

The LOCAL GOVERNMENT REVIEW

Approved by the Secretary of Finance, the Director of Public Schools, the Director of Private Schools, the Director of Public Libraries and the Department of the Interior.

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GOVERNORS, MAYORS, TREASURERS, AUDITORS, FISCALS, DIVISION SUPERINTENDENTS OF SCHOOLS, DISTRICT ENGINEERS, DISTRICT HEALTH OFFICERS, AND AGRICULTURAL SUPERVISORS—Contributing Staff

DESIRABLE GOVERNMENT

“I AM for a government rigorously frugal and simple, applying all the possible savings of the public revenue to the discharge of the national debt; and not for a multiplication of officers and salaries merely to make partisans, and for increasing, by every device, the public debt, on the principle of its being a public blessing. I am for relying, for internal defense, on our militia solely, till actual invasion, and for such a naval force only as may protect our coasts and harbors from such depredations as we have experienced; and not for a standing army in time of peace, which may overawe the public sentiment; nor for a navy, which, by its own expenses and eternal wars in which it will implicate us, will grind us with public burdens, and sink us under them. I am for free commerce with all nations; political connections with none; and little or no diplomatic establishment. And I am not for linking ourselves by new treaties with the quarrels of Europe, entering that field of slaughter to preserve their balance. . . . The first object of my heart is my own country.”—

—Thomas Jefferson

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*A Bill of Rights, For Children **

*For each child regardless of race,
color or creed—*

1. The right to the affection and intelligent guidance of understanding parents.
2. The right to be raised in a decent home and to be adequately fed, clothed and sheltered.
3. The right to the benefits of religious guidance and training.
4. The right to a school program which offers sound academic training, plus maximum opportunity for individual development and preparation for living.
5. The right to receive constructive discipline for the proper development of good character, conduct and habits.
6. The right to be secure in his or her community against all influences detrimental to proper and wholesome development.
7. The right to the individual selection of free and wholesome recreation.
8. The right to live in a community whose adults recognize that the welfare of their children is of primary importance.
9. The right to receive good adult example.
10. The right to a job commensurate with his or her ability, training and experience, and protection against physical or moral employment hazards which adversely affect wholesome development.
11. The right to early diagnosis and treatment of physical handicaps and mental and social maladjustments, at public expense whenever necessary.

**From a poster of the New York State
Youth Commission*

PROVINCIAL CIRCULARS

DEPARTMENT OF THE INTERIOR

SUBJECT: Rizal Day, Proper
Observance of —

For your information and guidance, there are quoted hereunder the provisions of Republic Act No. 229 entitled, "AN ACT TO PROHIBIT COCK-FIGHTING, HORSE RACING AND JAI-ALAI ON THE THIRTIETH DAY OF DECEMBER OF EACH YEAR AND TO CREATE A COMMITTEE TO TAKE CHARGE OF THE PROPER CELEBRATION OF RIZAL DAY IN EVERY MUNICIPALITY AND CHARTERED CITY, AND FOR OTHER PURPOSES":

"SECTION 1. The existing laws and regulations to the contrary notwithstanding, cockfighting, horse racing and jai-alai are hereby prohibited on the thirtieth day of December of each year, the date of the martyrdom of our great hero, Jose Rizal.

"SEC. 2. It shall be the official duty of the mayor of each municipality and chartered city to create a committee to take charge of the proper observance of Rizal Day Celebration of each year, in which he shall be the chairman, which shall be empowered to seek the assistance and cooperation of any department, bureau, office, agency or instrumentality of the Government, and the local civic and educational institutions. Among the ceremonies on Rizal Day shall be the raising of the Philippine flag at half mast in all vessels and public buildings.

"SEC. 3. Any person who shall violate the provisions of this Act or permit or allow the violation thereof, shall be punished by a fine of not exceeding two hundred pesos or by imprisonment not exceeding six months, or both, at the discretion of the court. In case he is the mayor of a municipality or a chartered city he shall suffer an additional punishment of suspension from his office for a period of one month. In case of partnerships, corporations or associations, the criminal liability shall devolve upon the president, director,

or any other official responsible for the violation thereof.

"SEC. 4. This Act shall take effect upon its approval.

Approved, June 9, 1948."

Particular attention is invited to section 2 of the afore-quoted Act which charges the mayor of the municipality or chartered city with the duty of creating a committee to take charge of the proper observance of Rizal Day; and to section 3 of the same Act imposing a penalty upon any person found violating the provisions thereof.

In order that the forthcoming Rizal Day may be properly observed in your respective jurisdiction, please transmit the contents of this circular to all officials concerned under your jurisdiction, for their information and guidance, and give the matter the widest possible publicity.

(Sgd.) SOTERO BALUYUT

Secretary of the Interior

To all —

Provincial Governors and
City Mayors

*(Provincial Circular (Unnumbered) of
the Secretary of the Interior,
dated July 12, 1949*

Government administration is essentially an engineering concept. There must be a plan, a blueprint to be followed as is done by an engineer before proceeding with the construction of a project. For wise planning and intelligent selection of the purposes of a program would mean economy in government and consequently efficiency in administration. By planning we mean formulating a program to provide for future needs of your province, your city, your municipality, and your district or barrio — needs to satisfy "the greatest good of the greatest number" of the inhabitants thereof. A good plan or program should be one that insures peace and order, contentment, adequate attention to public relations, economy of finance, flexibility of organization and procedure, unity of management,

and businesslike administration.

Bearing in mind the foregoing indications, this Office desires to know your program of administration, if one has already been made, or, if no such program has as yet been formulated, to urge you to frame a program of your policies, copy of which existing or newly adopted plan you will please furnish this Department, so that we may be able to extend such assistance and advice as the circumstances might call for. For convenient guide, the following matters and questionnaires may be considered:

PUBLIC ORDER

1. Are there dissident elements in your jurisdiction? More or less what is their number? Are they armed?
2. Causes of dissatisfaction. What is your plan to avoid those causes?
3. Remedial measures adopted or planned. Do you keep tab of those dissident elements? How?
4. Are there illegal possessors of firearms? More or less what is their number? What are your plans about them?

PUBLIC FINANCE

1. Sources of income—What are they? Any plan to tap new sources? Please enumerate, if any.
2. Collection—Have you collected all your estimated revenues last fiscal year? If not, why? Do you propose to intensify the collection this year? How?
3. Expenditures—Have you effected savings in last fiscal year's budget? If not, why? Have you incurred any overdraft and/or deficit in any of your funds? Why? If so, what are your plans to avoid the incurrence thereof for the fiscal year in progress?
4. Economy—Do you propose to limit your overhead expenses so as to provide more funds for public improvements?
5. Assessment—What is the rate of real estate tax in your prov-

ince or city? If not the maximum rate fixed by law, do you propose to raise it?

PUBLIC WORKS

1. Condition of roads and bridges. What class of roads do you have? Are the bridges of permanent construction? Are both roads and bridges passable or properly maintained? Are all sitios and barrios accessible to the town? Do you plan to open new roads and bridges?
2. Have you constructed revenue producing improvements such as markets, tiendas, stalls, slaughterhouses, waterworks, electric lights and hydroelectric systems? If not, is it your plan to construct one or more of them? The Rehabilitation Finance Corporation grants loans for revenue-producing projects of the kind just enumerated.
3. Administration and school buildings—Are they in good condition? If not, what are your plans to improve or to put up one instead?
4. Irrigation system—Do you have such a project in your province or municipality? If not, do you plan to take up the matter with the proper authorities if really needed?
5. Artesian wells—Is every barrio or sitio provided with at least one artesian well? If not, what step do you propose to take in that regard?
6. Sewage storm drainage system in certain localities. If you don't have it, and the same is needed there, how would you undertake the project?

PUBLIC HEALTH AND SANITATION

1. Is your province or town sanitary? If not, what step do you propose to recommend?
2. Is your province or city or town free from epidemic of any human disease? If not what measures are being undertaken or

(Continued on page 522)

BIOGRAPHICAL SKETCH

Dr. SIXTO ANTONIO, noted Physician, orator of peerless appeal to the masses, farmer, true friend of humble "taos" of the street, and simple barrio folks, among whom he is considered a healer of physical and spiritual ailments, was born in Bambang Pasig, Rizal, on April 6, 1891. He was the youngest son of the spouses Leocadio Antonio and Rafaela Jose, now deceased.

He received his early education in the Ateneo de Manila, where he obtained the degree of Bachelor of Arts. Then he transferred to the University of Santo Tomas where he was conferred the degree of Doctor of Medicine and Surgery with high honors.

His political career began in 1922, when he was elected municipal councilor of his home town; the next election he was elected vice-president. He was thereafter chosen Municipal President by the electorate, and twice reelected for said office in two consecutive elections. In 1937, he was elected Member of the Provincial Board of Rizal. After his term of office, he retired temporarily from politics, and accepted the appointment as Provincial Supervisor of Puericulture Centers in the province of Rizal. He was holding such position when the Pacific War broke out in 1941.

He was interned by the Japanese military authorities in Fort Santiago from July 3rd to September 30th, 1942. Upon his release, he devoted most of his time to the underground activities.

Admirer as he was, since his childhood, of Don Q's noble gallantry, he could not resist the call of dame Politics during the presidential campaign in 1946, and displaying the banner of the newly organized party, he went against the traditional windmill of invincibility of the party then in power. He won in the joust, and was declared VINCITOR by the cheering crowd. In recognition of his undisputable leadership in his province, he was appointed Governor of Rizal by His Excellency, President Manuel A. Roxas. In such position he is showing at present, with honor and distinction, his executive ability, bringing at the same time the government closer to the people.

His leadership was ratified by his people in the last elections for local offices, by giving him an overwhelming majority over his opponent Nacionalista candidate.

He is now at the summit of honor and prestige, but... he lost forever the love and care of the most faithful woman he ever had in his life. His beloved wife, Mrs. Genoveva de Antonio, passed away on June 19, 1947 leaving him as everlasting token of their mutual love, two sons, Benjamin, now a practicing physician, and Felix, a law school graduate.

Hail the Leader.

Provincial Affairs Subject To Approval Or Authorization By National Authorities

[CONTINUED FROM SEPT. NUMBER]

31. Appropriation from the road and public-works fund for subsidizing or acquiring, operating, and maintaining means of water transportation within the province or between the province and neighboring provinces or islands or dredge rivers and provide facilities for communication and transportation by river is subject to approval by Dept. Head. (Sec. 2115, Adm. Code)
32. Loan of municipal funds for erection of school buildings and purchase of land for school purposes is subject to approval of the Director of Public Schools upon recommendation of the division superintendent of schools. (Sec. 2117, Adm. Code, as amended by C. A. 463.)
33. In case of an emergency caused by typhoon, earthquake or any other public calamity which may seriously affect the collection of revenues during any year, the Secretary of Finance may authorize the provincial treasurer to continue making disbursements from any fund in his possession in excess of the limitation herein provided, but only for such purposes and amounts included in the provincial budget as the said Secretary shall determine, after consultation with the provincial board. (Sec. 2122, Adm. Code.)
34. The provincial board may, subject to the approval of the Director of Public Schools, require moderate tuition fees in provincial schools. (Sec. 2124, Adm. Code)
35. Provincial board may fix toll rates for use of roads upon authorization by the President of the Philippines and the recommendation of the Secretary of Public Works and Communications, and in the case of bridges or ferries upon authorization and approval of Sec. of Public Works and Communications. (Sec. 2131, Adm. Code)
36. Provincial board may, subject to the approval of the Secretary of Public Works and Communications and upon such terms and conditions as he may prescribe, make a loan from the toll collections on roads, bridges and ferries of not to exceed ninety per centum of the excess collections, without interest and for public works only. (Sec. 2132, Adm. Code)
37. A permanent sub-office of the provincial treasury may by resolution of the provincial board, approved by the Secretary of Finance, be established at the capital of a subprovince to serve as a treasury for such province. (Sec. 2141, Adm. Code)
38. Allowance for disability in line of duty is subject to approval by Department Head. (Sec. 699, Adm. Code)
39. Retirement as a result of a bona fide reorganization under Act 4183 as amended is subject to approval by Sec. of the Interior.
40. Confinement of municipal prisoners in provincial jails is subject to approval of Sec. of the Int. (Sec. 1743, Adm. Code)
41. Confinement of provincial prisoners in municipal jails is subject to approval of Sec. of the Int. (Sec. 1742, id.)
42. Transfer of fund to another fund is subject to approval of Sec. of Finance. (C. A. 229)
43. Schedule of values in assessment is subject to approval of Secretary of Finance. (Sec. 8, C. A. 470.)
44. General revision of values of property subject to tax needs the approval of Sec. of Finance. (Sec. 9, C. A. 470)
45. Extension of term for payment of tax without penalty proposed by Provincial Board is subject to the approval of the President. (Sec. 26, C. A. 470)
46. Remission of tax by provincial board needs the approval of the Sec. of Finance. (C. A. 470, Sec. 53)
47. Remission or reduction of tax to

- be authorized by the President. (Sec. 53, C. A. 470)
48. Any provincial appropriation in specially organized provinces is subject to the approval of Sec. of Finance. (Sec. 2585(j), Adm. Code in re Ex. Ord. 167, s. 1938)
 49. Rules for general welfare in the specially organized provinces are subject to suspension, annulment or modification by the Secretary of the Interior. (Sec. 2585(q), Adm. Code)
 50. Amendment to the Administrative Code of Mindanao and Sulu needs the approval of the Secretary of the Interior. (Sec. 2579, Adm. Code)
 51. Purchase of any real estate by officer or employee in Mindanao and Sulu needs the permission of the Secretary of the Interior. (Sec. 2581, Adm. Code)
 52. Secretary of the Interior may offer or grant authority to the provincial governor in specially organized provinces to offer a reward not exceeding one thousand pesos for capture of criminals. (Sec. 2585(m), Adm. Code)
 53. The Secretary of the Interior may investigate any action or conduct of any person or persons in the service of the provinces, municipalities, or other political subdivisions in Mindanao & Sulu. (Sec. 2585(n), Adm. Code)
 54. Exercise of power of eminent domain by any political subdivision in the former Department of Mindanao and Sulu to be determined by Sec. of the Int. (Sec. 2585(o), Adm. Code)
 55. Every provincial government of the specially organized provinces may, with the approval of the secretary of the Interior, purchase and convey real property, to purchase and convey personal property, to make contracts for labor and material needed in the construction of duly authorized public works, and to incur such other obligations as are expressly authorized by law. (Sec. 2595, Adm. Code)
 56. There shall be as many employees as may be provided for in the appropriations of the provincial boards in the special provinces, subject to the approval of the Secretary of the Interior. (Sec. 2597 (a), Adm. Code)
 57. In case of the absence, illness, suspension or other temporary incapacity of the provincial governor of a special province, or if for any other reason he is unable to perform his official duties, the President may designate any other officer or employee to perform the duties of the office or may provisionally appoint thereto any suitable person not in the service. In the meantime the duties of the provincial governor shall be discharged by a member of the provincial board previously authorized by the provincial governor. (Sec. 2605, Adm. Code)
 58. Boundary roads, bridges, and ferries shall be constructed, repaired, or maintained under the joint control of the provincial governments concerned in the special provinces and any controversy between them shall be decided by the Secretary of the Interior whose decision shall be final. (Sec. 2607(g), Adm. Code)
 59. Bringing of defense of suits on behalf of provincial government of special province or the compromising of the same is subject to the approval of the Secretary of the Interior. (Sec. 2607(h), Adm. Code)
 60. Tax on carts and sledges is subject to the approval of the Secretary of the Interior. (Sec. 2607(j), Adm. Code.)
 61. Allowance for students under certain conditions is subject to approval by Sec. of the Int. (Sec. 2607(q) and (x), Adm. Code.)
 62. Loans to municipalities need the approval of the Sec. of Finance. (Sec. 2607(r) & (x), Adm. Code)
 63. Compensation of employees in-

"IT'S YOUR SON"

LETTER from a British aviator to a German mother:

"It's your son. I know you can't forgive me, for I killed him. But I want you to know he didn't suffer; the end came quickly. He had your picture in his pocket . . . I didn't think of him or of you when I shot at his machine; he was just an enemy spying out on our men. I couldn't let him get back to tell the news; it would have meant death to our men. I know you must have loved him . . . War isn't fair to women. God, how I wish it were over. I feel, if I touch your boy, he would wake up and we should be friends . . . I will take care of him and mark his grave. After the war you may want to take him home again. My own heart is heavy. I felt it was my duty."

