

Escrito de los *chauffeurs* de profesión, recabando la posición de la consideración del Proyecto de Ley No. 816 del Senado, o la eliminación en el mismo de ciertos requisitos y condiciones perjudiciales a los que ejercen dicho oficio.

El PRESIDENTE. Al Comité de Comercio y Comunicaciones.

Resolución de los Maestros del Distrito de Calape, Bohol, protestando contra el proyecto de consolidar el fondo de Resoluciones de Maestros con los de Constabularia y Sanidad.

El PRESIDENTE. Al Comité de Hacienda.

Resolución de protesta contra el Bill Aquino, sobre el Divorcio, de las siguientes entidades:

Concejo Municipal de Panglao, Bohol.
Concejo Municipal de Anda, Bohol.
"Cebu Dames Social Circle," Cebú.
Vecinos de Bacod, Negros Occidental.
Centro Católico y otras sociedades católicas de Panglao, Bohol.
Centro Católico e hijas de María, Madridejos, Cebú.
Vecinos de Duero, Bohol.
Vecinos de Dimiao, Bohol.
Vecinos de Panitan, Cápiz.
"Catholic Truth Society," Bago, Negros Occidental.
Vecinos de Tibiao, Antique.

El PRESIDENTE. Al Comité de Justicia.

Resolución de protesta contra el Bill Bacon, de la Junta Provincial de Masbate y del Concejo Municipal de Wright, Sámbar.

El PRESIDENTE. Al Comité de Relaciones Exteriores.

INFORME DE COMITÉ NO. 191

MR. PRESIDENT:

The Committee on Justice to which was referred on October 5, 1926, Senate Bill No. 314, entitled:
"An Act to reorganize the society for the prevention of cruelty to animals in the Philippine Islands established in accordance with Act Numbered Twelve hundred and eighty-five of the Philippine Commission,"
has duly studied the same and has the honor to return it to the Senate with the following recommendation:

That it be approved without amendment.
This measure would be a great aid to the promotion of human education in the Philippines. It would also generalize the benefits derived from the activities of the society for the prevention of cruelty to animals and would foster greater love of and kindness for our dumb friends.

Respectfully submitted,

(Sgd.) JOSE C. VERA
Chairman, Committee on Justice

The Honorable, the PRESIDENT OF THE SENATE.

El PRESIDENTE. Al Calendario de la Cámara.

INFORME DE COMITÉ NO. 192

SEÑOR PRESIDENTE:

El Comité de Hacienda del Senado al cual se trasladó el 2 de septiembre de 1926, el Proyecto de Ley No. 904 de la Cámara de Representantes, titulado:

"Ley que crea una Junta para estudiar e investigar procedimientos para convertir abacá y otras fibras semejantes en hilo para tejer género para sacos, que destina la cantidad de treinta y cinco mil pesos para dicho efecto, para comprar la maquinaria necesaria para la demostración práctica de dicho procedimiento a base de fábrica, y para otros fines,"
lo ha examinado y tiene el honor de devolverlo informado al Senado con la recomendación siguiente:

Que sea aprobado sin enmienda.

Respetuosamente sometido,

(Fdo.) H. VILLANUEVA
Presidente Interino, Comité de Hacienda
Al Honorable PRESIDENTE DEL SENADO.

El PRESIDENTE. Al Calendario de la Cámara.

PROYECTO DE LEY EN PRIMERA LECTURA

De los Senadores Tirona y De los Reyes (S. No. 346, 7.ª L. F.), titulado:

Ley que reglamenta las horas de trabajo de los obreros y empleados.

El PRESIDENTE. Al Comité de Industria, Trabajo e Inmigración.

SUSPENSIÓN DE LA SESIÓN

El Sr. OSMEÑA. Señor Presidente.
El PRESIDENTE. Señor Senador por el Décimo Distrito.

El Sr. OSMEÑA. Pido que se suspenda la sesión por algunos minutos.

El PRESIDENTE. ¿Tiene el Senado alguna objeción a la moción? (*Silencio*.) La Mesa no oye ninguna. Queda aprobada.

Se suspende la sesión hasta nuevo llamamiento de la Mesa.

REANUDACIÓN DE LA SESIÓN

Se reanuda la sesión, ocupando el estrado el Senador Rodríguez, por designación del Presidente.

El PRESIDENTE. Se reanuda la sesión.
El Sr. QUIRINO. Señor Presidente.
El PRESIDENTE. Señor Senador por el Primer Distrito.

El Sr. QUIRINO. Propongo que se constituya el Senado en Comité de Toda la Cámara para la consideración de las enmiendas propuestas por los senadores Vera, Alegre, Villanueva y Osías al Proyecto de Ley No. 263 de este Cuerpo sobre elecciones.

