

[Act No. 787, June 01, 1903]

AN ACT PROVIDING FOR THE ORGANIZATION AND GOVERNMENT OF THE MORO PROVINCE.

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

SECTION 1. All that pan of the island of Mindanao and its adjacent islands lying west or south of a boundary line beginning at a point on the north coast of Mindanao at Point Balato, one mile west of the western boundary of the barrio of Naburos, thence running due south to the middle of the channel of the Mipangi River, thence along said river to its mouth in Panquil Bay, thence along the south shore of Panquil Bay in an easterly and northeasterly direction to the south shore of Iligan Bay, thence along the southern and southeastern shore of Iligan Bay in an easterly and northeasterly direction to Salinbal Point, about seven miles north of the stone pier in Iligan, and thence from Salinbal Point due east to the crest of the watershed dividing the waters which flow into Iligan Bay from those flowing into Macajalar Bay, thence in a southerly direction along the crest of said watershed to the eighth parallel of north latitude, thence east along the eighth parallel of north latitude to the eastern shore of Mindanao, together with the Sulu Archipelago, including the islands known as the Jolo Group, the Tawi Tawi Group, and all other islands pertaining to the Philippine Archipelago under the sovereignty of the United States of America south of the eighth parallel of north latitude, excepting therefrom the Islands of Paragua and of Balabac, and the immediately adjacent islands, but including the Island of Cagayan Sulu, shall constitute the Moro Province, and shall be governed as hereinafter provided.

The limits and area of the Provinces of Surigao and Misamis as fixed in Acts Numbered One hundred and twenty-seven and One hundred and twenty-eight of the Philippine Commission, are hereby reduced in accordance with the boundary line of the Moro Province as herein described and established, and all parts of the existing Provinces of Surigao and Misamis included within the area of the Moro Province, as herein described, are by this Act transferred from said provinces to the jurisdiction of the Moro Province.

The capital of the Moro Province shall be at Zamboanga.

SEC. 2. The Moro Province shall be divided into five districts, to be known as the Sulu, Zamboanga, Lanao, Cottabato, and Davao districts, which are respectively described as follows:

(a) The Sulu District shall include all the islands of the Moro Province in the Celebes Sea and in the Sulu Sea between the fourth and eighth parallels of north latitude lying southwest of a line running northwest and southeast and passing at a point two miles due east of the northeast extremity of Taliran Island, sometimes know as Taliran Island.

(b) The Zamboanga District shall include the Island of Basilan and its immediately adjacent islands not included in the Sulu District as above described, and all that part of the Island of Mindanao and its immediately adjacent islands which lies to the west and south of a line beginning at a point on the north coast line of Mindanao at

Point Balato, one mile west of the western boundary of the barrio of Naburos, thence running due south to the Mipangi River, hence along said river to its mouth in Panquil Bay, thence to and along the south shore of Panquil Bay in an easterly direction to a point two miles east of the intersection of the line of the old Spanish with the shore of Panquil Bay, and thence in a southerly direction on a line parallel with the line of the trocha and two miles distant therefrom to Illana Bay, so as to include in the District of Zamboanga the town of Tucuran.

For purposes of administration, there shall be carved out of the Zamboanga District, just described, the subdistrict of Dapitan, the capital of which shall be at the town of Dapitan on Dapitan Bay, which shall be bounded on the south by the eighth parallel of latitude, on the north and west by the Sulu and Mindanao Seas, and the east by the eastern boundary of the District of Zamboanga from Balato Point to the intersection of such boundary with the parallel.

(c) The Lanao District shall include all the territory of the Moro Province in the Island of Mindanao lying east of the Zamboanga District and south and west of a line running due east from Salinbal Point to the crest of the watershed which divides the waters flowing into Iligan Bay from those flowing into Macajalar Bay, thence south along the crest of said watershed to the crest of the watershed which divides the waters flowing into Lake Lanao from blowing into the Rio Grande River, and thence south and west along the crest of said last-mentioned watershed to the summit of Mount Bita, the highest peak south of Butig, thence south along crest of the watershed which divides the waters flowing into Parang Bay from those flowing into Illana Bay north of Tugapangan Point, to such point.

(d) The Cottabato District shall include all that part of the Island of Mindanao lying east of the Lanao District, south of the eighth parallel of north latitude, and west of a line running south from the eighth parallel of north latitude along the crest of the Apo range of mountains to the southernmost peak of Mount Apo, thence along the watershed that divides the waters that flow into Davao Bay from those that flow into the Rio Grande and Sarangani Bay to Sarangani Point.

(e) The Davao District shall include all that portion of the Island of Mindanao lying south of the eighth parallel of north latitude and east of the eastern boundary of the Cottabato District, including the Sarangani Islands.

