

[ Act No. 1952, May 20, 1909 ]

**AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE PROVINCE OF BATANES; TO AMEND PARAGRAPH SEVEN OF SECTION SIXTY-EIGHT OF ACT NUMBERED ELEVEN HUNDRED AND EIGHTY-NINE IN CERTAIN PARTICULARS; TO AUTHORIZE THE PROVINCIAL BOARD OF THE PROVINCE OF BATANES, WITH THE APPROVAL OF THE GOVERNOR-GENERAL, TO EXTEND THE TIME FOR THE PAYMENT WITHOUT PENALTY OF TAXES AND LICENSES; TO AMEND SECTION FIVE OF ACT NUMBERED FIFTEEN HUNDRED AND EIGHTY-TWO, ENTITLED "THE ELECTION LAW," BY INCREASING THE NUMBER OF DELEGATES TO THE PHILIPPINE ASSEMBLY TO EIGHTY-ONE, AND FOR OTHER PURPOSES.**

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

SECTION 1. (a) There is hereby established a province which shall be known as the Province of Batanes. It shall comprise all the islands of the Philippine Archipelago situated north of the Balingtang Channel.

(b) The Province of Batanes shall be organized in accordance with Act Numbered Thirteen hundred and ninety-six, entitled "The Special Provincial Government Act," and the provisions of sections one to twenty-two, inclusive, of the said Act, as amended, and those of Act Numbered Thirteen hundred and ninety-seven, entitled "The Township Government Act," as amended, shall be applied to said province and to its townships and barrios, respectively.

(c) The capital of the Province of Batanes shall be Santo Domingo de Basco.

SEC. 2. (a) There shall be a governor of the Province of Batanes. He shall be a justice of the peace ex officio with jurisdiction throughout the province. He shall receive a salary not to exceed four thousand pesos per annum. He shall exercise the powers and perform the duties of provincial supervisor, as defined in Act Numbered thirteen hundred and ninety-six, entitled "The Special Provincial Government Act," as amended. He shall reside at the capital of the province and have his office in the provincial at said place. If, after supplying the necessary office room for the officers of the province and for the station of the Weather Bureau, the building affords sufficient accommodation for the residence of the governor, he may occupy it for this purpose. The assignment of rooms in said building for the offices of the province, the station of the Weather Bureau, and the residence of the governor shall be made by the provincial board.

(b) There shall be a secretary-treasurer of the province, who shall reside and have his office at the capital thereof. He shall receive a salary not to exceed one thousand five hundred pesos per annum. He shall exercise the powers and perform the duties of provincial secretary and provincial treasurer as defined in Act Numbered Thirteen hundred and ninety-six, entitled "The Special Provincial Government Act," as amended, and in Act Numbered Thirteen hundred and ninety-seven, entitled "The Township Government Act," as amended.

(c) There shall be such subordinate employees of the province as the provincial board shall recommend and the Executive Secretary approve.

SEC. 3. The Province of Batanes shall belong to the First Judicial District.

SEC. 4. The provincial governor, the provincial secretary-treasurer and a third member to be appointed by the Governor-General, by and with the consent of the Commission, shall constitute the provincial board. The per diem of the third member of the provincial board shall not exceed five pesos.

The provincial board may, by resolution approved by the Governor-General, provide for the reorganization under "The Township Government Act" of any organized municipality within the territory of the Province of Batanes.

SEC. 5. The Governor-General shall exercise in the Province of Batanes the powers conferred upon the Secretary of the Interior by Act Numbered Thirteen hundred and ninety-six, entitled "The Special Provincial Government Act," as amended, and by Act Numbered Thirteen hundred and ninety-seven, entitled "The Township Government Act," as amended.

SEC. 6. (a) Between the Provinces of Cagayan and Batanes there shall be made such proportional distribution of funds as the Insular Auditor shall recommend and the Governor-General approve: *Provided*, That all unexpended balances of the "township and settlement fund" of the subprovince of Batanes existing in the treasury of Cagayan shall be transferred immediately to the treasury of the Province of Batanes and be available for expenditure for the benefit of said province.

(b) The Province of Batanes shall be entitled to a pro rata share of the special fund of ten per centum of the internal-revenue foisted upon the road and bridge fund of certain provinces, in the same manner and to the same extent as provided in Acts Numbered Eighteen hundred and fifty-three and Eighteen hundred and sixty-three.

SEC. 7. The legal expenses of the Province of Batanes, minus the actual revenues of that province, shall be paid from Insular funds.

SEC. 8. The fermented beverage manufactured in the locality under the name of *palek* shall not be exempted from the requirements of paragraph seven of section sixty-eight of Act Numbered Eleven hundred and eighty-nine.

SEC. 9. In view of the frequently absolute impossibility of communication between the several islands of the Batanes group during considerable periods of time, the provincial board is hereby authorized, with the approval of the Governor-General, to extend the time for the payment without penalty of all taxes and licenses of any kind, whenever such measure shall be deemed necessary on account of the difficulties arising from the lack of means of communication.

SEC. 10. All unexpended balances of the appropriation made by Act Numbered Eighteen hundred and seventy-three for salaries and wages of officers and employees of the subprovince of Batanes shall, after the payment of all outstanding obligations, be returned to the Insular Treasury.

SEC. 11. Paragraph one of section five of Act Numbered Fifteen hundred and eighty-two, as amended, is hereby further amended to read as follows: