

[Act No. 2410, August 03, 1914]

AN ACT TO AMEND SECTION SIXTY-ONE OF ACT NUMBERED ONE HUNDRED AND THIRTY-SIX REGARDING SHERIFFS, AS AMENDED, IN ITS APPLICATION TO THE DEPARTMENT OF MINDANAO AND SULU, AND FOR OTHER PURPOSES.

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

Section 1. Section sixty-one of Act Numbered One hundred and thirty-six, as amended, is hereby reamended in its application to the Department of Mindanao and Sulu, so as to read as follows:

"SEC. 61. In the Department of Mindanao and Sulu th clerk of the Court of First Instance of each province of said department shall act as ex officio sheriff of his respective province and as such ex officio sheriff he shall serve the process of the Court of First Instance of said province and enforce good order in and about the court room and he shall have the power to appoint deputy sheriffs in any place where he deems necessary.

"The clerk of court as ex officio sheriff or his deputies shall be the legal custodian of the courthouse and the public property therein and he shall have the same fees provided for provincial governors acting as sheriffs under existing provisions of law in the provinces organized under Act Numbered Eighty-three: *Provided*, That the clerk of court as sheriff shall keep account of all money collected by him or his deputies as sheriff fees, which account shall be subject at all times to examination by the district auditor.

"For the purpose of attending the sessions and enforcing good order m and about the court room, the clerk of court as ex officio sheriff may request the municipal president of the municipality in which the sessions are being held to detail a member of the municipal police to perform such duties. If for any good reason no member of the municipal police can be detailed for this purpose, the clerk of court as ex officio sheriff may appoint a bailiff at a salary not to exceed twenty-five pesos per month, to be paid from the appropriation for the judiciary, for such time as the court may be in session in the province who shall attend the sessions and enforce good order in and about the court room. In those provinces of the Department of Mindanao and Sulu in which there is no clerk of Court of First Instance, the local deputy of the clerk of the said court shall act as ex officio sheriff of his province.

"The clerk of court or his deputies acting as sheriff of the province shall, before being qualified to perform the duties of sheriff or officer of the court, execute a bond, with not less than three sureties, running to the Government of the Philippine Islands, for the benefit of whom it may concern, in such penal sum as shall be fixed by the Insular Auditor. The sureties on said bond shall qualify under oath before the judge of the Court of First Instance, or, in his absence, before a justice of the peace. The bond shall be conditioned for the faithful performance of the duties