THE German mother's reply:

"There is nothing to forgive. I see you as you are in your troubled goodness. I feel you coming to me like a little boy astonished at having done ill when you meant so well. He was my youngest. To women war is a reality, for all men are our sons. Yet, perhaps, women more than men are to blame for this world war. We did not think of the world's children as our children. The baby hands that clutched at our breasts were so sweet, we forgot the hundred other baby hands that stretched out to us. And now my heart aches with repentance. When this war is over come to me. I am waiting for you."—From "Listener," B.B.C.

—oOo—

Error Acknowledged

In the speech of Atty. Ladislao Falma, in our August issue, the third statement of the last paragraph on page 413 should read: As a matter of principle, government officials and employees should not be guilty of malfeasance, misfeasance, and nonfeasance of duties. There is malfeasance when an act contrary to or prohibited by law is done.

- jured in line of duty is subject to authorization by the Sec. of the Int. (Sec. 2607(s) & (x), Adm. Code.)
64. Salaries in municipal capitals at higher than the authorized scale are subject to the approval of the Sec. of the Int. (Sec. 2307) (t) & (x), Adm. Code)
 65. Surveys or examinations to determine advisability of making improvements in the special provinces costing more than five hundred pesos shall not be commenced without the previous approval of the Sec. of the Int. (Sec. 2607(z), Adm. Code)
 66. Collection of tolls on provincial ferries is subject to the approval of Sec. of the Int. (Sec. 2608, Adm. Code)
 67. Condemnation proceedings to be authorized by the Sec. of the Int. (Sec. 2609, Adm. Code)
 68. More than four convocations of mayors is subject to approval of Sec. of the Int. (Sec. 2610, Adm. Code)
 69. Provincial officers in the special provinces may be suspended and removed for cause by the Secretary of the Interior, subject to review, in case of removal, by the President upon appeal. (Sec. 2613(a), Adm. Code)
 70. Municipal officers may be suspended by the provincial governor and removed by the majority vote of the provincial board, subject to appeal to the Sec. of the Interior. (Sec. 2613(b), Adm. Code)
 71. In no case shall payment of salary during the period of suspension be made to a suspended officer or employee who has been reinstated, unless such payment is expressly ordered to be made by the Secretary of the Interior. (Sec. 2613(e), Adm. Code)
 72. The Secretary of the Interior is vested with special powers to investigate on his own motion and for cause to suspend any officer or employee of any political subdivision in the then Department of Mindanao and Sulu, and move such officer or employee. (Sec. 2613(f), Adm. Code)

RULINGS OF THE GENERAL AUDITING OFFICE

REFUND OF TUITION FEE AND RENTAL OF TEXTBOOKS OF STUDENTS CALLED TO MILITARY TRAINING. — As regards the first query herein presented by the Director of Education, this Office is of the opinion that a 20-year old student who enrolls in a public high school in June, pays the first installment of his tuition and is called to military training in July, should be required to pay the full year's tuition fee only when he returns to school upon completion of his military training or takes the special examinations provided in Commonwealth Act No. 131. Should he fail to avail of any of these privileges, the tuition fee which he has already paid may be refunded to him.

Under the same circumstances and answering the second query, this Office believes that the student may be allowed to use again during the same school year only, the rented textbooks which he voluntarily returned when called to military training, if, upon termination thereof, he returns to his classes or takes the special examination provided in Commonwealth Act No. 131. If he fails in the examination, he cannot use again the same books during the following school year without paying another rental. However, if the student decides not to avail of the privileges of Commonwealth Act No. 131 after military training and returns his books in July, he may be refunded the rental thereof. —*Ind., dated July 27, 1939, of Aud. Gen. to the Sec. of Public Instruction, Manila.*

WHEN DE JURE OFFICER MAY NOT BE PAID SALARY.—According to the attached letter of the Provincial Auditor, dated April 18, 1947, Mr. Juan Doctor, the elected vice-mayor of Lagonoy, Camarines Sur, at the outbreak of the war assumed office as vice-mayor immediately after liberation and upon the reconstitution of the government of said municipality under

the Commonwealth Government, and that he also acted as municipal mayor of Lagonoy during the period from September 19 to October 15, 1945, while the regular incumbent, Nicolas Rivero, was under suspension. In view hereof, and as it appears from the next preceding indorsement that Doctor was paid salary as municipal Mayor from September 19 to October 15, 1945, Mr. Quintin C. Aremea who claims to have also rendered services as acting mayor during the same period, cannot be paid salary for his alleged services even granting that he was the *de jure* incumbent in accordance with the following authority:

“But it is held that if payment of the salary or other compensation be made by the government, in good faith, to the officer *de facto*, while he is still in possession of the office, the government cannot be compelled to pay it a second time to the officer *de jure* when he has recovered the office, at least where the officer *de facto* held by color of title.” (Mechem, *The Law of Offices and Officers*, p. 222.)
—*7th Ind., May 20, 1947 of Dep. Aud. Gen. to Sec. of the Interior.*

BOYS TOWN, AID FOR OUT OF SWEEPSTAKE ALLOTMENT. — As it appears herein that the “Boys Town” of the City of Iloilo is engaged in social welfare work in that City, this Office has no objection to the grant of P5, 000 to this organization out of the share of the sweepstakes funds allotted to the City of Iloilo as proposed in the within Resolution No. 515 dated April 22, 1947, under Section 4 of Commonwealth Act No. 301.—*2nd Ind., July 14, 1947, of Aud. Gen. to Sec. of Int.*

MUNICIPAL COUNCILORS NOT ENTITLED TO TRAVELING EXPENSES IN GOING TO AND RETURNING FROM SESSIONS OF MUNICIPAL COUNCIL.—The perti-

nent portion of section 2187 of the Revised Administrative Code provides:

"When absent from their permanent stations on official business *other than attendance at the session of the council*, vice-mayors and councilors shall be allowed their actual expenses of travel with the approval of the provincial governor." (Under-scoring supplied.)

In view of the aforementioned provision of law, and unless the same is amended, this Office cannot allow in audit the payment from government funds of the traveling expenses of municipal councilors in going to and returning from the sessions of the municipal council. However, in order to compensate municipal councilors, specially those residing in distant barrios, for their traveling expenses in attending sessions of the council, it is suggested that the Municipal Council concerned should avail of the provisions of the first paragraph of section 2187, supra, granting municipal councilors under certain conditions a per diem in an amount not exceeding ₱2.00 each, for every regular session of the council actually attended by them.—3rd., *Ind.*, Jan. 9, 1940, of *Aud. Gen. to Provincial Auditor of Rizal*.

CLEANING OF BACKYARDS AND PRIVATELY-OWNED LOTS.—This Office will offer no objection to the approval of the appropriation of ₱5,000 proposed in the attached supplemental budget No. 31, general fund, of the City of Baguio, for the payment of wages of laborers engaged in the cleaning of backyards and privately-owned lots in said City, subject to the provisions of section 2553(r) of the Revised Administrative Code, authorizing the city council "to require any land or building which is in an insanitary condition to be cleaned at the expense of the owner or tenant, and, upon failure to comply with such an order, have the work done, and assess the expense upon the land or building."—9th *Ind.*, June 30, 1947 of *Aud. Gen. to Sec of Int.*

WAGES DURING OFFICIAL HOLIDAYS.—This Office is not aware of any law which authorizes payment of wages during official holidays to employees who are paid by the day, except in the cases where they are required and have actually rendered service during such holidays. Payment of wages on the daily basis requires or presupposes actual services. — 3rd *Ind.*, April 16, 1946, of *Aud. Gen. to Sec. of Finance: G.A.O.F. No. 3. 113 Frinting.*

RICE PLANTING FESTIVAL, APPROPRIATION IN CONNECTION WITH.—This Office will offer no objection to the approval of the within Resolution No. 143, current series, of the Municipal Council of Caloocan, Rizal appropriating the sum of ₱200 to defray the expenses incurred in connection with the celebration of "Rice Planting Festival" in said municipality on August 7, 1939, provided that the cost of drinks, cigars and cigarettes and other items not necessary in the celebration thereof shall not be charged against the said appropriation.—5th *Ind.*, Dec. 23, 1939 of *Aud. Gen. to Sec. of Finance; G. A. O. F. 14 Rizal.*

MUNICIPAL COUNCILORS, TRAVELING EXPENSES OF OUTSIDE THEIR MUNICIPALITIES. — When traveling on official business outside of their municipalities, municipal councilors are entitled to reimbursement of their actual and necessary expenses of travel with the approval of the provincial governor, subject to the provisions of Executive Order No. 369, series of 1941, and 78, series of 1945, and the usual auditing requirements. If a municipal councilor goes out on official business to his barrio of which he is not a resident and it is impracticable for him to return to the poblacion or to his house for lunch, or will incur greater expenses for transportation than the cost of his meal in the said barrio if he returns to the poblacion or his house to take his lunch, he may be allowed to collect the cost of his meal or meals in addition to other actual and necessary travel expenses.—5th *Ind.*, Feb. 19, 1947 of *Aud.*

EXPENSES INCURRED BY DELEGATION TO WELCOME THE SPEAKER AND HIS PARTY. — In line with the action taken on previous similar cases, the amount appropriated under Resolution No. 8, series of 1947, of the Municipal Council of Malinao, Albay, for the purpose of defraying the expenses incurred by the delegation of said municipality in welcoming Speaker Perez and Party to the Province as well as to cover future expenses that may be incurred by similar delegation in welcoming national officials that may visit the province, is not allowable in audit, there being no provision of law authorizing payment of such expenses from government funds. —*8th Ind., July 31, 1947, of Aud. Gen. to Sec. of the Int.*

REQUISITION FOR EQUIPMENT OR SUPPLIES CHARGEABLE TO ACCOUNT "E-3", APPROVAL BY MUNICIPAL TREASURER NECESSARY.—Respectfully returned to the Director of Education, Manila inviting attention to the next preceeding indorsement in view of which the action of the Provincial Auditor of Tarlac in requiring that all requisitions DPS Form No 1, covering purchases of supplies and materials chargeable against account "E-3," Maintenance and Operation of Primary Classes in the municipalities, should be approved by the municipal treasurers concerned is hereby confirmed —*3th Ind., March 19, 1940, of Aud. Gen. GAO File No. 414; See Provincial Treasurers' Memorandum No. 552, dated April 13, 1940.*

APPROPRIATION FOR PICTURE OF MUNICIPAL OFFICIALS AND EMPLOYEES IN CARNIVAL DIRECTORY.—It appears that under its resolution dated March 31, 1946, the municipal council of Masantol, Pampanga, appropriated the amount of ₱60 to defray the expenses for a picture of all the municipal officials and employees thereat to be used in the preparation of the Pampanga Directory in
(Continued on page 511)

I, who belong to a young generation, anxious to do something for their country and restless before a mysterious future, need to go to men who have seen much and studied more in order that with their experience we could supplement our short years and scant knowledge. We also need the applause and blessing of the old to encourage us in the colossal struggle and the gigantic campaign which we have placed upon our puny shoulders.

However great might be our enthusiasm, however confident might be our youth, however bright might be our illusions, we nevertheless hesitate at certain moments, particularly when we see ourselves alone and abandoned.

In the titanic work for a common regeneration, without stopping to march forward we turn now and then our eyes toward our elders in order to read in their faces their judgment upon our acts. For this thirst for knowing the past, for learning, in order to face the future, we go to persons like you. Leave to us in writing your thoughts and the fruit of your long experience in order that with them, condensed in a book, we do not have to study again what you have studied, but to such inheritance which we receive from you we may add only our own harvest, either by broadening or by increasing it.—*From Rizal's letter to Father Vicente Garcia, Madrid, January 7, 1891.*

RIZAL ON VISAYAN AND TAGALOG

I am also learning Visayan and I am beginning to understand a little the inhabitants here (Dapitan). Can you give me a reason, linguistic or ethnological, of the change of the Tagalog *i* to the Visayan *o*? The change from the palatal to the labial sound, and vice versa, to what is it due? Is it the consequence of an error in reading the punctuation marks in the written characters? In the Visayan language I see traces of nouns of a much older form than in the Tagalog, and yet the Tagalog conjugation contains not only the forms of the Visayan but also
(Continued on page 518)

EXECUTIVE DETERMINATION

HOLDING OF SESSIONS OUTSIDE OF CAPITAL; RESPECTIVE FUNCTIONS OF PROVINCIAL AND MUNICIPAL GOVERNMENTS.

— With reference to your Resolution No. 105, series of 1948, proposing to hold sessions “in towns and places within the province as may be deemed necessary and expedient,” please be advised that the holding of sessions outside of the capital is not quite proper and advisable, and the matter of studying the problems of the people and of bringing “the Government closer to the inhabitants of the province” may be done in other various ways, such as frequent inspections to the municipal districts and barrios by provincial and municipal officials called upon by law to discharge such function. In this connection, it should be stated that under our system of local governments, the municipal governments, including those of the municipal districts, are supposed to attend to the immediate needs of their inhabitants, while the provincial governments are only to supervise the broad functions and policies of the municipal governments.—*Letter dated Jan. 11, 1949, of Sec. of the Int. to Prov. Board of the Mt. Prov.*

TAX ON MOTOR VEHICLES; MARKET FEES.—Section 50 of Ordinance No. 4, series of 1935, of the municipal council of Silang, imposes a fee of ₱1.00 for each time a motor vehicle enters the municipality for the purpose of selling merchandise or buying products and other articles of commerce. The amount being imposed can only be considered either as a tax on motor vehicles or as a tax on merchants. In either case it is illegal. In imposing it as a tax on motor vehicles, the ordinance in question violates section 70(b) of Act 3992, otherwise known as the Revised Motor Vehicle Law, which prohibits the imposition of any further fees other than those fixed in said Act, by any public authority in these islands” for the operation or use of any motor vehicles on any public highway, bridge, or ferry . . . or for the operation of any motor vehicle by the owner thereof,” except

as a property tax or toll fee for the use of any bridge or ferry. The tax being imposed under the ordinance in question certainly is neither a property tax nor a toll fee for the use of any bridge or ferry. As a tax on merchants, it is illegal for two reasons: first, because it violates section 2310 of the Revised Administrative Code which in effect requires the fixing of all municipal license taxes on the yearly basis and their payment within the first twenty days of each quarter, and second, because the maximum rate of ₱25.00 per annum which a municipal council may impose as municipal license tax on merchants, without approval of the Secretary of Finance, under section 2 of Act 3422, in accordance with paragraph 7(c), section 334 of the Compilation of Provincial Circulars of the former Executive Bureau, may be exceeded. Resolution No. 8, series of 1938 of the said municipal council declares as market zone all the streets of the poblacion of the said municipality for the purpose of collecting market fees from merchants. In effect this provision declares as part of the market premises the said streets. The municipal council has neither the power to declare the public streets as part of the market nor to collect fees therein. In collecting market fees the municipality will have to close the said streets to traffic or else the same will have to be collected from whomsoever the market collectors may believe to be liable for such fees in which case confusion and arbitrariness will surely prevail. The municipality has no right to do either. In the first case, the municipality has no power to withdraw from the general use of the public properties for public use, indefinitely, or for a limited time, simply for the purpose of collecting market fees. The second is a clear case of unreasonable and oppressive act on the part of the municipality and therefore illegal.