SUSPENSIÓN DE LA SESIÓN

El PRESIDENTE. Se suspende la sesión del Senado, para que el mismo se constituya en Comité de Toda la Cámara y proceda a la reconsideración del Proyecto de Ley No. 263 de este Cuerpo, que está señalada para hoy.

SESIÓN DEL COMITÉ DE TODA LA CÁMARA

El PRESIDENTE. Se abre la sesión del Comité de Toda la Cámara.

Está en orden la reconsideración del referido proyecto.

RECONSIDERACIÓN DEL PROYECTO DE LEY NO. 263 DEL SENADO

El PRESIDENTE. Léanse las enmiendas.

El CLERK DE ACTAS:

SEC. 404. *Certificate of candidacy and certificate of nomination.*—No person shall be eligible for the office of Senator, Representative, or for any elective provincial or municipal office unless, within the time fixed by law, he shall file a duly sworn certificate of candidacy "and a certificate of nomination."

Said certificate "of candidacy shall" declare that the person whose signature it bears announces, or permits to be announced, his candidacy for the position in question; that he is a resident of the electoral district or of the province or municipality, as the case may be, in which his candidacy is offered; that he is a duly qualified elector therein, and that he is eligible to the office. The certificate shall also state the name of the political party to which the candidate belongs "and by which he was nominated," or that he belongs to none, if such be the case, and the post-office address of such candidate for all electoral purposes. Each candidate for an Insular or provincial office or for municipal president shall sign a sworn statement in which he

shall state that his expense budget for the electoral campaign will not exceed one third of the salary "total emoluments" attached to the office for the term of the same. This statement shall be filed together with the certificate of candidacy: *Provided*, (That a group of not less than ten electors may likewise file the certificate of candidacy for any municipal office, of any person consenting to or permitting his candidacy to be announced: *Provided further*,) That in case there are two or more candidates for the same elective office who have the same name and surname, any one of them who has at any time been elected to any elective Insular, provincial or municipal office may continue using the name and surname set forth in his previous certificate of candidacy, while the others shall be obliged to state in their certificates of candidacy, in addition to their name and surname, their second name or maternal family name; and in case these candidates present themselves for the first time for the same elective office, they shall all be obliged to state in the certificate of candidacy, in addition to their name and surname, the second name or maternal family name.

"No candidate shall be entitled to election unless he has been nominated by the political party or political group specified in his certificate of candidacy or by the number of registered electors hereinafter specified.

"All nominations made by political parties or political groups shall be known and designated as 'party nominations' and the certificates by which such nominations are certified shall be known and designated as 'party certificates of nominations.' Such nominations can be made only by a delegate or mass convention of qualified electors belonging to the party or group in the district, or province, or municipality, as the case may be: *Provided*, That a candidate for the office of Senator for a district comprising three or more provinces may be nominated by his party in only two of said provinces. No party certificate of nomination shall be valid unless signed and sworn to by the presiding officer and secretary of the convention making such nomination. The certificate of nomination shall contain the name of the nominating party, the name of each person nominated, his residence, his business or occupation and the office for which he is nominated.

"Two or more district political groups in a municipality, province or Senatorial District may nominate, if they so choose, one and the same person for a given office.

"Controversies in regard to party nominations for the office of Senator shall be decided by the National Committee of the party concerned, should there be such a committee, otherwise by the different provincial committees that the party or group may have within the Senatorial District. Controversies in regard to nominations for the office of Representative and for provincial and municipal offices shall be decided by the corresponding provincial committee.

"All nominations other than party nominations shall be known and designated as 'independent nominations,' and the nomination papers whereby such nominations are made shall be known and designated as 'independent certificates of nominations.' Every independent certificate of nomination shall state the name of the person nominated, his residence, his business or occupation, and the office for which he is nominated, and must be signed by twenty per centum of the total number of electors registered in a municipality in the preceding general or special election if the candidacy is for a municipal office in that municipality; twenty per centum of the total number of electors registered in any three municipalities of a subprovince in the preceding general or special election if the candidacy is for the office of lieutenant governor for that subprovince; twenty per centum of the total number of electors registered in any six municipalities of a province if the candidacy is for a provincial office in that province; ten per centum of the total number of electors registered in a whole district in the preceding general or special election if the candidacy is for the office of representative for that district; and twenty per centum of the total number of electors registered in the preceding general or special election in any province comprised in a Senatorial District if the candidacy is for the office of Senator for the district. Each voter signing an independent certificate of nomination shall add to his signature his place of residence, his address and the precinct and municipalities where he registered at the preceding election, and one of the signers to each certificate shall make and sub-

scribe an oath that all the signatures thereto are genuine, and also that, to the best of his knowledge and belief, the statement therein contained are true, and a certificate of such oath shall be annexed to each of the sheets or pieces of paper composing the certificate of nomination. No such certificate of nomination shall contain the names of more than one candidate for any office, and if it does, it shall be void. No one person shall join nomination more than one person for the same office, and if he does, his name shall not be counted on any certificate."

