

[Act No. 400, May 16, 1902]

AN ACT SO AMENDING ACT NUMBERED ONE HUNDRED AND THIRTY-SIX ENTITLED "AN ACT PROVIDING FOR THE ORGANIZATION OF COURTS IN THE PHILIPPINE ISLANDS" AS TO EXTEND THE COURTS OF FIRST INSTANCE JURISDICTION OVER MARITIME OFFENSES COMMITTED ON THE HIGH SEAS, OR BEYOND THE JURISDICTION OF ANY COUNTRY, OR WITHIN ANY OF THE NAVIGABLE WATERS OF THE PHILIPPINE ARCHIPELAGO, AND FURTHER DEFINING THE JURISDICTION OF COURTS OF FIRST INSTANCE IN THE PROVINCES OR DISTRICTS EXCLUSIVELY UNDER MILITARY CONTROL.

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

SECTION. 1. Section fifty-six of Act Numbered One hundred and thirty-six, entitled "An Act providing for the organization of courts in the Philippine Islands," is hereby amended by adding at the end of said section the following words:

"8. Of all crimes and offenses committed on the high seas or beyond the jurisdiction of any country, or within any of the navigable waters of the Philippine Archipelago, on board a ship or water craft of any kind registered or licensed in the Philippine Islands in accordance with the laws thereof. The jurisdiction herein conferred may be exercised by the Court of First Instance in any province into which the ship or water craft upon which the crime or offense was committed shall come after the commission thereof: *Provided, nevertheless,* That the court first lawfully taking cognizance thereof shall have jurisdiction of the same courts in the Philippine Islands."

SEC. 2. Section seventy-eight of said Act is hereby amended so as to read as follows:

"SEC. 78. *Jurisdiction of provost courts over civil and criminal actions repealed, with certain exceptions, and actions pending therein to be transferred.*—All military orders, and all Acts conferring upon provost courts in the Philippine Islands jurisdiction over civil actions and criminal actions, including criminal actions in admiralty, are hereby repealed, except as in this section hereinafter provided. All civil actions now pending in the provost courts are hereby transferred to the proper tribunal in which they would have been brought under the provisions of this Act, had this Act been in force at the time such actions were commenced, and the Supreme Court and Courts of First Instance and courts of justices of the peace established by this Act are authorized to try and determine the actions so transferred to them respectively from the provost courts, in the same manner and with the same legal effect as though such actions had originally been commenced in the courts created by virtue of this Act: *Provided, however,* That the criminal jurisdiction of provost courts in any province or district exclusively under military control shall not be affected by this Act, and provost courts in such