In view of the foregoing, it is requested that appropriate action be taken by that board on the municipal measures in question under the provi-

sions of section 2233 of the Revised Administrative Code.—*1st Ind., Oct. 24, 1947, of Sec. of Finance to Prov. Board of Cavite.*

MUNICIPAL PUBLIC WORKS, EXECUTION OF; WHEN SUBJECT TO BIDS.—Under the provisions of Section 1912 of the Revised Administrative Code, municipal public works can be executed by the municipal council concerned without the intervention of this Office. The District Engineer, however, acts in an advisory capacity to the municipal council and shall undertake the construction or repair of municipal public works upon request of the municipal council. Pursuant to Section 1919 of the Administrative Code, municipal public works involving an estimated expenditures of three thousand pesos or more shall be advertised for bids and contract therefor shall be awarded to the lowest responsible bidder.

Inasmuch as the work contemplated in the attached Resolution No. 162, current series, of the Municipal Council of Pasay is a municipal project, this Office will interpose no objection to the request that it be done by the Municipality. It should be stated however that the District Engineer will not be authorized by this Office to approve vouchers covering payments unless the work is to be done under his supervision.—*2nd Ind., Feb. 17, 1947, of the Director of Public Works to the RFC.*

SCALE OF SALARIES FOR MUNICIPALITIES IN SPECIAL PROVINCES; BASIS OF SALARIES OF MUNICIPAL OFFICIALS IN CAPITALS.—With reference to your letter dated April 22, 1947, requesting information as to whether or not Section 2184 of the Administrative Code is applicable to the municipalities in the specially organized provinces, please be advised that our reply thereto is in the negative. Said law is applicable only to the municipalities in the regularly organized provinces. However, the scale established therein may be the basis of fixing salaries in municipal capitals in the specially organized provinces pursuant to Section 2607 (t) of the Administrative Code. The cor-

responding section of said Code that governs the municipalities, like Maluko, in the specially organized provinces is 2615. That municipality having been classified as fourth class and not being the capital of the province, the salary of the mayor thereof is fixed under Section 2615 (d) of the Administrative Code at ₱600 per annum only. The salary of ₱960 per annum for said position as provided for in the budget and plantilla of personnel of that municipality and allegedly approved by the Provincial Treasurer cannot, therefore, be authorized.—*Letter dated May 28, 1947, of Undersecretary of the Interior to Municipal Mayor of Maluko, Bukidnon.*

MUNICIPAL INCOME FROM FISHING AND FISHERIES; POLICY ON DEEP-SEA FISHING. — Resolution No. 2, series of 1947, of the Municipal Council of Madridejos, Cebu, seeks to divert to the Municipal Government the income or revenue which the Insular Government derives from fishing and fisheries.

The Fisheries Law (Act 4003 as amended) recognizes the dual authority and control by the National and the Municipal Governments over Philippine fishing and fisheries. In fact, Section 16 of Act 4003 classifies fisheries according to their government and disposition into Insular, Municipal and Reserve fisheries. The National Government charges a nominal license fee of ₱5.00 for "basnig" and "iwag" outfits. The actual revenue from fishing licenses accruing to the National Government from the operators of fishing boats using Madridejos as their base of Fishing Operation is ₱217 annually. It can thus be seen that the income from this source of revenue is very nominal. This is so because the National Government is committed to the policy of promoting and developing the deep-sea fishing operations. The more deep-sea fishing operators are, the better for the National as well as for the Municipal Government as this would not only tend to exploit and develop the fishery resources of the nation but would also add more income to the latter entity, the Municipal Government. Under the provisions of the Fisheries Law (Sec. 67-70), **Municipal**

governments are authorized to issue licenses to qualified fishing operators using vessels of three tons or less. Other municipal fishery income may be derived from the lease of baños fry grounds, municipal fishponds, fisherman's licenses, taxes on fishing gears, aside from the indirect revenue being derived from market fees and fish-drying establishments doing business in the municipality. In the execution of the Fisheries Law, the National Government is particularly taking care of the protection and conservation of the fishery wealth of the nation and even for these alone, the National Government should be allowed to share in the revenue derived from fishing and fisheries.

In view of the foregoing, this Office cannot recommend favorable consideration of Resolution No. 2, series of 1947 of the Municipal Council of Madridejos, Province of Cebu.—*2nd Ind., Feb. 28, 1947, of Undersecretary of Agriculture and Commerce to Sec. to the President.*

PROVINCIAL BOARD NOT EMPOWERED TO REGULATE EXPORTATION OF LUMBER NOR TO IMPOSE FEE ON BUSINESSES.—Resolution No. 145, current series, of the Provincial Board of Negros Occidental, provides for the collection of a permit fee of ₱5 for every 1000 board feet of lumber obtained from that province and exported to other provinces and for the apportionment of the proceeds thereof between the province (75%) and the municipality (25%) where the lumber is loaded for export. Resolution No. 146, current series, of the same Provincial Board provides for the collection of a fee of ₱5 for every 1000 board feet of lumber mill or forest concessionaire, the proceeds to accrue to the province and the municipality where the factories are located on the basis of 60% and 40%, respectively.

As the provincial governments are not vested with the power to regulate the exportation from the province of lumber or any other article, and/or the power to impose a fee on businesses and occupations either for regulatory or revenue purposes, it is evident that the said resolutions are *ultra vires* and,

therefore, null and void *ab initio*. In connection with Resolution No. 145, attention is invited to the fact that even the municipalities are prohibited under Section 2287 of the Revised Administrative Code to impose a tax in any form whatever upon goods and merchandise carried into the municipality, or out of the same.

In view of the foregoing, this Department will instruct the Provincial Treasurer of Negros Occidental to refrain from collecting the fees provided in the said resolutions.—*3rd Ind., Nov. 11, 1946, of Undersecretary of Finance to Sec. of the Int.*

DESIGNATION OF PROVINCIAL BOARD MEMBER AS ACTING PROVINCIAL GOVERNOR—WHAT HE MAY CLAIM.—It is desired to state that in accordance with the Provincial Circular (Unnumbered) dated August 20, 1947, of this Department on the subject: "Acting Governor in a specially organized province, Designation of", such designation should be without pay. However, Mr. Dacuycuy may collect the usual per diems as Board Member for attendance at the sessions of the Provincial Board. If Membre Dacuycuy is not a resident of the City of Davao, he may be reimbursed of his actual expenses for subsistence and lodging during his stay in the provincial capital in his capacity as acting Provincial Governor, at the rate not exceeding ₱8.00 a day during the period he actually acted as such Acting Governor of Davao, except on days when the Provincial Board held sessions in which case, Mr. Dacuycuy may be entitled only to his regular per diems as Board Member.—*From letter dated July 18, 1949, of Undersecretary of Interior to Provincial Governor of Davao.*

PERCENTAGE OF SALARIES ALLOWABLE FOR FIFTH CLASS MUNICIPALITIES.—While sub-section (d) of Section 2614 of the Revised Administrative Code divides the municipalities in the specially organized provinces into five classes, namely, 1st, 2nd, 3rd, 4th, and 5th, the same Code

in its Section 2615 providing for the maximum salary rates for the municipal officials fails to provide for such rates for the officials of fifth class municipalities. The records of this Department show that the initial classification of Tubay as a fifth class municipality under Republic Act No.130 has not yet been made. Assuming, however, that Tubay is a fifth class municipality and in line with the administrative practice of computing the maximum amount allowable to be expended by 5th class municipalities for salaries and wages on the basis of that fixed for 4th class municipalities, this Department will interpose no objection to the municipal council thereof fixing the salaries of its mayor and municipal secretary, and the provincial board fixing the salary of the municipal treasurer at the rates not exceeding the limits fixed by Section 2615 of the Administrative Code for the officials of 4th class municipalities, provided funds therefor are available.—2nd Ind., Nov. 5, 1947, of Sec. of the Int. to Sec. of Finance.

NAMING OF PUBLIC PROJECTS, POLICY ON.—I wish to inform you that, as a matter of policy, the President does not favor the naming of public projects after living persons.—*From letter dated July 10, 1947, of Assistant Sec. to the President, to the Municipal Council of Lucena, Iloilo.*

EXECUTIVE DETERMINATIONS STREETS, USE OF; HOW TO CLOSE SAME FROM PUBLIC SERVITUDE—“The reasons given are stated in the following whereas of the aforesaid council’s resolution No. 18, quoted *ipsissimis verbis*, to wit:

“WHEREAS, the municipal council of Bulan, Sorsogon, is fully convinced that numerous people are crowding along the streets from National Road . . . to the Market . . . and

WHEREAS, to be aware from any dangerous precedent in the future it is deemed wise by this council to pass and approve, as it is hereby approved, to close TRAFFIC to the streets mentioned above.”

“In our opinion these reasons are vague and not sufficient to justify the prohibition of traffic in said sector. It should be borne in mind that public streets are held by the municipality in trust for the general public and every individual, without distinction, is entitled to the lawful use thereof, subject to such restriction, only as may be necessary for the exercise by the municipality of its police powers.

“As affirmed in a Louisiana case more than a century ago the use of streets belongs to the public; the use of them belongs to the whole world’; and the public right goes to the full width of the street and extends indefinitely upward and downward: Therefore, the municipal authorities are obligated to prevent obstruction of them which preclude or hamper the public use. In the control of streets and public highways the municipality is a trustee for the entire public, and as trustee it should permit nothing to be done that will interfere with the condition of the streets or their free use by all alike.” (Section 981, Vol. III, McQuillin, Mun. Corp., 2nd Rev. Ed.)

“In this connection, we received a protest from Mr. x x x against the closing of the streets in question to traffic, wherein it is stated that the said streets are being used for market purposes. If this is true, attention is drawn to the fact that streets cannot be used for market purposes. On this point, the following observations are illuminating:

“But power to a municipal corporation to establish markets and build market-houses will not give the authority to build them on a public street. Such erections are nuisances, though made by the corporation, because the street, and the entire street, is for the use of the whole people. They are nuisances when built upon the streets, although sufficient space be left for the passage of vehicles and persons. Such erections may, it seems, be legalized by an express act of the legislature. But unless so legalized, a nuisance erected and ma-

intained by a public corporation may be proceeded against, criminally or otherwise, the same as if erected by private persons. (Sec. 702, Vol. II, Dillon, Mun. Corp., 5th Ed.)

"A public market is not a proper use of a street, and a municipality has no power to authorize a certain part of a street to be used as a market place, as against the objection of abutting owners or where travel is thereby obstructed, nor to build, or authorize the building, of market house in a street." (Sec. 1463, Vol. IV, McQuillin, Mun. Corp., 2nd Rev. Ed.) "It will be seen from the foregoing authorities that streets cannot be used for market purposes.

"On the other hand, if it is the real intention of the Municipal Council of Bulan to close the streets in question from public servitude under the provisions of Section 2246 of the Administrative Code, this law should be complied with and the resolution to be adopted on the subject should be accompanied with the data called for in Section 161 of the Compilation of Provincial Circulars of the former Executive Bureau, namely:

'(a) The written recommendation by the district engineer;

'(b) Duly certified copies of instruments executed by the owners of property adjacents to the road, street, alley, park or square in question, and affected by the closing thereof, waiving all claims for damages to their property which might arise from such closing. These waivers may be secured either with or without money consideration; and

'(c) A statement of the provincial fiscal as to the sufficiency of the certificates submitted under the preceding paragraph. "A rough sketch has been handed to us, showing that the streets in question adjoin the municipal building. If this is the case, attention is drawn to the existing requirement of this Department that a market site should be out of view from the municipal administration building." — *Letter dated March 13,*

1948, of Sec. of the Interior to the Prov. Board of Sorsogon.

ASSESSMENT OF REAL PROPERTY — C. A. 470 NOT APPLICABLE TO CITIES; ASSESSOR MAY DETERMINE OWNERSHIP OF REAL PROPERTY.—"Our investigation has disclosed that Tax Declaration No. 19043 in the name of your father, x x x, was cancelled by the respondent and in its stead Tax Declaration No. 23436 in the name of Leon Castillo was issued, because the records of the Register of Deeds of the City of San Pablo show that the property covered by the tax declaration in the name of your father belongs to Dr. Leon Castillo as per Transfer Certificate of Title RT-39 (No. 9300), Office of the Register of Deeds for the Province of Laguna. Your claim, that Tax Declaration No. 19043 should be reinstated even with notation that it is duplicated with Tax Declaration No. 23436, can not be upheld by this Department, because Commonwealth Act No. 470, which provides that a tax declaration should not be cancelled if the declarant objects thereto, is not applicable to the City of San Pablo. The assessments of real property in that city are governed by its charter (Commonwealth Act No. 520,) and Section 29 thereof provides as follows:

'x x x He shall make the list of the taxable real estate in the city, arranging in the order of the lot and block numbers the names of the owners thereof, with a brief description of the property opposite each such names and the cash value thereof. In making this list, the city assessor shall take into consideration any sworn statement made by the owners of the property, *but shall not be prevented thereby from considering other evidence on the subject and exercising his own judgment in respect thereto.* For the purpose of completing this list, he and his representatives may enter upon the real estate for the purpose of examining and measuring it and may summon witnesses, administer oaths to them and subject them to examination concerning the

necessary, examine the records of the office of the Register of Deeds in the province of Laguna showing the ownership of real estate in the city. (Underscoring supplied)

"It is clear from the provisions of law quoted above that in the listing of real property for taxation purpose the City Assessor of San Pablo is authorized to exercise his own judgment in determining the ownership of the property to be thus listed. He can examine the records of the Register of Deeds of the province of Laguna, if necessary, to determine the ownership of real property in the city.

