

[Act No. 1582, January 09, 1907]

AN ACT TO PROVIDE FOR THE HOLDING OF ELECTIONS IN THE PHILIPPINE ISLANDS, FOR THE ORGANIZATION OF THE PHILIPPINE ASSEMBLY, AND FOR OTHER PURPOSES.

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

SECTION 1. *Short title.*—This Act shall be known as the Election Law.

SEC. 2. *Definitions and general provisions.*—Terms used in this Act and Acts amendatory thereof and supplementary thereto shall have the meaning and be construed as follows, unless some other meaning is plainly apparent from the language or context, or unless such construction is inconsistent with the manifest intent of the legislators:

The terms "hoard of inspectors" or "the hoard," when used herein shall mean the hoard of inspectors of election and the poll clerk. The hoard of inspectors shall act through its chairman upon a majority vole of the members, the poll clerk having neither voice nor vote in as proceedings.

Whenever in this Act a provincial board, or a municipal council, is charged with the doing of an act, the same shall be deemed to include the Municipal Board of the city of Manila so as to charge it with doing the corresponding act with respect to elections required lo he held in said city.

Whenever a municipal secretary or provincial treasurer is charged herein with the doing of an act the same shall be deemed to include the secretary of the Municipal Hoard of the city of Manila so as lo charge him with doing the corresponding act with respect to elections required to he held in said city.

SEC. 3. *Elections.*— In all the municipalities in the provinces entitled to send Delegates to the Philippine Assembly and in the city of Manila, which is deemed and hereby declared to be a province within the meaning of section seven of the Act of Congress of July first, nineteen hundred and two, an election to elect such Delegates shall he held upon the thirtieth day of July, nineteen hundred and seven. The Delegates elected at such election shall take office upon the convening of the Philippine Assembly and shall hold office until their successors arc elected and qualified.

Subsequent elections for such Delegates shall be held on the first Tuesday after the first Monday in November of nineteen hundred and nine and of each odd-numbered year thereafter, and the Delegates elected at such election shall fake office upon the first day of January next following such election and shall hold office for two; years or until their successors are elected and qualified.

In all the municipalities in the provinces entitled to elect governors, an election for provincial governor and third member of the provincial board shall be held on the first Tuesday after the first Monday in November of nineteen hundred and seven,

and upon the first Tuesday after the first Monday in November of each odd-numbered year thereafter. The provincial governors and third members elected at the elections in nineteen hundred and seven shall hold office from the first Monday in March, nineteen hundred and eight, until and including the thirty-first day of December, nineteen hundred and nine, or until their successors shall have been duly elected and qualified for office, and provincial governors and third members thereafter elected shall take office on the first of January next succeeding their election.

In all municipalities of the Philippine Islands an election shall be held on the first Tuesday after the first Monday of November and of nineteen hundred and seven, to elect municipal presidents and vice-presidents. The officers then elected shall take office on the first Monday of January following their election and shall hold office until the first day of January, nineteen hundred and ten, or until their successors are elected or appointed and qualified. Elections for municipal president and vice-president shall be held on the first Tuesday after the first Monday of November of each odd numbered year thereafter and the officers elected shall take office on the first of January following their election and shall serve for two years or until their successors are elected or appointed and qualified.

In all the municipalities of the Philippine Islands an election for councilors shall be held on the first Tuesday after the first Monday in November of nineteen hundred and seven to elect successors to those councilors whose terms of office as fixed by law expire on the first Monday of January, nineteen hundred and eight. The councilors elected at such election shall take office on the first Monday of January, nineteen hundred and eight, and shall hold office until the first day of January, nineteen hundred and twelve, and until their successor are elected or appointed and qualified. An election shall be held on the first Tuesday after the first Monday in November of nineteen hundred and eleven and of every fourth year thereafter to elect the successors of said councilors, and the persons elected at such elections shall take office on the first day of January following their election and shall hold office for four years and until their successors are elected or appointed and qualified.

Those municipal councilors elected in nineteen hundred and six for two years under the provisions of Act Numbered Eighty-two shall hold office until the first day of January, nineteen hundred and ten, and until their successors are elected or appointed find a qualified. An election shall be held on the first Tuesday after the first Monday of November, nineteen hundred and nine, and every fourth year thereafter to elect their successors. The persons elected at such elections shall take office on the first day of January following their election and shall hold office for four years or until their successors are elected or appointed and qualified.

So much of this Act as provides for elections of Delegates to the Philippine Assembly shall apply to the townships of Bulalacao, Calapan, Caluya Island, Lubang Island, Mamburao, Naujan, Pinamalayan and Sablayan in Mindoro and in the townships of Cagayancillo, Coron, Cuyo, Puerto Princesa, and Taytay in Palawan, and the township of San Quintin in Ilocos Sur, which are hereby declared to be municipalities and containing a sufficient proportion of civilized people, for the purpose of electing Delegates to the Philippine Assembly, and for no other purpose. The provincial board of the province in which said townships are situated shall perform the duties devolved by this Act upon municipal councils with respect to such elections for

Delegate to the Philippine Assembly and shall perform them sufficiently in advance of the times herein prescribed that the rights of the people or the times in which acts or duties are herein required or permitted to be done shall not lie abridged. In said townships, at said elections the duties herein devolved upon municipal secretaries shall be done by the township secretary. The expense of such elections shall be borne by the townships in which they are held.

The Governor-General, with the consent of the Philippine Commission, may postpone, for such time as may be deemed necessary any municipal or provincial election, when in the exercise of his reasonable discretion the presence of landronism or analogous cause, or of sedition or rebellion or analogous cause, or of public calamity or epidemic, shall render such action conducive to the public interest.

