao and Sulu except as herein provided or inconsistent with the provisions hereof.

SEC. 2. One justice of the peace and one auxiliary justice shall be appointed by the Governor-General, by and with the consent of the Philippine Commission, for each of the municipalities and municipal districts now existing in the provinces of the Department of Mindanao and Sulu and those to be hereafter established under the provisions of the Organic Act for the Department of Mindanao and Sulu: *Provided, however,* That upon the recommendation of the judge of first instance of the district, the Governor-General may appoint, by and with the consent of the Philippine Commission, one justice of the peace and one auxiliary justice for two or more of such municipalities or municipal districts.

SEC. 3. In the municipal districts of each province of the Department of Mindanao and Sulu, the Governor-General may appoint, by and with the consent of the Philippine Commission, the provincial governor as ex officio justice of the peace and any assistant or deputy provincial governor as auxiliary justice of such municipal districts.

SEC. 4. The provincial governor, as ex officio justice of the peace and his assistant or deputy appointed as auxiliary justice, shall have and exercise jurisdiction only throughout the municipal districts in their province: *Provided, however,* That the justice of the peace or auxiliary justice first acquiring jurisdiction over any cause shall have exclusive jurisdiction thereof: *And provided, further,* That the justice of the peace or auxiliary justice of municipal districts may, in their discretion, transfer any case within their jurisdiction to the justice of the peace of the nearest organized municipality in the province, directing him to try the case, if the interests of the parties, if a civil action, or the interests of the accused, if a criminal case, so require, and the justice of the peace to whom the case has been so referred will have jurisdiction over the case as if originally within his jurisdiction, and he shall try the case as of process, soon as practicable: *And provided further,* That the process of the provincial governor as ex officio justice of the peace and his assistant or deputy appointed as auxiliary justice may be served outside of the municipal districts over which they hold jurisdiction, in the same manner and in the same cases as the process of justice of the peace courts of organized municipalities may be served under the provisions of general law: *And provided further,* That 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