"In view of the foregoing this Department finds no cause for proceeding further against Mr. Adelo Belen nor for disturbing his action complained of by you." *From letter dated Oct. 13, 1947, of Undersecretary of Finance to Mr. Emeterio Exconde, City of San Pablo.*

VISITATION OF MUNICIPALITIES BY PROVINCIAL GOVERNOR CANNOT BE DELEGATED. — "Section 2083 of the Administrative Code assigns the duty of visitation of municipalities only to the provincial governor. Such duty is not ministerial and cannot be delegated to either elective member of the Provincial Board to perform under the provisions of Section 2096 of the same Code. Inasmuch as the inspection of municipalities in this case is the exclusive duty of the Provincial Governor, it cannot be delegated by him to any other official. It is, therefore, regretted that the attached reimbursement voucher covering actual expenses incurred by Member Prila cannot be approved by this Department." — *From 4th Ind., April 15, 1947, of Sec. of the Int. to the Prov. Gov. of Cam. Sur.*

JURISDICTION BETWEEN MUNICIPALITIES — AMICABLE SETTLEMENT THEREOF ADVISED. — Whenever a question as to jurisdiction between two municipalities arises, as in the case between Paracale and Mambulao herein mentioned, it is very desirable, in the interest both of harmony and of economy in official time and efforts,

that the municipal authorities concerned be prevailed upon to come to an amicable settlement of the question. Once they succeed in coming to an agreement, said agreement should be embodied in a joint resolution of the municipal councils concerned and approved by resolution of the Provincial Board, under Section 2167 of the Administrative Code, and forthwith cause the boundary line fixed in the said agreement traced on the ground and monumented by the District Engineer with concrete standard monuments at expenses to be borne equally by the municipalities concerned. A true copy of the agreement as approved by the Provincial Board should then be furnished this Department, with report as to the status of the monumenting of the boundary line between the municipalities as fixed in the said agreement. — *1st Ind., Dec. 2, 1946, of Undersecretary of the Interior to the Provincial Board of Cam. Norte.*

EXPROPRIATION PROCEEDINGS, DATA REQUIRED IN. — (1) Comment and recommendation of the Division Superintendent of Schools (as to school site-Editor); (2) Sketch map (2 copies) prepared by the District Engineer, showing the site of the Hibago Barrio School, . . . together with its dimensions, boundaries, and relative position with respect to other nearby existing public improvements; (3) Views of the Local Planning Commission composed of the Provincial Governor, as Chairman, and the Provincial Treasurer, the Division Superintendent of Schools, the District Engineer, and the District Health Officer, as Members; (4) Statement of the District Health Officer as to the sanitary condition of the site; (5) Assessed value of the site; (6) Amount offered therefor by the municipality of Pili; (7) Amount, if any, demanded by the owner thereof; (8) Comment of the Appraisal Committee for that province; (9) Certificate of the Municipal Treasurer of Pili as to the availability of sufficient funds for the purpose; (10)

TEN POINTS WORTH REMEMBERING

1. When men pass fifty, there are emotional disturbances which are intensified. This is the time to remember that moderation in all things means health.

2. Men past fifty like to lie back, eat too much, smoke too much, drink too much, live too rapidly. That way lies sickness and an early death.

3. Keep an interest in the work and in the hobbies which occupied you when you were younger. A constant interest in living prolongs life.

4. After middle age, the eyes begin to change in their structure. Most people get farsighted after forty-five. Glasses to correct farsightedness will relieve many symptoms which are related to the eyes.

5. A reasonable amount of exercise is beneficial for health but the heart and the blood vessels after middle age cannot do what they were capable of doing previously.

6. Untidiness in the aged is the result of age and not the result of mental laxity. Too many young people try to manage the old people. Help them but don't manage them.

7. In the life cycle of the human being sex function begins to lessen after middle age. Modern glandular preparations may somewhat prolong these functions but it is not possible to make all of the body as young as the fortified glands. The damage resulting from excess may result in harm to the heart and the blood vessels for which no amount of pleasure can compensate.

8. Drugs that can do good can also do harm. The amount of drugs to be taken and the manner in which they are to be administered must be determined by the doctor after a careful study of his patient.

9. Mental factors are just as important as physical factors. Much of failure and much of success is related to mental attitudes.

10. Long before we knew about glands, many an octogenarian was contributing notably to our civilization. After 85 Verdi wrote three famous

Copy of Resolution of Municipal council requesting authority to exercise the right of eminent domain, duly approved by the Provincial Board. In this connection, attention is invited to Executive Order No. 132, series of 1937, as amended by the Executive Order No. 214, series of 1939, which allows the expropriation of private properties for public purposes only upon failure of negotiations for the donation or sale thereof at a price to be fixed by the Appraisal Committee.—*1st Ind., June 2, 1949, of Undersecretary of the Interior to the Provincial Governor of Camarines Sur.*

SAWMILLS OR MANUFACTURERS OF LUMBERS, MUNICIPAL LICENSE TAXES UPON.—With reference to your letter, dated October 12, 1946, protesting against the excessive rates of municipal license taxes on lumber mills imposed under Ordinance Nos. 4 and 9, series of 1946, of that municipality, I have the honor to advise that section 19 of aforesaid Ordinance No. 9, imposing a municipal license fee of ₱0.10 for every one hundred board feet (100 bd. ft.) of timbers or boards manufactured, has been disapproved by the Provincial Board.

With respect to ordinance No. 4, mentioned above, imposing a municipal license tax of ₱100 per annum on any person or corporation engaged in the manufacture of boards by means of machinery, please be informed that under the provisions of Commonwealth Act No 472 municipal councils have the power to levy municipal license taxes upon sawmills or manufacturers of lumbers which are considered merchants for purposes of municipal taxation. The rate of license tax imposed in the said ordinance has been approved by this Department under the provisions of section 4 of Commonwealth Act No. 472, it appearing that the tax is just and reasonable. — *Letter dated Oct. 1, 1947 of Undersecretary of Finance to Mr. Domingo Loreda of San Teodoro, Mindoro.*

(Continued on page 518)

INSPECTION BY OFFICIALS

INSPECTIONS BY PROVINCIAL GOVERNORS

[Sec. 110, C.P.C.]

operas. At 79 Oliver Wendel Holmes wrote Over the Tea Cups. At 80 Goethe completed Faust. At 83 Tenyson wrote Crossing the Bar, and at 80 Cato began the study of Greek. Their accomplishments are not necessarily glandular.—*From Your Life.*

—oOo—

RULING OF . . .

(Continued from page 503)

connection with the provincial carnival which was held at San Fernando, the capital of the province.

The question is whether or not the Municipality of Masantol can validly appropriate the amount and for the purpose cited above.

There is no doubt that a municipality has power to appropriate money as contribution to the provincial exhibition fund or to defray the expenses of local fairs or to enable the municipality to take part in the fairs conducted by other provinces. (Section 2293, Rev. Adm. Code. But the money so appropriated has been interpreted by this Office to be available only for expenses in connection with expositions *but not carnivals which are not contemplated by the law.* (Decision of the Auditor General No. 129, dated February 3, 1939).

The proposed expenditure, therefore, being in connection with the participation of the municipality of Masantol in the provincial carnival at San Fernando, the same may not be allowed in audit there being no law which authorizes municipalities to participate in carnivals.—*2nd Ind., August 5, 1946, of Aud. Gen. to Sec. of the Int.*

PROVINCIAL AUDITOR, QUARTERS ALLOWANCE OF UNDER ACT 2907.—In accordance with the provisions of Section 2, Act No. 2907, this Office will offer no objection to the granting of quarters allowance to the Provincial Auditor thereat at the rate of ₱30.00 a month effective July 1, 1947, upon resolution of that Body, subject to the availability of appropriation and funds and to the usual auditing requirements.—*1st Ind., July 8, 1947, of Dep. Aud. Gen. to Prov. Board of Batanes.*

It is desired that the inspections made by provincial governors every six months or oftener, in accordance with section 2083 of the Administrative Code, be as exhaustive as possible and the governors should, in addition to disposing of such minor matters as may need their attention —

(a) Assure themselves that peace and order are an accomplished fact in each municipality; otherwise, make an investigation of, and take immediate appropriate action on, any trouble or cause of trouble threatening peace and order in the community;

(b) Hear and take appropriate action on all complaints that may be received in each locality against any government official, employee or institution;

(c) See that municipal councils hold meetings regularly and that their minutes are written properly and promptly in accordance with section 2232 of the Administrative Code and section 152 of this Compilation;

(d) See that the civil registers are properly posted in accordance with section 2212(d) of the Revised Administrative Code and section 457 of this Compilation;

(e) Test, directly or through the municipal (presidents) mayors and chiefs of police, the familiarity of the members of the police force with the laws and resolutions of the provincial board of general application in the locality, and ordinances in force in each municipality;

(f) Review the formation of the police, firemen, and prisoners, and examine their uniforms, equipment, arms and appliances so as to be sure that they conform to the prescribed standards; and that the employees are sufficiently instructed in the use of their equipment and apparatus including the auxiliary voluntary firemen squads where they may have been organized;

(g) See that the campaign for the eradication of gambling, vagrancy and other vices, where they may exist, is carried out constantly and effectively

and produces the desired results, and that the culprits are promptly brought to justice;

(h) See that the prisoners, lepers, and other persons deprived of liberty under the authority of law are properly cared for, clothed and sufficiently fed, and that the men are quartered separately from the women;

(i) Inquire and assure themselves that reasonable progress allowable by circumstances, is being attained along the following lines:

(1) In the prosecution of the program of construction of permanent improvements needed in each municipality;

(2) The upkeep and repairs of public buildings, municipal roads and other municipal government institutions existing in the municipality; and

(3) Collection of taxes and other revenues.

INSPECTIONS BY MUNICIPAL MAYORS

[Sec. 111, C.P.C.]

Municipal mayors shall visit quarterly or oftener whenever required by the provincial governor or provincial board, every barrio and sitio of their respective municipalities—

(a) To make sure that law is properly enforced and that peace and order prevail therein;

(b) To hear both publicly and in private all complaints and petitions of the residents of the barrio or sitio, and to find out whether Government employees working in or traveling through the said localities are properly conducting themselves and are complying with their duties;

(c) See by themselves, or through the municipal police force, that gambling, vagrancy and other vices are completely eliminated from the locality; and that persons accused of having committed crimes are promptly arrested, immediately investigated and brought to justice;

(d) To inquire into the existence of any communicable or infectious diseases among persons, livestock or plants with a view to reporting them

PRONUNCIAMENTOS

JOSE RIZAL—We should welcome criticisms to keep us awake; to see our weaknesses so that we may correct them.

JOSE RIZAL—We must conquer by merit, by lifting up goodness and greatness even to the point of dying for it.

MANUEL L. QUEZON—Why, in heaven's name, can't we keep our personalities separate from issues that affect our country—our people? What are we but tools, to help the people reach the goal they desire? Why, then, should we allow ourselves to be swayed by personal dislikes that should have no place where the people's welfare is at stake?"

MANUEL L. QUEZON—The so-called pork barrel system . . . must definitely be discarded. It is a waste of public funds.

MARCELO H. DEL PILAR—An enlightened intelligence is a sanctuary where the kindness and magnificence of its Creator are better seen.

MARCELO H. DEL PILAR — Where the women are virtuous, vice is timid, and dignity predominates in the popular custom. But where women are frivolous, men become immoral, vicious and forget or despise their sacred duties . . .

CARLOS P. ROMULO—Give security to every man, and you take away from him the principal inducement to killing and destruction. Having given that to him, you have also rooted out envy from his heart.

RAFAEL ALUNAN—The people must have trust in their government, and realize that its whole object is to promote the public welfare and secure the blessings of justice, liberty and democracy for all.

to the Health or Bureau of (Agriculture) Plant and Industry authorities immediately, as the case may be;

(e) To insure that the provisions of laws and ordinances of proper application in the locality, including those regarding taxation, are made known to and being complied with by the people of the locality.

[Prov. Cir. No. 210.]

FISHERIES ACT

(Act No. 4003 as amended by C. A. No. 471)
(Continued from July Number)

ARTICLE XI.—*Grant of fishery*

SEC. 67. *Grant of fishery.* — A municipal council shall have authority, to grant the exclusive privilege of erecting fish corrals, or operating fishponds, or taking or catching 'bangus' fry, known as 'kawag-kawag', or fry of other species for propagation, within any definite portion, or area, of the municipal waters, as defined in article two of this Act, to any citizens of the Philippines or any association or corporation of which at least sixty-one per centum of the capital stock or of any interest in said capital stock belongs wholly to citizens of the Philippines; Provided, That no individual, association or corporation granted a municipal grant, license or permit shall be authorized to transfer or assign its or his interest or sell its or his stock directly or indirectly to persons, association or corporations not qualified to hold a municipal grant, license or permit under the terms of this chapter, under penalty of forfeiture of its or his grant, license or permit: Provided, further, That a transfer made by a stockholder or member of an association or corporation of his stock or interest in violation of the provisions hereof shall not be cause of the forfeiture of the grant, license or permit of such association or corporation, but said transfer shall be null and void and shall not be registered in the books of such association or corporation.

No fish corral or 'baclad' shall be constructed within two hundred meters of another in marine fisheries or one hundred meters in fresh water fisheries, unless they belong to the same licensee; but in no case shall be less than sixty meters apart except in waters less than two meters deep at low tide or unless previously approved by the Secretary of Agriculture and

Commerce or his duly authorized representative.—(As amended by C. A. 471-1)

SEC. 68. *Adjustment of matter of disputed jurisdiction over fishery.* — Where fresh-water lakes are not included within the limits of any one municipality, or where freshwater or tidal streams form boundaries between municipalities, disputes which may arise as to the waters within which any municipality may exercise the authority hereinabove conferred shall be referred by the respective councils of the municipalities concerned to the proper provincial boards, which body shall lay the facts, with its recommendation, before the Governor-General, to the end that he may either adjust the boundary so as to settle the jurisdiction or recommend the passage of adequate legislation.

SEC. 69. *Restriction upon letting of fishery to private party.* When the privilege to erect fish corrals, construct or operate fishponds, or oyster culture beds, or take or catch 'bangus' fry, known as 'kawag-kawag', or of other species is granted to a private party as hereinabove authorized, the same shall be let to the highest bidder for a period not exceeding five years, or, upon the previous approval of the provincial board, for a period not exceeding ten years; or upon the previous approval of the Secretary of Agriculture and Commerce for a longer period but not exceeding twenty years: all these grants be under such conditions as shall be prescribed by the Secretary of Agriculture and Commerce, (As amended by C. A. (471-1))

SEC. 70. *License tax upon taking of fish in municipal waters and fishing vessels.* — A municipal council is empowered to promulgate, subject to the approval of the Secretary of Agriculture and Commerce, rules and re-

gulations regarding the issuance to qualified applicant under this Law, of licenses for the operation of fishing vessels of three tons or less; and shall grant the privilege of taking fish in its municipal waters with nets, traps, or other fishing gear. An exclusive privilege for taking same may be granted, upon payment of a municipal tax, to persons, qualified according to section sixty-seven hereof, except those already licensed under article five of this Act: Provided, That no such license shall confer an exclusive right of fishery; that the imposition of this license tax upon this privilege shall be levied only once in any given year upon any fisherman; that the levy is to be made by the municipality wherein the fisherman is a resident; and that the possession and exhibition of the receipt evidencing payment of the license tax shall entitle the fishermen to fish in any municipal waters in the Philippines; Provided, however, That in case the fee in the municipality where the fisherman desired to fish is greater than the fee in the municipality where he obtained his license, the former municipality may collect from him the difference between the two fees: Provided, further, That it shall be beyond the power of the municipal council to impose taxes or fees for the privilege of taking marine mollusca, or the shells of such, and fees for pearling boat and pearl diver's licenses, or for prospecting, collecting, or gathering sponges or other marine products: And provided, also, That no license granted hereunder shall operate within two hundred meters of any constructed fish corral licensed by a municipality, except if the licensee is the owner or operator of the fish corrals, and unless otherwise specifically provided in the license, but in no case within sixty meters unless previously approved by the Secretary of Agriculture and Commerce. (As amended by C. A. 471-1.)