SEC. 405. *When and with whom certificates of candidacy and certificates of nomination to be filed.*—The certificates of candidacy "and certificates of nomination" for the office of Senator and Representative shall be filed not less than twenty days before the day set for the election with the Chief of the Executive Bureau, who shall immediately send certified copies thereof to the Secretaries of the Houses of the Legislature and to the provincial boards where the elections are to be held, which latter shall forward certified copies to all polling places: *Provided*, That without prejudice to the foregoing provisions, the Executive Bureau shall communicate the names of the candidates who have sent their certificates of candidacy "and certificates of nominations" to it, to the provincial boards by telegraph, if there be any, for certificates of candidacy and certificates of nominations" for the offices shall be filed not less than twenty days before the day of the election with the secretary of the provincial board of the province concerned, who shall immediately send certified copies to all the polling places of the province and to the Executive Bureau.

Certificates of candidacy "and certificates of nominations" for municipal offices shall be filed not less than ten days before the day of the election with the municipal secretary, who shall send certified copies thereof to the polling places of the municipality concerned and to the Executive Bureau.

It shall be the duty of the Chief of the Executive Bureau, the secretary of the provincial board, and the municipal secretary, upon receiving any certificate of candidacy "and certificate of nomination" to acknowledge receipt thereof: *Provided*, That in case of the death or disqualification of a candidate for any Insular, provincial, or municipal office whose certificate of candidacy "and certificate of nomination" have been duly filed, after expiration of the time limits above established, any legally qualified elector may file either with the secretary of the provincial board or with the municipal secretary, without distinction, not later than the noon hour on the day of the election, his own certificate of candidacy "and certificate of nomination" for the office for which the dead or disqualified person was a candidate: *Provided, however*, That in the event of the death or disqualification occurring on the day before the election or before the noon hour on the day of the election, said certificates shall be filed with any board of inspectors of the municipality where he resides.

SEC. 417. *Appointment of inspectors and poll clerk.*—It shall be the duty of the municipal council in each municipality wherein a general election is to be held to appoint, ninety days immediately prior to the date of such general election, three inspectors of election and one poll clerk, with their respective substitutes for each election precinct therein, who shall hold office for three years or until their successors shall have taken charge of the same. The date of the meeting of the municipal council for the appointment of inspectors shall be published at least fifteen days in advance of such meeting, by the towncrier and other means of publication. Should there be in such municipality one or more political parties or branches or fractions thereof, or political groups, then two of said inspectors and two substitutes for the same shall belong to the party which polled the largest number of votes in said municipality at the next preceding election and the other inspectors and his substitute shall belong to the other political party which polled the next largest number of votes in said election should there be any such party; and if there is no such party to the party which may be organized in the province after said election, and should there be two or more such new parties, to the one first organized: *Provided*, That if no such other political parties have been organized in the province, the third inspector and his substitute shall belong to the political group which polled the next largest number of votes at said election; and the inspectors so appointed shall be persons proposed by the legitimates representatives of such political parties, branches,

or fractions thereof, or political group: *Provided, however*, That if on or before the date of the designation of the election inspectors as prescribed herein, any party, branch or fraction thereof or political group entitled to representation has not proposed eligibles for the office of inspector, the designation made by the council shall be final for such party or political group: "*Provided, further*, That if any designation of election inspectors by the council is objected to and resort is made to mandamus proceedings, the decision on the case by the court first taking cognizance thereof shall be final and conclusive.

"In determining the number of votes polled by a political party or political group, the votes received by all its candidates for insular, provincial and municipal offices shall be taken into consideration, excluding, however, the votes cast for an office for which there was no party competition."

A "political party" is an organized group of persons who pursue the same political ideals in a government.

A "political group" is a number of persons who unite for election purposes.

No political party or political group can nominate candidate for a public office unless:

That party or group has taken part in the preceding general or special election, or
That it had filed with the Executive Bureau of least one hundred and sixty days prior to the ensuing election, papers showing its organization as a party or political group.

The certificate showing the organization of a party or political group shall contain: the name of the party, its purpose or purposes and a statement as to whether the organization is municipal or provincial. If it is a municipal organization, there shall be stated the provincial party to which it belongs, if it belongs to a provincial organization; and if it is a provincial organization, there shall be stated what national party it is a part of, if it is a party of a national party.

