

[Commonwealth Act No. 537, May 26, 1940]

AN ACT TO AMEND SECTION TWENTY-FOUR HUNDRED AND SIXTY-FIVE OF THE ADMINISTRATIVE CODE, AS AMENDED, TO STANDARDIZE THE SALARIES OF ASSISTANT FISCALS FOR THE CITY OF MANILA.

Be it enacted by the National Assembly of the Philippines:

SECTION. 1. Section twenty-four hundred and sixty-five of the Administrative Code, as amended, is further amended to read as follow:

"SEC. 2465. *The fiscal of the city - His assistants - His duties.* - The law department shall consist of the fiscal of the city and of twenty-two assistant- fiscals, who shall discharge their .duties under the general supervision of the Secretary of Justice. The fiscal of the city shall be the chief legal adviser of the city and all offices and departments thereof, shall represent the city in all civil cases wherein the city or any officer thereof in his official capacity.is a party; shall attend, when required, meetings of the Board, draw ordinances, contracts, bonds, leases, and other documents involving any interest of the city and inspect and pass upon all such documents already drawn; shall give his opinion in writing when requested by tine Mayor or Board upon any question relating to the city, or the rights or duties of any city officer shall, whenever it is brought to his knowledge that any city officer or employee is guilty of neglect or misconduct in office or that any person, firm, or corporation holding or exercising any franchise or public privilege from the city has failed to comply with any. condition, or to pay any consideration mentioned in the grant of such franchise or privilege, investigate the same and report to the mayor; shall when directed by the mayor, institute and prosecute in the city's interest a suit on any bond, lease, or other contract, and upon any breach or violation thereof; and shall prosecute and defend all civil actions related to or connected with any city office or interest. He shall also have charge of the prosecution of all crimes, misdemeanors, and violations of city ordinances, in the Court of First Instance and the municipal court of the city, and shall discharge all the duties in respect to criminal prosecutions enjoined by law upon provincial fiscals.

The fiscal of the city shall cause to be investigated all charges of crimes, misdemeanors, and violations of ordinances, and have the.necessary information's or complaints prepared or made against the persons accused. He or any of his assistants may conduct such investigations by taking oral evidence of reputed witnesses, and for this purpose may by subpoena, summon witnesses to appear and testify under oath before him, and the attendance or evidence of an absent or recalcitrant witness may be enforced by application to the municipal court or the Court of first Instance. No witness summoned to testify under this section shall be under obligation to give any testimony tending to i incriminate himself, and no testimony elicited from a witness by such examination under oath before the fiscal of the city or his assistants under this section shall be used against such witness in any prosecution pending or thereafter instituted against him.

The fiscal of the city shall also cause to be investigated the cause of sudden deaths which have not been satisfactorily explained and when there is suspicion that the cause arose from the unlawful acts or omissions of other persons, or foul play. For