Sec. 71. *Application of general protective provisions.*—Nothing in this chapter shall be construed as in any way preventing or interfering with the ap-

plication of general protective provisions specified in Article III of this Act to all municipal grants licenses, or permits issued hereunder.

Sec. 72. *Report of fisheries and quality of fish caught and prices for same.*—For the purpose of gathering statistical data of fisheries and fish caught every holder of commercial fishing license issued pursuant to sections eighteen, sixty-nine or seventy of this Act, shall render a report in duplicate to the municipal treasurer or to the Secretary of Agriculture and Commerce or his duly authorized representative once a month of the kind and quantity of fish caught by him, and, if such fish are marketed the price received by him for same. Such report shall be made on form and in the manner prescribed by the Secretary of Agriculture and Commerce. Those licensed by the municipality shall submit reports on fish caught to the municipal treasurer who shall forward one copy to the Secretary of Agriculture and Commerce or his duly authorized representative. At the end of each year the municipal mayor shall submit to the said Secretary a report showing all the owners of fishing boats, fish nets, tackle, fish traps, and holders of fishery privileges and the corresponding licenses issued, fee paid, quantity and value of fish caught and such other information as he may be required. (As amended by C. A. 471-1.)

CHAPTER IV

ARTICLE XII—*Uses of reserve fisheries*

Sec. 73. *Fishing rights reserved for exclusive use of the Government.*—Upon the recommendation of the Secretary of Agriculture and Natural Resources, the Governor-General may designate by proclamation any area or areas in the Philippine waters as fishery reservations for the exclusive use of the Government of the Philippine Islands or of any of its branches, or of the inhabitants thereof, or for the culture of fish and other aquatic animals for educational and scientific purposes.

Sec. 73.A. *Establishment of communal fisheries.*—The Secretary of

Agriculture and Commerce may set aside, as communal fishery for the particular use of the inhabitants of any municipality or municipal district, one or more portions of municipal waters. Such assignment shall be preferably made from waters in the province of the community to be served; but if there be no such water conveniently situated for the use of such community a communal fishery may be assigned for its use in a neighboring province. If the public interests so require, the Secretary of Agriculture and Commerce may change the location or boundaries of a communal fishery or disestablish it altogether. A communal fishery once established for such communal use shall not be leased. (As inserted by C. A. 471-3.)

Sec. 73-B. *Administration of communal fisheries.*—Communal fisheries shall be administered by the Secretary of Agriculture and Commerce in such a way as to insure to the people having rights therein a continued supply of fishery products necessary for their home use and to this end the said Secretary may prescribe regulations, the conditions under which taking of fish and other fishery products therefrom without license and free of charge be allowed. (As inserted by C. A. 471-3.)

Sec. 73-C. *Taking of fish for personal use.*—Residents of a place for which a communal fishery shall not have been set aside may, without license and free of charge, take fish or other fishery products which they need for personal purposes from any municipal waters. (As inserted by C. A. 471-3.)

Sec. 74. *Government fishery farms and experimental stations.*—The Secretary of Agriculture and Natural Resources is hereby authorized to establish, equip, operate and maintain fishery farms, experimental station and other fishery projects in such places in the Philippine Islands as may be deemed appropriate therefor and beneficial to the fishing industry, for the purposes of studying, surveying, conserving, preserving and developing the fish,

shell, sponge, and other aquatic resources of the Philippine Islands.

Subject to the approval of the Governor-General, the Secretary of Agriculture and Natural Resources shall be authorized to sell to the highest bidder any fishery farm, experimental station, or fishery project operated under this Act or to exchange any land or portion thereof, owned or reserved for or occupied by any fishery farm, experimental station or fishery project, for other more adequate or more desirable sites of private ownership or otherwise, under such terms and conditions as may be deemed advantageous to the government. No transaction of sale or exchange herein authorized shall be made except with citizens of the United States or of the Philippine Islands, or with associations or corporations duly registered or incorporated under the laws of the Philippine Islands or of the United States or any State thereof and authorized to transact business in the Philippine Islands and at least sixty-one per centum of whose capital stock or interest in said capital stock is owned wholly by citizens of the Philippine Islands or of the United States.

ARTICLE XIII.—Fish Sanctuaries

Sec. 75. *Fish refuges and sanctuaries.*—Upon the recommendation of the officials or chief of the bureau, office or service concerned, the Secretary of Agriculture and Commerce may set aside and establish fishery reserves or fish refuges and sanctuaries to be administered in the manner to be prescribed by him. All streams, ponds, and waters within the game refuges, birds sanctuaries national parks, botanical gardens, communal forests and communal pastures are hereby declared fish refuges and sanctuaries. It shall be unlawful for any person to take, destroy, or kill in any of the places aforementioned, or in any manner disturb or drive away or take therefrom, any fish fry or fish eggs. (As amended by C. A. 471-1)

Sec. 76. *Use of obnoxious or poison-*

ous substances, or explosives in fishing.

—Any persons who shall use obnoxious or poisonous substances or explosives in fishing in violation of the provisions of sections eleven and twelve of this Act shall for each offense, be punished by a fine of not more than five thousand pesos, and by imprisonment of not more than five years, or both, in the discretion of the court. All poisons, explosives, boats, tackle, apparel, furniture, or other apparatus used to aid in the violation of these provisions shall be forfeited to the Government. (As amended by C.A. 471-1.)

Sec. 77. *Reward to informer.*—The person giving information that has led to the conviction of any person under the provisions of the next preceding section shall receive one-half of the fine imposed, and it shall be the duty of the court rendering judgment of conviction to ascertain and declare the name of the informer entitled to receive one-half of the fine imposed.

Sec. 78. *Unlawful fishing in deep-sea fisheries.*—Any person, association or corporation violating any of the provisions of Article V of this Act or any other regulation deriving force from its provisions shall be punished for each offense by a fine of not more than five thousand pesos, or imprisonment, for not more than one year, or both, in the discretion of the court: Provided, That in the case of an association or corporation, the president or manager shall be directly responsible for the acts of his employees or laborers if it is proven that the latter acted with his knowledge; otherwise the responsibility shall extend only as far as fine is concerned; Provided, further, That in the absence of a known owner of the vessel, the master, patron or person in charge of such vessel shall be responsible for any violation of this Act: And provided, finally, That in case of a second offense, the vessel together with its tackle, apparel, furniture and stores shall be forfeited to the Government.

Sec. 79. *Penalty for unlawful taking of marine mollusca.*—Any person who shall take marine mollusca, or any

shell or valve thereof, in Philippine waters contrary to any of the provisions of Article VI of this Act shall be punished by a fine of not more than one hundred pesos, or imprisonment for not more than one month, or both, in the discretion of the court; and if the offense consists in the taking, selling, or transferring of undersized shells, or the having of such in possession, the offenders shall be fined five pesos for each valve of any shell the subject of the illegal act, and such shell shall be confiscated.

Sec. 80. *Compromise.*—With the approval of the Secretary of Agriculture and [Commerce] Natural Resources the official or chief of the bureau, office or service designated to carry out the provisions of this Act may at any stage compromise any case arising under the provisions thereof, subject to the following schedule of administrative fines:

(a) *Vessel entering fishery reserve or closed areas.*—Any vessel, licensed or unlicensed, entering fishery reserve or closed area by proclamation of the Governor-General or the President of the Philippines or administrative order, for the purpose of fishing shall be fined in a sum not exceeding one hundred pesos.

(b) *A vessel fishing or continuing to fish after the expiration of the license.*—A vessel continuing to fish within sixty days from the date of expiration of the license shall pay the ordinary annual license fee in full. A vessel fishing or continuing to fish without having procured the renewal of the license therefor shall be fined in a sum not exceeding fifty pesos for every month the license remains not renewed from the last renewal should have been secured.

(c) *Vessel on which unlicensed fishermen are employed.*—A vessel found using or employing unlicensed fishermen shall be fined in a sum not less than five nor exceeding ten pesos for each fisherman and for each month such fisherman is employed.

(d) *Obstruction of boarding officer.*—If the master, owner, or operator of any vessel unlicensed or licensed in accordance with the provisions of section eighteen of this Act, obstructs or hinders any fish and game officer in lawful going on board such vessel for the purpose of carrying into effect any of the provisions of this Act or the regulations promulgated thereunder or shall intentionally cause any such officers to be obstructed shall be fined in the amount not exceeding one hundred pesos and the license may be cancelled.

(e) *Failure to submit required reports.*—If the owner or operator, or the authorized agent of any vessel licensed under section eighteen of this Act fails to submit a required report within thirty days from the time it is last due, he shall be fined in a sum not exceeding five pesos.

(f) *Failure to renew fisherman's license.*—If a fisherman fails to renew within sixty days from the expiration thereof the license granted in accordance with section twenty-two of this Act or return same within that period, he shall be fined in the amount not less than one nor exceeding two pesos.

(g) *Transfer of ownership or lease shall be reported.*—The owner and operator of a commercial fishing boat licensed in accordance with section eighteen of this Act, transferring or leasing such boat shall report the transfer or lease within ten days to the Director of the Bureau or office concerned, otherwise he shall be fined in the amount not exceeding ten pesos.

(h) *Vessel engaging in fishing without license.*—Any vessel engaging in fishing, without having procured the requisite license therefor, shall be fined in a sum not exceeding two hundred pesos for each month of operation without license.

(i) *Other violations.*—Violations not herein above provided may be compromised as each case may warrant upon the recommendation of the official or chief of the Bureau, office, or service concerned, but in no case shall the

fine be less than ten per centum of the amount of the fine prescribed therefor, either in the law or regulation.

(j) *Court action.*—Action in accordance with section seventy-eight or other penal provisions of this Act shall be taken if the official or chief of the Bureau, Office or service concerned or the Secretary of Agriculture and Commerce decides. (As amended by C. A. 471-1.)

Sec. 81. *Penalties for illegal taking of sponges.*—(a) Any person who shall fish, collect, gather, sell, exchange, ship or export sponges in violation of the provisions of Article VII of this Act shall be liable to prosecution and upon conviction shall suffer the penalty of a fine of not less than twenty pesos and not more than five hundred pesos for each offense, or by imprisonment not exceeding six months, or by both such fine and imprisonment, in the discretion of the court.

(b) In case any association or corporation shall violate or cause to be violated any provision of Article VII of this Act, such association or corporation, upon conviction thereof, shall be punished by a fine of not less than one hundred pesos and not more than one thousand pesos for each offense, and any person, member, or employee of any association or corporation who shall violate or cause to be violated any provision of said article, or shall aid, abet, or assist in such violation, or shall voluntarily permit the same, upon conviction thereof, shall be punished by a fine not exceeding five hundred pesos for each offense, or by imprisonment not exceeding six months, or by both, such fine and imprisonment, in the discretion of the court.

(c) Any person found taking commercial sponges of less than ten centimeters through any diameter from the waters of the Philippine Islands, except for purposes of sponge culture within Philippine waters, shall, in addition to the penalties provided in this section, suffer the penalty of forfeiture of the concession and confiscation by the Gov-

ernment of the entire shipment in which found.

Sec. 82. *Failure to report kind and quantity of fish caught.*—Willful failure by any licensed fisherman to render a report of the kind and quantity of fish caught, as provided in section seventy-two of this Act, shall subject the offender to the payment of a fine of not less than ten nor more than one hundred pesos for each offense, and to the revocation or cancellation of his license. (As amended by C. A. 471-1.)

Sec. 83. *Other violation.*—Any other violation of the provisions of this Act or of any rules and regulations promulgated thereunder shall subject the offender to a fine of not more than two hundred pesos, or imprisonment for not more than six months, or both, in the discretion of the court.

CHAPTER VI

FINAL PROVISIONS

ARTICLE XV.—*Effectiveness of this Act*

Sec. 84. *Repealing clause.*—All acts, administrative orders and regulations, or parts thereof, inconsistent with the provisions of this Act, are hereby repealed.

Sec. 85. *Date of taking effect.*—This Act shall take effect on its approval. Approved, December 5, 1932.

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EXECUTIVE . . .

(Continued from page 510)

PROVINCIAL OR MUNICIPAL NURSERIES, POLICY ON ESTABLISHMENT THEREOF.—As a matter of policy, this Office is not in favor of establishing provincial or municipal nurseries on borrowed money, especially if there is no assurance of a continuing financial support from year to year for their proper maintenance and operation. It is essential that such nurseries be financed locally as the national government is not in a position to provide funds for them.—7th Ind., March 10, 1947, of Undersecretary of Agriculture and Commerce to the Sec. of the Int. (Case of Alimodian, Iloilo.)

THE FIVE FREEDOMS

FRANKLIN D. ROOSEVELT listed five objectives which must be realized before permanent world peace would be assured.

1. Freedom from fear, so that people will not be afraid of being bombed from the air or attacked by another nation. That, he said, means removal of the weapons which cause fear, or disarmament.

2. Freedom of information. That is important, Mr. Roosevelt asserted, because the whole country must be able to get news of what is going on in every part of the country and in every part of the world, without censorship. He said that it meant not freedom of the press alone but freedom of every means of distributing information and that without it there could not be a stable world.

3. Freedom of religion. Under democracies, the President said, this freedom has been maintained fairly well but not in countries living under other systems of government.

4. Freedom of expression. A person should be free to voice his opinions, the President said, so long as he does not advocate overthrow of his government.

5. Freedom from want. That must be accomplished, Mr. Roosevelt declared, by removal of cultural and commercial barriers between nations.

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RIZAL ON . . .

(Continued from page 503)

others. Which of the two is older? Are both branches of one trunk no longer existing? This is what I shall investigate because I greatly distrust the Malay.

Loleng (Blumentritt's daughter) would find Spanish more beautiful. It is more natural and more useful than the Tagalog. The continuous reduplications of word-forms in certain tenses uglify our language. But when well spoken, the Tagalog can be just as good as any other language. It has a wealth of words for the feelings and actions of ordinary life.—Rizal in his letter to Prof. Blumentritt from Dapitan, February 15, 1893.

PHILIPPINE APPARITION

On September 12, 1948, Sunday, the Feast of the Holy Name of Mary, at about five o'clock in the afternoon, Teresita, a Carmelite Postulant who was taking a walk in the garden, suddenly remarked that a vine shook, and as there was no wind at all, it attracted her attention. She approached and she heard a voice that said: "Fear not, my child. Kiss the ground. Whatever I shall tell you to do, you must do. For fifteen consecutive days come to visit Me here in this spot. Eat some grass, my child." The sister did not see anyone. She only heard the voice.