SEC. 3. The capitals of the districts of Sulu, Zamboanga, Lanao, Cottabato, and Davao shall be respectively at the towns of Jolo, Zamboanga, Iligan, Cottabato, and Davao: *Provided*, That the legislative council of the Moro Province may, in its discretion, change these capitals.

SEC. 4. The Civil Governor of the Philippine Islands, by and with the consent of the Philippine Commission, shall appoint for the Moro Province a governor, attorney, secretary, treasurer, superintendent of schools and an engineer. The provincial governor and engineer may be officers of the Army detailed on request of the Philippine Commission by the Commanding General of the Division of the Philippines to perform the civil duties of such offices. In the event of a vacancy in either of the offices hereinbefore mentioned, it shall be promptly reported to the Civil Governor by the provincial governor. The provincial governor may, until such vacancy is filled, require any provincial officer to perform the duties of the vacant office in addition to the regular duties of such provincial officer.

SEC. 5. The provincial governor shall discharge the duties of his office under the general supervision of the Civil Governor of the Islands, to whom he shall report from time to time. If the provincial governor be at the same time the commanding general of the Department of Mindanao and Jolo, he shall furnish copies of the reports made by him to the Civil Governor to the Commanding General of the troops in the Philippine Islands, if such officer shall so require; he shall see that the laws are faithfully executed by all officers of the province, districts, subdistricts, and municipalities. Subject to the provisions of law, he shall have control, through the proper district governors, of the municipal police of the various municipalities therein, and, through the seventh assistant chief of Philippines Constabulary, he may direct the use and control the movements of the Insular Constabulary within the Moro Province; he may, when public interests require, temporarily withdraw the Constabulary from one district for use in another; he shall visit at least once in every six months the capitals of every district in the province. Upon complaint made, or of his own motion, the provincial governor may suspend from the execution of the duties of his office any district officer for misconduct or incompetency in office; he shall order the provincial attorney to prefer formal charges against and serve the same upon the accused officer, and after due hearing may dismiss the charges, impose any penalty by loss of pay or a definite period of suspension upon the offender, or, if the charges warrant, dismiss him from office. If the charges involve either criminal or civil liability of the accused, he may direct the provincial attorney to bring a proper action, either criminal or civil, in the public interest against the accused officer. He shall make a report of the conditions of the province between the first and fifteenth of September of each year to the Civil Governor of the Islands for the year ending on the first day of September, recommending therein such measures, executive or legislative, as it may seem to him best that the Insular Executive or the Commission should take for the betterment of the conditions in the province. He shall, when notified by the judge of any Court of First Instance of the province that the decrees and judgments of the court can not be enforced with the ordinary procedure and by the use of the usual officers of the law, give such assistance with the Constabulary and municipal police as shall bring about a prompt enforcement of such judgments and decrees. The provincial governor, by and with the advice and consent of the legislative council hereinafter created, shall appoint the district governors, the lieutenant governor of the subdistrict of Dapitan, the district treasurers, and the district secretaries. The provincial governor shall also appoint all the subordinate officers and employees in the provincial government of the Moro Province under the provisions of the Civil Service Act, except such employees as are paid from special appropriations for public works, all of whom shall be appointed or employed in such manner as the legislative council may direct, not inconsistent with the Civil Service Law.

SEC. 6. The provincial secretary shall, during a vacancy in the office of governor or during the governor's disability, or absence from the province, perform the duties of governor; he may under the direction of the governor make inspections of civil affairs in the various districts, and perform such duties in reference thereto as the governor may authorize; he shall acquaint himself, as far as practicable, with the language and customs of the Moros and other non-Christians in the province, and from time to time make report to the governor of such matters as he deems necessary for their betterment. When the governor is absent from the capital but present in the province, the secretary shall perform such duties of the governor as may be delegated to him in writing by the governor he shall attest all the official

acts of the governor of the province, and shall record all of the governor's acts which are required by law to be recorded; he shall be the custodian of the provincial seal; he shall receive from the governor and file in his office all reports to the governor required by law and shall index the same; he shall act as custodian of all provincial records and documents and discharge all duties usually pertaining to that of the office of secretary; he shall on demand furnish certified copies of all public records and documents within his custody for which he may charge, as personal compensation in addition to his regular salary, to any private person, but not to any public official needing the same for a public purpose, the amount of ten cents, local currency, for every one hundred words of such copy, including the certificate. He shall act as secretary of the legislative council hereinafter created and attest all its acts and resolutions and, generally, shall discharge such other duties as the legislative council may by law provide.

