

## [ Act No. 500, November 10, 1902 ]

### **AN ACT PROVIDING FOR THE ORGANIZATION OF A PROVINCIAL GOVERNMENT IN THE ISLAND OF MINDORO, DEFINING THE LIMITS OF THAT PROVINCE, AND REPEALING ACT NUMBERED FOUR HUNDRED AND TWENTY-THREE, ENTITLED "AN ACT EXTENDING THE PROVISIONS OF THE PROVINCIAL GOVERNMENT ACT AND ITS AMENDMENTS TO THE ISLAND OF MINDORO AND INCORPORATING THAT ISLAND WITH THE PROVINCE OF MARINDUQUE."**

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

SECTION 1. A provincial government is hereby established in the Province of Mindoro, and Act Numbered Four hundred and twenty-three, extending the provisions of the Provincial Government Act and its amendments to the Island of Mindoro and incorporating that island with the Province of Marinduque, is hereby repealed.

SEC. 2. The Province of Mindoro shall consist of the Island of Mindoro and the small islands adjacent thereto, including the Island of Lubang.

SEC. 3. The officers of the provincial government of Mindoro shall be a provincial governor, at a salary of two thousand two hundred and fifty dollars per annum; a provincial secretary, at a salary of one thousand five hundred dollars per annum; a provincial supervisor-treasurer, at a salary of two thousand two hundred and fifty dollars per annum; and a provincial fiscal, at a salary of one thousand four hundred dollars per annum; all in money of the United States or its authorized equivalent in local currency.

No person shall be eligible to any of these offices who is not a citizen of the United States, or a citizen of the Philippine Islands, and no person shall be eligible for any of these offices, who, having taken the oath of allegiance to the United States, shall have violated the same. Non residence in the province shall not render the person appointed or elected to office ineligible.

SEC. 4. The officers of the province shall be appointed by the Civil Governor by and with the advice and consent of the Philippine Commission, and may be removed by him with the like advice and consent. They shall reside and have their offices in the municipality of Calapan, Island of Mindoro, until suitable accommodations can be constructed at Puerto Galera, which is hereby made the capital of said province. Their successors shall be appointed and removed in the manner as in this section provided.

SEC. 5. After March first, nineteen hundred and three, the provincial secretary and the provincial supervisor-treasurer, as vacancies occur, shall be selected under the provisions and restrictions of the Civil Service Act. The provincial secretary shall be able to speak and write the Spanish language, and after January first, nineteen hundred and six, the English language also. Before the provincial supervisor-treasurer can qualify he shall give a bond to the Government of the Philippine Islands, for the benefit of whom it may concern, with sufficient security, in the sum

of ten thousand dollars, the surety or sureties to be approved by the Treasurer of the Philippine Archipelago. The bond shall be conditioned to secure the faithful performance of the duties of the office as now or hereafter prescribed by law, and for the accounting for all funds coming into this bands as supervisor-treasurer or into those of his authorized deputies during his incumbency in case of death or removal, until the settlement of his accounts by the Auditor for the Philippine Archipelago. This bond shall, after its approval, be filed with the Treasurer of the Philippine Archipelago, who shall record the same in a book to be kept for the purpose, and shall safely keep the same. The Treasurer of the Philippine Archipelago shall exercise the same supervision over the office of the supervisor-treasurer as lie exercises over the offices of the provincial treasurers in provinces organized under the Provincial Government Act.

SEC. 6. Before assuming office, each provincial officer shall take and subscribe the following oath or affirmation:

"I, \_\_\_\_\_, having been appointed \_\_\_\_\_, in the Province of Mindoro, do hereby solemnly swear (or affirm) that I will well and truly perform all the duties of said office; that I will faithfully account for all moneys coming into my hands as such officer; that I will bear true faith and allegiance to the Government of the United States; and that I take this oath without any mental reservation whatsoever. So help me God."

The oaths of office may be administered to provincial officers by a member of the Philippine Commission, its secretary, the governor of the province, any United States Army officer stationed in the province, the judge of the Court of First Instance within whose judicial district the said province lies, or any other judicial officer having jurisdiction therein. The oath shall be filed in the office of the supervisor-treasurer for the province.

SEC. 7. The duties and powers of the provincial governor shall be the same as those provided for the provincial governor of the Province of Nueva Vizcaya, by virtue of section six of Act Numbered Three hundred and thirty-seven, entitled "An Act providing for the organization of a provincial government in the Province of Nueva Vizcaya," as amended by Act Numbered Three hundred and eighty-eight, but he shall not exercise the powers of a judge of the Court of First Instance.

SEC. 8. The provincial secretary shall attest all the official acts of the provincial governor under the seal of the province and shall record all those 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 provincial governor and file in his office all reports to the provincial governor required by law, and shall index the same, and he shall generally act as custodian of all provincial records and documents. He shall, on demand, furnish certified copies of all public records and documents, for which he may charge as personal compensation, in addition to his regular salary, the amount of ten cents, local currency, per one hundred words, including the certificate. In case of a vacancy in the office of governor, or the absence of the governor from the province, the secretary shall discharge the duties of the governor dining such vacancy or absence or until the vacancy shall be filled as provided in this Act.

SEC. 9. The supervisor-treasurer shall be the chief financial officer of the province.