Next day, Monday, September 13, at five o'clock in the afternoon, Teresita returned to the place. She knelt and recited the Hail Mary. She had recited only the words "full of grace" when she remarked that the vine was moving,

and lo, and behold, she saw a beautiful lady with hands clasped on her breast, a golden rosary hanging in her right hand. Her dress was pure white, simple, held at the waist by a narrow cloth belt. Her feet were bare and resting on clouds which were about two feet from the ground. Her face, of indescribable beauty, was radiant. She was smiling. "Be faithful to come here, be it rain or sunshine, She said to Teresita. Then Teresita asked her: "Beautiful Lady, who are you?" "I am thy Mother, My little one." And having said this she vanished.

On Tuesday, September 14, at the same hour, Teresita went to the same spot. The Lady was already there waiting for her. Her arms were extended forward as if wishing to enfold Her little one in a tender maternal embrace.

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"I wish this spot to be blessed tomorrow," She said. "At what time, Mother?" asked Teresita. "Any time your Mother Prioress wants, My child. I forbid you to forget the incidents of those fifteen days." Then blessing the sister, She vanished.

The blessing of the nook in the garden was at three o'clock in the afternoon the next day. Carmel's Chaplain, His Excellency Bishop Alfredo Ma. Obviar, wearing rochette and stole, entered the enclosure and the Community followed him to the spot. The Lady, visible only to Teresita, appeared with Her arms extended. As soon as Teresita knelt before Her, She said: "My child, kiss the ground and eat a little grass. Take a piece of paper and pencil and write down what I shall tell you for the Community." The following is Her message.

"My daughters: I ask you, first to believe in Me and keep this a deep secret among yourselves for the time being. Second, love one another as true sisters. And third, come often to visit Me. Make this a sacred place and respect it. Gather the petals my children. I bless you all."

Then the lady vanished and in the place of the apparition there were rose petals scattered. The Chaplain proceeded with the blessing of the place, after which he gave a short talk to the Community, emphasizing the Lady's message.

At five o'clock in the afternoon the same day, Teresita went back to the spot, and as on the preceding days the apparition was waiting for her. "I shall ask something from Carmel. I want a statue of Mine to be placed here. Clear this part of your garden so that it will be a real place of prayer. You need not tell Me all that your sisters are asking, for I know them. Tell them that they must believe lest they lose grace. I shall always bless the Community, My child."

On Thursday, September 16, the Lady told Teresita: "I want a statue of Mine to be placed here. I want you to describe Me to your Chaplain because I want it to be as you see Me and as

big as the statue of Our Lady of Lourdes that is in the cloister. Tell your Mother Prioress to have the Rosary recited by the Community here every afternoon during these days. Extend my love to all My daughters. Tell them that I love all my daughters in Lipa Carmel, that I shall always be with you all." Then blessing her little one, She departed.

The following days the Lady and Teresita met each other at the spot. She gave Teresita Her motherly advice, telling her to be obedient, humble and simple; also to tell the Community that simplicity and humility are the virtues She loves most, and so love and practice them. One day the Apparition asked from the Community an individual consecration of its members to the spirit of St. Grignon de Montfort.

On the last of the fifteen days, Sunday, September 26, the Lady repeated Her counsels to Teresita: "My child, you must love and obey your Mother Prioress. Tell your sisters to love one another as true sisters, to practice humility and simplicity, the virtues I love most. Tell them to love and obey their superiors and not to forget the things I ask. I shall not ask bigger things from you as you expect because you are My little ones. Do not forget to consecrate yourselves to Me on October 7. Be very good. I am MARY, MEDIATRIX OF ALL GRACES. I shall always bless the Community, morning and evening." (Blessing the Sister, She disappeared.

On September 30 rose petals were strewn in the cells of the Monastery. On October 3 the shower fell on the staircase. On November 11 the petals fell outside and were seen by some visitors. On the First Friday of November, between noon and three o'clock, Teresita in ecstasy reenacted the sufferings of Our Lord on the cross.

On Friday, November 12, after Mass, Teresita was called to the place of the apparition and there was Mary, Mediatrix of All Graces. She looked tenderly but sadly as She said, "People believe not My words. Pray, my child, pray much because of persecution.

Pray for priests. What I ask here is exactly what I asked at Fatima. Tell this to the people. They do not believe in Me nor do they give what I ask. Tell the Sisters that I ask them to pray and help spread My devotion and to do penance for those who do not believe. These things may now be revealed. This is My last apparition in this spot." Blessing Her little one and the Community assembled, Mary, Mediatrix of All Graces, vanished.

IMPRIMATUR: A. Verzosa, episcopus lipensis, Dec. 6, 1948

IMPRIMI POTEST: Joannes S. Coronel, Coronel Librorum, Dec. 5, 1948

Showers of rose petals occurred in the Carmelite Monastery of Lipa many times. Reported showers of petals were on the days of December 8, 10 and 12, 1948.

LETTER FROM LIPA CARMEL

Following is a letter written to Rev. John Ryan, S. J., editor of "Fatima Findings," by the Reg. Mother Prioress of Lipa Carmel, where Our Lady appeared.

November 14, 1948

Dear Father:

Would Your Reverence believe that the Queen of Heaven would deign to stoop down and choose this Carmel of Lipa as her privileged spot in our dear Philippines? On July 4 of this year, a fervent aspirant ran away from Tanauan, her home town, to enter our Carmel. Fervent and in earnest, she spent the first few weeks as any other postulant, but at the beginning of August the enemy of our souls attacked her in visible form. He was furious against her because she obeyed her Mother in Heaven to enter Carmel, etc. After the assaults of the devil, our little Sister has received great graces: Our Blessed Mother has appeared to her fourteen times in a nook in our garden and every Friday the Sacred Passion of Our Lord is reenacted in her body. The message of the apparition is exactly the same as Fatima but the name Our Lady gave Herself is Mary, Mediatrix of All Graces. She complained that people do not believe her words and refuse to give what She asks.

The apparitions started on September 13 and continued for thirteen consecutive days. The fourteenth apparition was last Friday, November 12, when Our Lady permitted us to publish her Maternal Mercies. From the outset of these events nothing has been hidden from our Chaplain, the Most Reverend Auxiliary Bishop of Lipa, who has studied and examined carefully the whole case and says that without anticipating the verdict of the Holy Mother Church, these apparitions bear all the signs of being true. . . . Besides the message for the public, Our Dearest Mother has designed to give the Community of this Carmel her maternal instructions: to be obedient, simple and humble . . . to do penance for those who do not believe Her words, to pray much because of persecution, to pray much for priests and to help spread Her devotion. Besides the apparitions Our Blessed Mother showered rose petals at first within the cloister when we were not yet allowed to reveal our precious secret but now, since it is public, three times the rose petals have fallen outside the cloister walls. His Excellency Bishop Verzosa came this morning to see the statue that Our Blessed Mother ordered us to have made exactly as She appeared to our Sister and while the Bishop was here there was a shower of rose petals. It was then His Excellency revoked his prohibition of secrecy about what is happening in our midst. Deo Gratias!

(Signed)

Mother Mary Cecilia of Jesus,
O.C.D., Prioress, Carmelite Monastery,
Lipa City, P.I.

Note: The above statement and letter was taken from the March-April 1949 issue of "The Scapular."

—oO—

SUPREME COURT . . .

(Continued from page 529)

" GUILLERMO F. PAËLO
" G. PERFECTO
" CESAR BENGZON
" MANUEL C. BRIONES
" PEDRO TUASON

Mr. Justice Montemayor did not take part.

PROVINCIAL . . .

(Continued from page 496)

do you recommend to check the epidemic?

3. What means of waste disposal are used by the people? Are they in good condition? If not or if they are wanting, please indicate your plans on the matter.
4. Is garbage collection and disposal properly attended to? If not, what remedial measures should be adopted?

PUBLIC EDUCATION

1. Are all children of primary school age in school? If not, please find out the cause and suggest a remedy to place them in school.
2. Is adult education being undertaken in your locality? If not, and you are aware of the clamor for it, what step do you plan to encourage such activity?

AGRICULTURE AND NATURAL RESOURCES

1. What is the food situation in your province or municipality? In case of shortage of the staple food, what relief measures do you intend to adopt or recommend?
2. Are you cooperating in the food production campaign? How? What means do you suggest to intensify it?
3. Do you own any irrigation system? If none, is there need of such a system and if so, what steps do you intend to take?
4. Are there plants and animal pests? Are you prepared to take immediate means to put out such pests?

5. How is fishing done in your jurisdiction? If any dynamite is used, what steps do you intend to follow in case there is real need of such service?

GAMBLING AND OTHER VICES

1. Is gambling indulged in your locality? Is it being eradicated?
2. Are mendicancy, prostitution and keeping of disorderly houses practiced in your territory? In the affirmative what steps are being taken or will be undertaken to stop all these evils?

PROTECTIVE SERVICE

1. Has your city or municipality established an efficient police department and adequate municipal jail? In the negative, what are your plans on the matter?
2. Have you organized a fire department with adequate fire-fighting apparatus?
3. Have you adopted a town or city plan? If not, when are you ready to submit such a plan to the proper authorities?
4. Is there any zonification ordinance in force in your jurisdiction? In the absence of such ordinance, would it not be advisable now to adopt one for populous centers?

RURAL COUNCIL

Is this body functioning in your jurisdiction as provided in section 2219 1/2 of the Administrative Code? The last two functions of the Rural Council enumerated in said law are: "(f) to organize at least three times a year civic lectures tending to generalize information concerning the duties and rights of citizenship; and (g) to

THE LOCAL GOVERNMENT REVIEW

offer to the Government the cooperation necessary locally for the success of measures of general interest". These two purposes behind the creation of the Rural Council will be significant in bringing the government to the people and the people to the government. We cannot, therefore, but be emphatic in urging that, if such a body is not yet organized in your municipality, the matter be included in your program of administration.

SOTERO BALUYUT
Secretary of the Interior

TO all

Provincial Boards
Municipal Boards/City Councils
Municipal Councils

FEEES ON FOODSTUFFS

(Collection of import or export taxes or fees on foodstuffs and other goods and merchandise.)

Complaints have been received in this Department to the effect that many city and municipal treasurers are collecting taxes or fees on foodstuffs and other goods and merchandise carried into or out of the city or municipality, or merely passing through the same, presumably in pursuance of ordinances approved by the municipal boards or city or municipal councils providing for the collection of such taxes or fees.

In the case of the municipalities, such ordinances, if any, are null and void *ab initio* because of the express prohibition in section 2287 of the Revised Administrative Code. In the case of the chartered cities, such ordinances are *ultra vires* because there is no provision in their charters expressly or impliedly authorizing them to impose such kind of taxes or fees. Moreover, the imposition by the local governments of import or export taxes or fees on goods and commodities carried through, into, or out of their respective territories would obviously deter the free flow of commerce in the country and cause considerable increase in

the prices of commodities, to the prejudice of the consuming public.

In view of the foregoing, the city and municipal treasurers are hereby instructed to refrain from collecting municipal taxes and fees of the nature stated above, even if there is a municipal or city ordinance authorizing the same. In case there is any doubt as to whether or not a certain tax or fee comes within the purview of this circular, the matter should be brought immediately to the attention of this Department, and in the meantime, no collection of the tax or fee provided in the ordinance shall be made by the city or municipal treasurer. — *PROVINCIAL CIRCULAR (Unnumbered), dated April 17, 1947, of Secretary of Finance.*

—oOo—

EFFECT OF RESIGNATION BEFORE RETIREMENT

Opinion is requested on whether or not Mr. Ceferino Diño may be granted the benefits under Act No. 2589, as amended, under the following facts and circumstances: On June 15, 1938, Mr. Diño resigned from the position of Provincial Treasurer and Assessor of Albay, after having previously established his right to retire under Act No. 2589, as amended. The records of the Bureau of Civil Service show that his resignation was due to various irregularities committed by him in office. After the liberation, Mr. Diño was reappointed as Acting Provincial Treasurer and Assessor of La Union, first, at P3,600 and, later, at P4,200 per annum. It further appears that on a date undisclosed in the within papers he presented a so-called "courtesy resignation" which was accepted by the President on October 19, 1946, effective on the date following his last day of service.

This Office has previously ruled that an officer or employee who resigns without being retired under Act No. 2589, as amended, thereby "forfeits his right to retire thereunder on the strength of his services prior to the resignation." (Op. Sec. of Justice, Sept. 23, 1946.) Upon reappointment, he is considered to have joined the govern-

(Continued on page 562)

Local Medicinal Plants Sold In The City Of Manila

BY

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INTRODUCTION

If anyone should desire to buy remedies for all conceivable ailments, he should not go very far. For *tiendas* selling these remedies are very near the Quiapo churchyard and the Binondo ruins. Each *tienda* or store carries a large assortment of pieces of wood, twigs, roots and variety of leaves from fresh to dry. And if he should believe the storekeepers, these herbs and plants are potent medicines for all kinds of sickness. For this reason the people, having so much faith in the healing powers of these medicinal plants, patronize these stores. What is more interesting is the fact that the storekeepers are veritable herbalists or "herbolarios." One has only to go there, recite his symptoms, after which the storekeeper gives him a few leaves of this plant or a portion of that root, with full directions on the preparation of the mixture and its application. For all we know, his prescription may or may not cure the malady. But one thing sure is that the mixture possesses medicinal properties, considering that many of the medicines and drugs which come in fancy bottles or in pills contain substances derived from these plants.

Here is a list of plants with their supposed medicinal properties sold in these *tiendas*:

LEAVES AND TOPS

1. *Lagundi* (*Vitex negundo* L.). Locally known as *dangla* in Ilocano; *lingei* in Bontoc; *sagarai* in Bagobo.

Mothers use the decoction of the leaves as an aromatic bath, a few days after childbirth. According to Guerrero, the decoction of bark, tops and leaves taken internally is antigestralgic; boiled seed including the decoction also taken internally will prevent spread of poison from bites of poisonous animals. Doses: not given.

2. Teak (*Tectona grandis* L. f.). Locally known as *dalondon*, *kalayate* in Bisaya; *jati* in Jolo; *teca* in Spanish; *Santa Tekla* in Tagalog.

The decoction of the leaves and roots is a remedy for spitting blood and for amenorrhea or dysmenorrhea. Doses: One-half drinking glass three times a day.

3. *Alagau* (*Premna odorata* Blanco). Locally known as *adgau* in Camarines; *lassi* in Cagayan; *tangle* in Pampanga.

A decoction of either the leaves or flowers or both is a remedy for fever caused by colds. Doses: One small drinking glass three times a day. For cough, mix an equal amount of leaves of this plant and that of *sampalok* (*Tamarindus indica* L.) and then boil. To the resulting decoction add a small amount of sugar and take it internally. Doses: Three to four spoonfuls every time the patient is awakened at night by his excessive coughing.

4. Guava (*Psidium guajava* L.). Locally known in most provinces as *bayabas*, *guavas* or *guayabas*.

The decoction of the leaves is anti-diarrhetic and is used as a vulnerary. To make it more effective add a few pieces of bark to the leaves and then boil. Doses: One-half drinking glass three times a day, preferably after meal.