In all elections held under this Act a plurality of the votes legally cast shall elect,

SEC. 4. *Vacancies and special elections.*—Whenever a vacancy shall occur in an elective provincial office the Governor-General shall appoint a suitable person to fill the vacancy for the unexpired term and until the election and qualification of a successor.

Whenever a vacancy shall occur in an elective municipal office the same shall be filled by appointment, by the provincial board and the officer so appointed shall serve until the first of January following the next general election. If said next general election be one in the middle of the term of office the successor shall be elected for the unexpired term.

Upon the failure to elect any Delegate at any election at which the office is authorized to be filled, or upon the death or disqualification of a person elected a Delegate before the beginning of his official term, the Governor-General shall make a proclamation of a special election to fill such office for the unexpired term, specifying the district in which the election is to be held, and the date thereof, which shall not be less than forty nor more than ninety days, reckoned from the date of the proclamation.

Except in the case of a failure to elect as hereinbefore provided, a special election shall not be held to fill a vacancy in the office of a Delegate to the Assembly, unless such vacancy occur on or before the first day of February of the last year of the term of office, or unless occurring thereafter and a special session of the Assembly be called to meet before the next general election.

Whenever a new municipality shall be created the Governor-General shall call a special election, to be held not more than three months after such call, by the qualified voters of such new municipality unless a general election is to be held within said three months or unless otherwise provided in the Act creating the same. At such election a president, vice-president, and the number of chosen, councilors appropriate to a municipality of its class, shall be chosen; 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 on January first following the general election next after the election at which they were chosen; the one-half receiving the larger number of votes shall be declared elected for a term two years longer. In case such division cannot be made by reason of a tie between two or more

candidates, the term of office of the tied candidates shall be determined by lot in the manner prescribed in section twenty-six of this Act. The terms of office, of the president and vice-president shall expire on the first of January of ninety hundred and eight, nineteen hundred and ten nineteen hundred and twelve, or any second year thereafter, as the ease may be. The successors of all such officers shall be elected at the generation preceding the expiration of their terms of office. Such new municipality shall come into existence as a separate corporate organization upon the qualification of the newly elected president! and vice-president and a majority of the newly elected council. The officers of the old municipality or municipalities who are residing in the territory comprising the new municipality shall unless an entire barrio or barrios are included in the district so separated, hold their offices until their successors are elected and qualified. For the first election in new municipalities the provincial board shall divide the new territory into election precincts and shall appoint the necessary inspectors of election and poll, clerks and a suitable person to perform the duties of municipal secretary with respect to such election, all of whom shall act until their successors are chosen and qualified as hereinbefore provided, and shall designate the necessary polling places and provide the supplies for such election, the expense of all of which shall be payable by the new municipality.

The boards of inspectors so appointed shall meet and register the qualified voters as hereinafter provided, and the election shall proceed under the provisions of this Act the necessary funds therefor being advanced by the province and afterwards collected from the new municipality. For such first election the provincial board shall act as a board of canvassers

Whenever a provincial or municipal election shall have resulted in a failure to legally elect one or more officers and a special election shall have been called and held thereafter for the office or offices to be filled and shall have resulted in a failure to legally elect one or more of such officers, the Governor-General, by and with the consent of the Philippine Commission, shall appoint a citizen of the Philippine Islands or of the United States to fill any such unfilled provincial office, and the provincial board, by and with the consent of the Governor-General, shall appoint a duly qualified elector of the municipality to fill any such unfilled municipal office. An officer so appointed shall hold office for the term for which the office should have been filled by election.

SEC. 5. *The Philippine Assembly*.—The Philippine Assembly shall consist of eighty-one members, apportioned among the provinces as follows:

Albay	three
Ambos Carnarines	three
Antique	one
Bataan	one
Batangas	three
Bohol	three
Bulacan	two
Cagayan	two
Capiz	three
Cavite	one

Cebu	seven
Ilocos Norte	two
Ilocos Sur	three
Iloilo	five
Isabela	one
La Laguna	two
La Union	two
Leyte	four
Manila	two
Mindoro	one
Misamis	two
Nueva Ecija	one
Occidental Negros	three
Oriental Negros	two
Palawan	one
Pampanga	two
Pangasinan	five
Rizal	two
Romblon	one
Samar	three
Sorsogon	two
Surigao	one
Tarlac	two
Taynbas	two
Zambales	one

When another province not hereinbefore included be added to the foregoing the Delegate or Delegates apportioned to it shall be in addition to the number eighty-one and such representation shall be in the ratio of one for every ninety thousand of population and one for an additional major fraction thereof. If at any time any change shall be made in the boundaries of the provinces at present, existing or any new province shall be created, a readjustment of the apportionment of Delegates of all provinces affected by such change of boundaries or by the creation of such new provinces shall be made on the basis of the original adjustment herein provided for: *Provided, however,* That at no time shall the total number of Delegates exceed one hundred.

In case am such new province shall be entitled to more than one Delegate it shall he divided into as many districts as it is entitled to Delegates. Said districts shall be composed of contiguous and compact territory as near as may be and contain as nearly as practicable an equal number of inhabitants.

Members of the Philippine Legislature, in all cases except treason, each of the peace, and felony which, for the purposes of this Act, shall he considered a crime punishable by death or imprisonment for four years or more, shall be privileged from arrest during their attendance at the session of the Legislature, and in going to and in reluming from the same: and for any speech or debate in either house they shall not be questioned in any other place.