SEC. 7. The provincial treasurer shall be the chief financial officer of the province; he shall supervise the appraisalment and assessment by the district treasurers and their deputies of all property in the province required by law to be assessed for taxation; he shall supervise the collection by the district treasurers of all taxes imposed in the province, either by the Central Government of the Islands, the provincial government, or the municipalities in the province, except only the customs duties, which shall be collected as now by the collectors of customs under the direction of the Insular Collector of Customs; he shall give a bond for the faithful discharge of his duties and accounting for all moneys coming into his custody and for the lawful disbursement thereof; the amount of the bond shall be fixed by the Insular Treasurer; he shall have authority and it shall be his duty to require a bond from each of the deputies in his office, the amount thereof to be fixed by the legislative council; he shall be the custodian of all the funds of the province deposited in the provincial treasury and shall pay no money out of the treasury of the province except upon warrants drawn in accordance with law, which, duly indorsed by the payee named therein, shall be his voucher for the payment; he shall on the tenth day of January, April, July and October of each year render quarterly accounts of the transactions of his office for the preceding quarter to the legislative council hereinafter created, who, by committee, shall examine such accounts and count the cash, and if the accounts are found correct shall so certify on the face of the accounts; he shall forward one copy of each quarterly account to the Insular Treasurer and one to the Insular Auditor; the books, accounts, and cash of the provincial treasurer shall be subject to the same character of inspection by the examiners of the Insular Treasurer, as are the books, accounts, and cash of the provincial treasurers under the General Provincial Government Act; the provincial treasurer shall, by examiners duly appointed by the provincial governor under the authority of the legislative council, supervise and examine the transactions of the district treasurers; such examinations shall involve an investigation of the books and accounts of each district treasurer and the counting of his cash, and shall be made at least once every quarter. He shall perform all other duties which may be provided by law of the legislative council.

SEC. 8. The provincial engineer shall have supervision over the construction, repair, and maintenance of the roads, bridges, ferries, public buildings, and other public improvements of the province. It shall be the duty of the engineer to make reports to the legislative council at least once a quarter, and oftener if deemed necessary by the council, of the conditions of the roads, bridges public buildings, and other improvements of the province, and to recommend the repair and new construction

which are necessary. Before a contract is let for the work it shall be the duty of the engineer to prepare plans and specifications and to make an estimate of the cost thereof and to submit the same to the legislative council. All contracts for such construction, repair, or maintenance shall be let by the engineer with the approval of the legislative council hereinafter created, and no payment, partial or final, for any contract made for such public work shall be authorized except upon the certificate of the engineer that the same is due. All stationery and office supplies and all supplies or merchandise purchased for the use of the provincial and district governments shall be purchased by him upon the order of the legislative council for the use of the provincial and district officers and the Courts of First Instance and other courts of the province. He shall keep a property account in which he shall charge the provincial and district officers with the furniture or other personal property delivered to them and held or used by them for public purposes, and shall take receipts for all supplies thus delivered to them. Except where otherwise ordered by the Civil Governor, upon the recommendation of the governor of the province, he shall make his purchases of supplies through the Insular Purchasing Agent. In case of a vacancy in the office of the provincial engineer, or if there is any reason why that officer can not perform his duties, the provincial secretary, shall be vested with authority to purchase stationery and office supplies for the offices of the province and districts, and in making such purchases and delivering the same he shall keep a property account and take the receipts required herein of the provincial engineer. The engineer shall give such bond and discharge such other duties as may be required by the legislative council.

SEC. 9. The provincial attorney shall be the attorney and legal adviser of the provincial government and of each of its officers and of the legislative council hereinafter constituted and shall, when called upon by the council or by any officer, furnish a written opinion on questions of law arising in the administration of the government. He shall represent the provincial government in all suits brought on its behalf or against it in the courts of the province or in the courts of any province or district. He shall be the legal adviser of the municipal authorities of any municipality organized in the province and shall, upon request, submit in writing his views upon any question properly arising in the discharge of the public duties of such officers or authorities. He shall exercise supervisory control in the courts in the province over the district fiscals for whose appointment and salaries the legislative council may have provided. The provincial attorney shall, when the public interest requires it, appear to take charge of prosecutions for the government in any court within the province. In cases where the interests of any municipality and of the province are distinct or opposed, he shall act on behalf of the provincial government and the municipality shall be obliged to employ special counsel. The provincial attorney shall discharge his duties under the general supervision of the Attorney-General of the Insular Government, and the Attorney-General shall represent the provincial government in all suits for or against it which shall come before the Supreme Court, but if the Attorney-General deems it necessary, he may require the provincial attorney to assist in the presentation of the cause before the Supreme Court. In every criminal case appealed to the Supreme Court from the Court of First Instance held in the province, the provincial attorney shall forthwith make a report, to the Attorney General, explaining the questions of law and fact appearing therein and the conclusions of the court. The provincial attorney shall make an annual report to the Attorney-General of the Philippine Islands as to the conditions of public and private litigation in the courts throughout the province, and shall discharge such other duties as may be required by the legislative council.