5. Eucalyptus (*Eucalyptus* spp.). Three or four species of *Eucalyptus*, such as *E. robusta* Sm.; *E. tetricornis* Sm.; *E. deglupta* Blumes, etc. are planted in various parts of the city. The first two species were introduced from foreign countries while the latter, indigenous in Mindanao, was brought to Manila for cultivation.

The leaves are boiled. While it is boiling, the pot is covered tightly with banana leaf. Then a little hole is punched through the leaf, allowing the vapor to escape. The smoking vapor, when inhaled, is good for persons suffering from sore throat, headache and cough.

While the decoction is still warm, it may be given as bath to a patient suffering from fever caused by colds. To relieve excessive coughing and difficult breathing caused by asthma, the dried leaves are sliced and mixed with the dried sliced leaves of *Talongpunai* (*Datura* sp.). The mixture is rolled and smoked like a cigarette.

6. Tamarind or Sampalok (*Tamarindus indica* L.). Locally known as *salomagi* in Ilocos; *sambak* or *sambagi* in Bicol; *tamarindo* in Spanish.

A remedy for cough, the decoction of the leaves, sweetened to suit one's taste, is good. Doses: Two to three spoonfuls every time the patient is awakened at night by his coughing. To make this remedy more effective, see notes for *alagau*. (*Premna odorata*) No. 3.

7. Acapulco (*Cassia alata* L.). Locally known as *andadasi* in Pangasinan; *kasitas* in Camarines; *pakayomkom* in Bataan; *sunting* in Surigao.

The sap of the leaves is a cure for herpes, ringworms, dhotie itch and other skin diseases. Direction: Pound or crush sufficient amount of leaves until the watery juice is produced. Rub the mash against the affected parts at least once a day.

8. *Sampasampalokan* (*Phyllanthus niruri* L.). Locally known as *sampasampalokan* in the Tagalog provinces; *malakirumrum* in Samar; *San Pedro* in Negros; *talikod* in the Ilocos.

The decoction of the entire plant is excellent bath for children. According to Guerrero, it is used as tonic for the stomach and emmenagogue. Considered as a febrifuge, it gives positive results in cases of ague.

9. *Tubang-bakod* or Physic nut (*Jatropha curcas* L.). Locally known as *galumbang* in Pampanga; *kasla* in Bisaya; *taba-taba*, *tubang-bakod* in Tagalog; *tagumbau*, *taua-taua* in Ilocos.

The leaves greased with coconut oil and heated is applied as a topical to the lower part of the abdomen (Tag. *pus-on*) to relieve the patient from suffering from amoebic dysentery (Tag.

daragis). According to Guerrero, a decoction of the leaves is antidiarrhetic. Doses: not given.

10. *Consuelda* or *sorosoro* (*Euphorbia tirucalli* L.). Locally known as *consuelda*, *suelda-consuelda*, *susueldo* and *sorosoro* in most provinces.

The leaves are heated and the juice, while moderately warm, is dropped into the painful ear.

11. *Alpasotes* (*Chenopodium ambrosioides* L.). Known locally as *alpasotes*, *apasotes*, and *pasotis* in most provinces of the Philippines.

The pounded or crushed leaves and tops mixed with cooked rice is used as carminative and applied as poultice to the abdomen of children suffering from dyspepsia or painful digestion. The decoction is emmenagogic; the oil, anthelmintic.

12. Rosemary or Romero (*Rosmarinus officinalis* L.). Locally known as *romero* or *dumero*.

This plant, especially among the common people, has several uses. The decoction of the leaves often given as enemas, is also a remedy for stomach pain. During childbirth same decoction is given to mother; also used for washing her face.

13. Mint or *Yerba Buena* (*Mentha arvensis* L.). Locally known as *yerba buena* in Spanish, meaning "Good Herb".

A mixture of boiled vinegar, crushed leaves and tops of *yerba buena* and crushed bulb or onion (*Allium cepa* L.), is rubbed or massaged against all parts of the body of person suffering from fever caused by colds. These leaves and tops, according to Guerrero, are used as carminative and when crushed, the same are used as antidote for stings of poisonous insects.

14. *Balano* or Sweet Basil (*Ocimum basilicum* L.). Locally known as *albahaka*, *bauing*, *bidai*, *bouak*, *kamangi* and *samirig*.

The leaves and tops used for flavoring are mixed with vegetables and other kinds of food. The infusion or decoction of leaves, Guerrero reported, is used as carminative and stimulant.

15. *Solasi* or Holy Basil (*Ocimum sanctum* L.). Locally known as *al*

bahaka, kamangkau, lalu and loko-loko.

Mixture of crushed leaves and tops, Gogo, (*Entada phaseoides* (L.) and *Kalamunding juice* (*Citrus mitis* Blanco) is good for cleansing hairs and removing dandruff. A decoction brewed from the roots and leaves, according to Guerrero, is good for gonorrhoea.

16. Rose-geranium or *Malva Rosa* (*Perlargonium radula* (Cav.) L'Herit.). Family *Geraniaceae*. A cultivated potted plant locally known as *Malva Rosa* (Spanish) or *Balvarosa* in Tagalog.

The juice from the leaves mixed with the juice from *dilao* (*Corcuma longa*) is a remedy for stomach pain. Direction: Pound and mix sufficient amount of the leaves and the rhizome of dilau; wrap the mash on banana leaves and heat. Press to obtain the juice. Give the juice to person suffering from stomach pain. The leaves when placed under the pillows, have soporific effect. Crushed leaves mixed with gogo (*Entada phaseoloides*) are excellent for cleaning hairs.

17. *Sambong* (*Blumea balsamifera* (L.) DC.). Locally known as *alibun, ayoban, bukadkad.. or gintingintin* in Bisaya; *Sambong* in Tagalog and Pampanga; *sabsab or subusub* in Ilocano.

Women use the decoction of the leaves as bath a few days after childbirth. The decoction, taken in small doses, is a remedy for stomach pain. According to Guerrero, it is used as anti-diarrhetic and antigestralgic. The decoction of the roots is a remedy for colds.

18. *Kamaria* or Mugwort (*Artemisia vulgaris* L.). Locally known as *damong-maria* or *kamaria* in Tagalog; *gilbas* in Bisaya; *herbraka* in Igorot.

The infusion of the leaves, in small doses, is used as carminative and emmenagogue.

19. *Tagulinau* (*Emilia conchifolia* (L.) (DC.)). Locally known as *kipotpot* or *libun* in Bicol; *lamlampaka* in Ilocano *tagulinan* or *tagulinas* in Tagalog.

The decoction of the entire plant is

a febrifuge. Doses: One-half drinking glass three times a day, preferably after meal. The same decoction, according to Guerrero, is used against infantile tympanites. Doses: not given.

20. Mango (*Mangifera indica* L.). Locally known as *manga* or *mangga* in most provinces in the Philippines.

The decoction of the leaves drunk like tea is a remedy for diarrhoea and dysentery. According to Guerrero, the decoction of the roots is diuretic and of the bark, astringent.

21. *Lukban* (*Citrus maxima* (Burm.) Merr.). Locally known as *luban* or *lubban* in Ibanag; *Lukban* in most provinces; *suha* in Tagalog; *sua* in Ilocano.

Persons suffering from fever caused by colds use the decoction of the leaves as bath.

22. *Banaba* (*Lagerstroemia speciosa* (L.) Pers.). Locally known as *bugarom, duguam pamalauagon* and *kauilan* in Bisayan; *makablos* in Pangasinan; *mitla* in Pampanga; *tabangau* in Ibanag and Negritos.

The decoction of the leaves, according to report, is good for diabetes.

23. *Botong* (*Borringtonia asiatica* (L.) Kurz.). Locally known as *bitoon* and *bitung* in Bisayan; *botong* in most provinces.

The fresh leaves are used in topicals for rheumatic persons. Direction: Heat the leaves moderately. Then apply them to the swollen parts of the body. Do this before going to bed and remove the application in the morning. Repeat operation at least three times a week.

24. *Baling-uai* (*Flagellaria indica* L.). Locally known as *anuad, iñgual uai-ti-uak* in Ilocano; *baling-uai* in Tagalog and Pampanga; *houg-uai* in Bicol; *huag, huak, paua* or *taua* in Bisayan; *kalauai* or *tinuung* in Ibanag.

The decoction of the stem and leaves, the leaves of *galamaiamo* (*Schefflera odorata*) and *memalis* (*Pittosporum pentandrum*) is used as aromatic bath by women a few days after childbirth. The decoction of the stem and rhizome is diuretic according to Guerrero. Doses: not given.

25. *Malvas* (*Abutilon indicum* (L.)

Sweet). Locally known as *dulupang*, *malvis*, *yampong*, and *tarakupis* in Bisaya; *giling-gilingan*, *kuakuakohan*, *malvas* in Tagalog; *lulupau* or *luplupau* in Ilocos.

The decoction of the root, stem and leaves is used as enemas.

26. *Katakataka* (*Bryophyllum pinna-tum* (Lam.) Kurz.). Locally known as *abisrana* in Ilocos; *artitana* in Bicol; *karitana* in Bisaya; *putputok* in Bontoc.

The pounded leaves mixed with small amount of salt is applied to the lower part of the abdomen (*pus-on*) to relieve the patient suffering from dysuria (Tag. *balisao-sa'o*).

27. *Tagbak* (*Kolouratia elegans* Presl). Locally known as *tagbak*, *tagbak-babui*, *tabak* and *tugbak* in most provinces.

The decoction of the stem and leaves, cut into small pieces, is given as bath to person suffering from urticaria (Tag. *tagulabai* or *imon-imon*.) The mash of pounded stem and leaves mixed with little amount of salt, according to Guerrero, is rubbed against the affected parts of a paralytic patient.

28. *Sabila-piña* (*Aloe vera* L.). Locally known as *dilangboai*, *dilanghalo* in Bisaya; *sabila*, *sabila-piña* in Tagalog.

The sticky juice from the leaves is used as pomade. It helps prevent baldness.

29. *Bakong* (*Crinum asiaticum* L.). Locally known as *agubabahan*, *kalagukon*, *salibangbang* in Bisaya; *bakon* or *bakong* in most provinces.

In topicals, the leaves are used as emollient.

SUCCULENT STEMS

1. *Makabuhai* (*Tinospora rumphii* Boerl). Locally known as *paliaban*, *panawan*, *panūgiawan* in Bisaya; *makabuhai*, and *makabuhai-itim* in most provinces.

The stem is cut into small pieces and cooked in coconut oil to produce an ointment used for massaging swollen parts of rheumatic leg joints. Mature leaf of *talisai* (*Terminalia catappa*) is greased with the ointment and heated. While this leaf is moderately warm, it is used for wrapping rheumatic joints.

The decoction of the stem, taken in

small doses, is reported to be a good remedy for malarial fever. Besides being a good tonic, it is also a cure for gonorrhoea and syphilis.

2. *Dilang-baka* (*Nopalea cochinellifera* (L.) Salm-Dyck). Locally known as *akakud* in Bontoc; *dapal* in Bisaya; *dila-dila* in Ilocos; *nopal*, *palad* in Bicol.

The sliced stem is used in topical for painful breast.

3. *Pakpak-lauin* (*Drynaria querifolia* (L.) J. Sm.). Locally known as *baga-baga* in Pangasinan; *gonatibatib* in Pampanga; *kabkab*, *kabkabin* in Bisaya; *kappa-kappa* in Ilocos; *paipai-amo*, *pakpak-lauin* in Tagalog.

The decoction of the rhizome-like stem is good for dysentery. According to Guerrero, this decoction, in concentrated form, is anthelmintic.

4. *Kauad-kauad* (*Cassytha filiformis* L.). A parasitic vine on various coarse grasses, shrubs, trees and other vines. Mostly found along the sandy beaches or coast. Locally known as *barubarut* in Ilocos; *malabohok* in Bicol and Bisaya; *kauad-kauaran*, *kauad-kauad*, *kauat-kauat* in Tagalog.

The decoction of the entire plant, according to report, is good for pregnant women.

WOODS AND WOODY STEMS

1. *Matang-ulang* (*Salacia prinoides* (Willd.) D.C.). Locally known as *matang-ulang* in Tagalog; *ope* in Igorot.

The decoction or infusion of either mature stems or roots is good remedy for amenorrhoea or dysmenorrhoea. Same decoction is regarded as an abortive.

2. *Dugtong-ahas* or *Itiban* (*Parameria barbata* (Blume) K. Schum.). Locally known as *bulau-bulau*, *sagid*, *taguktuguk* in Bisaya; *hinggiu-naputi*, *itiban*, *takolauai*, *omoli* in Tagalog; *pataan*, *patian*, *yakdig* in Ilocos.

A decoction of stem including leaves is used as vulnerary. Taken internally, it is reported to cure tuberculosis. Doses: not given.

3. *Bolong-eta* (*Diospyros pilosanthera* Blanco). Known in most provinces as *bolong-eta*.

Infusion of sliced stem including bark in coconut wine is reported to be efficacious for irregularity among women.

4. *Amian* or *Tulibas* (*Micromelum minutum* (Forst.) Seem.). Locally known as *basar-basar*, *kariububao lamlamuyot* in Ilocano; *bugtong*, *huriñot makabañgon* in Bicol; *malalapai* in Pampanga; *panias-panias*, *tabas* in Bisaya.

The decoction of sliced stem is reported to be good for diabetes and for paleness. Doses: *Ad libitum*.

5. *Agpoi* or *Banot* (*Bauhinia cumingiana* L.). Locally known as *agpoi*, *banot*, *salibangbang*, *umpig*, *umpik* and *uplig* in most provinces.

The decoction of stems is reported to be good remedy for paleness in convalescence. Doses: *Ad libitum*. Juice from pounded fresh stems is dropped on sore feet (Tag. *aliquña*) for rapid cicatrization.

6. *Sibukau* or *Sapang* (*Caesalpinia sappan* L.). Locally known as *sapang sappan* and *sibukan* in most provinces.

The decoction of sliced heartwood is reported to be good remedy for tuberculosis. Doses: *Ad libitum*.

BARKS

1. *Duhat* (*Syzygium cumini* Skeels). Locally known as *duhat* or *lumboi* in most provinces.

The decoction of the bark is antidiarrhetic. Doses: *Ad libitum*. Pulverized seeds taken internally, according to Guerrero, is an efficacious remedy for diabetes. The fruit cooked to a thick jam, according to report, is an effective astringent for acute diarrhea.

2. *Bangkal* (*Nauclea orientalis* L.). Locally known as *bangkal* and *bula* in most provinces.

The decoction of the bark, according to Guerrero, is vulnerary and antidiarrhetic. It is also used to cure toothache.

ROOTS

1. *Zarzaparilla* or *Banag* (*Smilax bracteata* Presl). Locally known as *banag*, *banal*, *hampas-tikbalang*, *zarzaparilla* in most provinces.

The decoction of the rootstocks and roots used as purifier of blood, is given to mothers a few days after childbirth. Same decoction is a remedy for gonorrhoea, syphilis and rheumatism. Doses:

Ad libitum. Note: Two other species of *Smilax*, such as *S. china* L. and *S. leucophylla* Blume, produce the same effect.