He shall fix the day or days during each month from January fifteenth to June thirtieth of each year on which the people of the several townships may appear before him or his deputies to pay their taxes: *Provided*, That the last day so fixed shall be the thirtieth of June of each year. He shall in person, or by authorized deputy, supervise the appraisal and assessment of real property in all the townships or settlements of the province in the manner provided in "An Act providing for the establishment of local civil governments in the townships and settlements of the Province of Nueva Vizcaya," except where otherwise especially provided. He shall by himself or deputy, collect all taxes imposed upon property or persons in the province either by the townships or settlements of the province, except fees for the granting of the privileges of fisheries, the issuing of certificates of ownership of large cattle, and of the transfer of title to the same, tolls from ferries operated by the township, fees from township stables, township pounds, township markets, township slaughterhouses, township bath houses, and township cemeteries; license fees for theatrical performances, horse races, circuses, cockpits and cockfighting, and the training of fighting cocks; which shall be collected by the township treasurer in the manner prescribed by ordinance of the township council. It shall be his duty to procure a certified copy of the tax-assessment list from each township or settlement of the province, and file the same in his office, and to make an alphabetical index thereof, which list and alphabetical index shall be a public record. He shall have power to employ such deputies and assistants in discharging his duties as he may deem necessary, subject to the approval of the provincial board, and their salaries shall be fixed by the provincial supervisor-treasurer, with like approval. The number and salary of such employees shall be reported by the supervisor-treasurer to the Treasurer of the Philippine Archipelago at the close of each month, who shall have power to abolish such offices or reduce salaries so as to secure economy of expenditure, and no increase shall be made in the number of employees or the amount of the salaries after having been once fixed by the Treasurer of the Philippine Archipelago before his approval of the proposed increase shall have been obtained: *Provided*, That after March first, nineteen hundred and three, such deputies and clerks shall be selected in accordance with the rules and restrictions of the Civil Service Act. The provincial supervisor-treasurer shall have authority to require a bond from each of his deputies in a penal sum equal to the largest amount of public funds of every kind that such deputy is likely to have in his custody at any one time.

He shall be the custodian of the funds of the province, and shall pay no money out of the provincial treasury except upon warrants drawn in accordance with law, which, duly indorsed by the payee named therein, shall be his voucher for their payment. He shall render an account before the fifth of each month to the provincial board of the transactions of his office for the preceding month, and shall include, among other things, the amount of cash on hand at the beginning of the month and the receipts during the month from every source, the payments during the month and on what accounts paid, and the balance on hand at the close of the last day of the month. The provincial board shall examine such accounts, and if found correct shall so certify on the face of the accounts. He shall forward a copy of his monthly accounts, so approved, to the Treasurer of the Philippine Archipelago, and another to the Auditor for the Philippine Archipelago. The reports or accounts-current submitted to the Auditor shall be accompanied, by all their supporting vouchers to enable the Auditor to settle and adjust the same and certify the balance thereon. Such accounts-current, vouchers, and paid warrants shall be as prescribed by the rules prepared under the Provincial Government Act as amended. The provincial

supervisor-treasurer shall retain a copy of his accounts-current and of the supporting vouchers.

He shall also perform the duties of registrar of property pending the appointment of such registrar for the province under the Land Registration Act.

The provincial supervisor-treasurer shall have supervision of the construction, repair, and maintenance of the roads, bridges, and ferries of the province. He shall also have charge of the construction and repair of public buildings and the offices of the provincial government, and shall be the custodian thereof under direction of the provincial board. All contracts for the construction, repair, and maintenance of buildings, roads, bridges, or ferries shall be let by the provincial supervisor-treasurer, with the approval of the provincial board, and no payment, partial or final, upon any contract made for such work shall be made except upon the certificate of the supervisor-treasurer that the same is due. Before a contract is let for work it shall be the duty of the supervisor-treasurer to prepare proper plans and specifications, and to make an estimate of the cost thereof, and to submit the same to the provincial board. Copies of all contracts made by the supervisor-treasurer, with the approval of the provincial board, shall be forwarded by the supervisor-treasurer to the Auditor for the Philippine Archipelago. He shall make monthly reports to the provincial board as to the condition of the roads, bridges, and public buildings of the province, and shall recommend to the board the repairs and new construction which are necessary. It shall be the duty of the provincial supervisor-treasurer to see that the roads, bridges, and public buildings of the province are kept in proper repair. All stationary and office supplies of every character shall be pure-based by him, upon the order of the provincial board, for the use of the provincial officers. He shall keep a property account, in which he shall charge the provincial 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 by him.

SEC. 10. The duties and powers of the provincial fiscal shall be such as are provided for the provincial fiscal of the Province of Nueva Vizcaya by virtue of section nine of Act Numbered Three hundred and thirty-seven; and in case of the absence or neglect or failure from neglect or refusal to discharge his duties by reason of illness or personal interest in the prosecution, or for any other cause, a temporary fiscal may be appointed in the manner provided in said section nine of said Act Numbered Three hundred and thirty-seven, with the powers therein defined.

SEC. 11. The salaries herein provided shall be paid monthly, so that one-twelfth of the annual salary shall be paid on the last day of each calendar month. Each provincial officer shall be allowed his necessary and actual traveling expenses, not exceeding three dollars per day, money of the United States, while absent from the capital of the province on official business; the allowance shall be made by the provincial board upon the certificate of the officer that the travel was necessary for the public business, and shall not be paid until the account, accompanied by a resolution of the board approving the same, shall be forwarded to the Treasurer of the Philippine Archipelago, and by him approved.

SEC. 12. The provincial governor, the provincial secretary, and the provincial supervisor-treasurer shall constitute the provincial board. The governor shall be the presiding officer of the board. The secretary shall be its secretary and keep the