The incorporation papers of a municipal party or group shall contain the signatures of the members of the board of directors and of at least two hundred registered voters in the municipality; and the incorporation papers of a provincial party or group shall contain the signatures of all the members of the board of directors and of at least fifty registered voters from each of the municipalities constituting one-third of the total number of municipalities in the whole province.

In case of a vacancy in the office of election inspector or poll clerk, the same shall be covered for the remainder of the term by the municipal council, as above provided.

With the exception of the notaries public, no person who holds any public office, or is a candidate for any elective public office, shall be eligible to appointment as inspector or poll clerk.

SEC. 471. *Who may be certified.*—The provincial board of canvassers, or the Governor-General, as the case may be, shall certify as elected to the office of Senator or member of the House of Representatives and to any provincial office only persons who have obtained a plurality of votes and who have filed their certificate of candidacy "AND CERTIFICATE OF NOMINATION" in accordance with the provisions of section four hundred and four hereof.

El Sr. VERA. Señor Presidente.

El PRESIDENTE. Señor Senador por el Sexto Distrito.

DISCURSO DEL SR. VERA

El Sr. VERA. Compenetrados de la labor encomendada a la Legislatura de reajustar las piezas dislocadas de nuestro Gobierno y proponer medidas concretas a cualquier mal social o algunos defectos en las leyes existentes o de proponer remedios que respondan a una necesidad actual dentro de las normas de la razón, y en general de proponer, aprobar y adoptar cualesquiera medidas que tiendan al progreso y bienestar del pueblo, los autores de las citadas enmiendas, sin pretender sentar plaza de innovadores ni de didácticos, las someten al Senado, convencidos de que con la adopción de las mismas, habremos curado algunos alifafes electorales que

se ven y se notan en nuestras leyes sobre este particular, y habremos escrito también un capítulo más en la historia de nuestras instituciones políticas.

No quiero discurrir largo y tendido sobre esta cuestión, por lo mismo que mi debilidad no me lo permite, así que entrando en materia, solamente diré que si bien es verdad que las enmiendas afectan a algunos artículos de la parte del Código Administrativo que se refiere a las elecciones, esas enmiendas pueden sintetizarse en una sola o sea en el enunciamiento de un solo principio alrededor del cual giran las otras enmiendas, que son de carácter secundario. El principio que se enuncia y que se establece con las enmiendas propuestas es el siguiente: que no se contará ningún voto a favor de ningún candidato a menos que dicho candidato para cualquier cargo, bien municipal, provincial o insular haya sido previamente nominado por un partido o por un grupo político. Las otras enmiendas, como ya he dicho, son de carácter secundario y tienden solamente a dar uniformidad, digámoslo así, a aquel principio a que acabo de referirme para que también revistan carácter uniforme las disposiciones de la Ley Electoral afectadas por dicha enmienda principal. De ahí que en el artículo 404 donde consta esta enmienda principal, haya algunas otras disposiciones que se refieren a cómo deben presentarse los certificados de candidatura y nominaciones y ante quién deben presentarse, y establece asimismo algunas reglas respecto a cómo deben llevarse a cabo las nominaciones. También, a modo de disposiciones secundarias, están las que se refieren a la organización de nuevos grupos políticos o de partidos políticos para evitar la multiplicidad de los mismos, y así otras disposiciones de menor importancia que, como ya he dicho, tienden todas a reafirmar y hacer más fuerte dicho principio de obligar a todo candidato a que sea nominado por un partido o grupo político.

Señor Presidente: todas las medidas legislativas tienen su razón de ser. Las que carezcan de ella no pueden ser atendidas. Las enmiendas que los autores se han atrevido a proponer ante esta Cámara tienen su razón de ser en algunos defectos que hemos notado en la Ley Electoral; defectos que si no son muy importantes, lo son para coartar, digámoslo así, el desarrollo de nuestras instituciones políticas en lo que respecta a la selección de nuestros candidatos y en la intervención a que tienen derecho los electores. Esos defectos de la Ley Electoral que los autores de las enmiendas han notado, son, poco más o menos, éstas que seguidamente pasaré a enumerar.

Primer defecto. Que no hay nada en la Ley Electoral ni en ninguna otra ley que se refiera indirectamente a nuestras elecciones, que estimule la formación de partidos o grupos políticos, dando esto por resultado en muchas ocasiones la ausencia de la responsabilidad colectiva, la responsabilidad, digámoslo así, de un grupo para ante el cuerpo electoral, deficiencia ésta que se nota con claridad meridiana en muchas localidades y en muchas elecciones. Sabemos que aquí en Filipinas, por ausencia de una legislación sobre este particular, cualquiera persona bajo su individual responsabilidad se lanza a la palestra en nuestras elecciones y proclama principios puramente personales. Como