2. *Timbañgan* or *Malaubi* (*Aristolochia Tagala* Cham.). Locally known as *malaubi*, *timbañgan*, *timbang-timbañgan*, *parolparolan* in Tagalog; *tauantanen* in Iloco.

Infusion of roots is tonic, carminative, and emmenagogic. Direction: Obtain sufficient amount of roots, cut into pieces and drop them into a bottle containing coconut wine and water. After about twenty-four hours, the solution is ready. Doses: Two to three tablespoonfuls every three hours.

3. *Abutra* or *Suma* (*Arcangelisia flava* (L.) Merr.). Locally known as *abutra*, *abutra*, *albotra*, and *sumo* in most provinces.

The decoction or infusion of roots of mature stems is used as febrifuge, tonic and emmenagogue. Doses: One to two tablespoonfuls every three hours. According to Guerrero, the same decoction or infusion is abortive, depending on the quantity administered.

4. *Urai* (*Amaranthus spinosus* L.). Locally known as *ayanoto* in Pampanga; *iting-iting* in Davao; *kulunai*, *kuantong* in Ilocos; *kulitis*, *kilitis*, *oori* and *urai* in Tagalog.

The decoction of the roots is reported to be efficacious in the treatment of gonorrhoea, and other venereal diseases. To make it more effective, mix equal quantity of the root of this plant and that of *zarzaparilla* (*Smilax* sp) and then boil. Doses: *Ad libitum*.

5. *Spiny Bamboo* (*Bambusa spinosa* Roxb.). Locally known as *kauayan-tinik* or *kauayan* in most provinces.

The decoction of the roots is administered in the treatment of anuria. Doses: *Ad libitum*.

6. *Kogon* (*Imperata cylindrica* (L.) Beauv. var. *Koenigii* Benth.). Locally known as *buchid* in Batanes; *gaon* in Benguet; *gogon* in Bicol; *kogon* in most provinces; *pan'au* in the Ilocos.

The decoction of the roots is a diuretic beverage. Doses: *Ad libitum*. The water from the exudation of the roots is reported to be a good remedy for phthisis. Direction on how to get the

water: Dig the soil where there is a good clump of kogon, about one foot deep one foot wide and two to three feet long. After about twenty-four hours, clumps of roots will grow along the sides of the hole. Tie these roots together, and cut the tips. Then insert them into bamboo tube or any container. Do this early in the evening. Early the following morning, take the tube, which no doubt contains pure water. Give to person afflicted with tuberculosis. Doses: One-half drinking glass every three hours, especially at night.

7. *Moras* (*Andropogon zizanioides* (L.) Urban). Locally known as *mora* or *moras* in most provinces.

The decoction of the roots, according to Guerrero, taken internally is an efficacious lithontriptic besides being a good tonic. After the roots have been cleaned and dried, they are placed in boxes where clothes are kept. Like naphthaline, the dried roots impart a sweet odor.

8. *Tanglad* or *Lemon Grass* (*Andropogon citratus* DC.). Locally known as *barani* in Iloco; *tanglad* in most provinces.

The decoction of the roots is highly esteemed as diuretic medicine. The leaves when crushed and mixed with gogo are used for aromatic baths. The stem is sometimes mixed with chicken's meat for flavoring.

9. *Parag-is* or *Yard Grass* (*Eleusine indica* (L.) Gaertn.) Locally known as *palagtiki*, in Bisaya; *parañgis* in Iloco; *parañgis-sabuñgan* in Pampanga; *parag-is* in Tagalog.

According to Guerrero, the entire plant mixed with gogo (*Entada Phascoloides*) is used to cleanse the head, remove dandruff and prevent baldness.

FRUITS AND SEEDS

1. *Patolang-ligau* (*Luffa cylindrica* L.), the wild variety. Not to be confused with *Patola* (*Luffa cylindrica*), the cultivated form, which is bigger in size than *Patolang-ligau*. Locally known as *patolang-uak*, *patolang-ligau*, *pepenillo de San Gregorio* and *tabobok* in most provinces.

The dried fruit containing seeds is steeped and the resulting liquid, accord-

ing to Guerrero, is an effective emetic.

2. *Caña-fistula* (*Cassia fistula* L.). Known as *caña-fistula* in nearly all provinces.

The pulp of the fruit inside is used as purgative.

3. *Kalumbibit* (*Caesalpinia crista* L.). Locally known as *bangbang*, *bayag-kambing*, *kalumbibit*, *dalugdug* in most provinces.

The powdered seeds are administered as antifebrifuge and are regarded as tonic. The infusion of powdered seeds in coconut oil is a good remedy for athlete's foot or chailblain (Tag. *alipuniga*).

4. *Kasui* (*Anacardium occidentale* L.). According to Guerrero, the oil from the pericarp of the seeds is a powerful escharotic.

5. *St. Ignatius Bean* (*Strychnos ignatii* Berg.). Locally known as *igasud* in Samar and Leyte.

The bark and seeds taken in small doses, Guerrero reported, are used as febrifuge. They are anticholeric and tonic, according to the report.

6. *Tangolo* or *Niogniogan* (*Quisqualis indica* L.). Locally known as *niogniogan*, *piniones*, *tartaraok* and *tag-arau*.

The seeds are used as vermifuge. Precaution: Number of seeds given will depend upon the age of the child, but from two to three will be sufficient. Too many seeds eaten, will cause hic-cough and dizziness. As antidote to dizziness, give patient plenty of sugar.

SUPREME COURT . . .

(Continued from page 547)

and the contract entered into thereunder between the same municipal government and Timoteo Santaromana to be void as violative of the constitutional provision against the impairment of the obligation of contracts. With costs against the appellees.

SO ORDERED

(SGD.) ALEX REYES

We concur:

(Sgd.) MANUEL V. MORAN

" RICARDO PARAS

" F. R. FERJA

(Continued on page 521)

Opinion Of The Secretary Of Justice

FORCE AND EFFECT OF DECISIONS IN ADMINISTRATIVE CASES RENDERED DURING JAPANESE OCCUPATION

Opinion is requested as to whether or not decisions, in administrative cases, rendered during the Japanese occupation are to be considered valid, in view of the proclamation of General Douglas MacArthur of October 23, 1944.

It appears that Mr. Aniano Poliquit, a school teacher, and Mr. Venancio Nebriada were charged with improper conduct (kissing school girls) and immorality, respectively. Their cases were investigated, by the Commonwealth Government, in March, 1940, and decisions were rendered thereon, by the Executive Commission, in August, 1942.

In the case of Co Kim Cham vs. Valdez Tan Key et al. (G.R. No. L-5, promulgated September 17, 1945), it was held that the Republic of the Philippines and the Philippine Executive Commission, established during the belligerent occupation, were *de facto* governments and that judicial acts and proceedings thereof were good and valid, and remained good and valid after the restoration of the Commonwealth Government, *except those of a political complexion*.

The last part of the aforesaid proclamation of General MacArthur provides "that all laws, regulations and processes of any government in the Philippines other than that of the Commonwealth of the Philippines are null and void and without legal effect in the areas of the Philippines free of enemy occupation and control."

Inasmuch as, pursuant to well settled principles of international law, all judgments and judicial proceedings, which are not of a political complexion, of the *de facto* governments during the Japanese military occupation, were good and valid before and remained so after the occupied territory

had been liberated, it should be presumed that it was not, and could not have been, the intention of General MacArthur, in issuing said proclamation, to nullify judicial processes devoid of political complexion, in violation of said principles of international law. (C. Kim Cham vs. Valdez Tan Keh et al., *supra*.)

Similarly, therefore, it could not have been the intention of General MacArthur to invalidate ordinary administrative proceedings, of said *de facto* government, having no such *political complexion*, there being no substantial difference, from the point of view of public international law as well as of public interest, between the necessity of giving full faith and credit to judicial processes in general and that of upholding the validity of the aforementioned administrative proceedings and of the processes issued in connection therewith.

The connotation of the phrase "political complexion" has been discussed in the recent case of Alcantara vs. Director of Prisons, G. R. No. L-6 promulgated by the Supreme Court on November 29, 1945 thus:

"A punitive or penal sentence is said to be of a political complexion when it penalizes either a new act not defined in municipal laws, or acts already penalized by the later as a crime against the legitimate government, but taken out of the territorial law and penalized as new offenses committed against the belligerent occupant, incident to a state of war and necessary for the control of occupied territory and the protection of the army of the occupier. They are acts penalized for public rather than private reason, acts which tend, directly or indirectly, to aid or favor the enemy and are directed against the welfare, safety, and security of belligerent occupant. As examples, the crimes against national security, such as treason, espionage, etc., were crimes against the Commonwealth or United States Government under

DISTRIBUTION OF RAINFALL IN THE PHILIPPINES

by
(Casimiro Del Rosario-Director, Weather Bureau)

In Winter the rains of the Philippines are mainly due to the northeasterly air currents, which, coming directly from the Pacific, cause abundant rains to fall over the eastern part of the Archipelago. Hence they are sometimes called "Northeast Monsoon Rains." In Summer and Autumn our rains are mainly due to the influence of typhoons which either cross the Islands, generally from east-southeast to west-northwest, or pass some distance to the north. These rains though quite general throughout the Archipelago, are more abundant in Luzon and the Visayas, and exceptionally heavy at times in the western part of these Islands which is more exposed to the westerly and southwesterly winds. As the great majority of typhoons that occur from June to October pass to the northeast or north of the Philippines or cross the northern part of Luzon, the winds from the west and southwest are the most prevailing during that season. This Summer and Autumn rainfall may be rightly called "Cyclonic Rainfall" as dis-

tinguished from the "Northeast Monsoon Rainfall." These cyclonic rains are far from being continuous, their frequency depending entirely on the frequency of typhoons.

The other rains that occur mainly in Spring, and may be called "Thunderstorm Rains" are of little importance as compared with the other two kinds of rainfall just mentioned, and they are generally observed only in the afternoon or in the evening.

The accompanying tables give the normal monthly and annual rainfall for several selected stations of the Philippines. Based on these observations, and taking in consideration the greater or less prevalence of either of the two most important periods of rain, we have tried to divide this monthly distribution of rainfall into four types.

First type.—Two pronounced seasons, one dry in Winter and Spring, the other wet in Summer and Autumn. All the regions on the western part of the Islands of Luzon, Mindoro, Negros and Palawan are of this type. The controlling factor is topography. The localities of this type are shielded from the northers and even in good part from the trade by decided mountain ranges, but are open only to the southwest monsoon and cyclonic storms.

Second type.—No dry season; with a very pronounced maximum rain period in Winter. In this class fall the Cagatuanes, Sorsogon, the eastern part of Albay, the eastern and northern part of Camarines Norte and Camarines Sur, a great portion of the eastern part of Quezon, Samar, the eastern part of Leyte, and a large section of eastern Mindanao. These regions are along or very near the eastern coast and sheltered neither from the northers and trade, nor from the southwest monsoon and cyclonic storms.

Third type.—No very pronounced maximum rain period, with a short dry season lasting only from one to three months. Regions with this type

the Revised Penal Code, which were made crimes against the belligerent occupant."

Pursuant to this test, the administrative proceedings in question have no political complexion.

In view of the foregoing, and considering, furthermore, that there is nothing to indicate that the rules and policy applied therein were other than those applied during the Commonwealth Government, there is every reason to believe that the decisions in said administrative cases are valid and have force and effect, even after the restoration of the Commonwealth Government, despite the aforementioned proclamation of General MacArthur of October 23, 1944.—*9th Ind., Dec. 24, 1945, of Sec. of Justice to the Secretary of Instruction and Information.*

—oOo—

DEVOTION TO DUTY

"Bautista, June 2, 1899

"Miss Conchita Castillo,
"Manila.

"*My distinguished lady and friend:*

"It might be a surprise for you that I am writing to you, and that you might think that I do not have time for anything; it is not so. For friends who feel like myself, I always have a spare moment, especially if that moment serves to drive away cares and dizziness. Is not that charity and patriotism? I believe it is.

"I would have wanted to return to Manila, walk along its streets and sidewalks (somewhat dirty, indeed), but would not that be treachery to my convictions, to my duty, to my oath and to my government? It is better to be here with our poverty and limited resources, exposing ourselves every day, perhaps every hour. It is so pleasant to work for the country! It is so noble and honorable to suffer for the sake of the country! . . . In truth, my friend, if I were in Manila living commodiously and if I think of my brothers who are fighting and exposing the most precious that they have, which is life believe me, I would not remain indifferent in the face of such pools of seething blood — Filipino blood my own blood, shed not for a joke but for Liberty, for the welfare of all. That spilt blood demands another sacrifice, and that sacrifice is not indifference or fear. For my country, to endure is not to suffer; it is to comply with duty, and compliance with duty is an immense satisfaction.

"Now, my friend, that cry should be complied with, which filled the air and said: HURRAH FOR INDEPENDENCE! HURRAH FOR A FREE PHILIPPINES! BETTER TO DIE THAN TO LIVE UNDER ANOTHER'S DOMINATION! . . . those promises made over the Bible that: I SWEAR TO DEFEND TILL DEATH THE INDEPENDENCE OF MY COUNTRY . . . How easy it is to swear . . . swear till death, when the thought

of climate are the western part of Cagayan (Luzon), Isabela, Nueva Vizcaya, the eastern portion of the Mountain Province, southern Quezon, the Bondoc Peninsula, Masbate, Romblon, northeast Panay, eastern Negros, central and southern Cebu, part of northern Mindanao, and most of eastern Palawan. These localities are only partly sheltered from the northern and trade rains and open to the southwest monsoon or at least to frequent cyclonic storms.

Fourth type.—No dry season and no very pronounced maximum rain period. The regions affected by this type are the Batanes Province, northeastern Luzon, western Camarines Norte and Camarines Sur, Albay, eastern Mindoro, Marinduque, western Leyte, northern Cebu, northern Negros, and most of central, eastern and southern Mindanao.

Remarks: Strictly speaking, by a dry month in the Philippines should be understood a month with less than 1.97 inch of rain; yet sometimes a month with even more than 3.94 inches of rain is considered a dry month, especially if it comes after three or more very dry months.

FIRST TYPE: Laoag, Vigan, Baguio City, Dagupan City, Manila City and Iloilo City.

SECOND TYPE: Daet, Legaspi City, Atimonan, Tacloban and Surigao.

THIRD TYPE: Aparri, Tuguegarao, Capiz, Cebu City and Zamboanga City.

FOURTH TYPE: Basco, Calbayog and Tagbilaran.

—oOo—

MANUEL L. QUEZON—A man is only entitled to love so long as he lives with honor.

SERGIO OSMEÑA—I urge you to forget petty political differences, to bury the hatreds and animosities engendered by the struggle, to obey the rule of law, justices and reason, and to remember that we all belong to one common country, our beloved Philippines.

GLORIOUS PAST OF MALAYANS

by

BENITO SOLIVEN

PAN-MALAYAN is a term that immediately grips the mind and fires the imagination. It is thought-provoking, and it conjures up a vision in which a great drama unfolds itself from the distant past, at times glorious with heroic and epic grandeur, at other times

of going from place to place—the work of a tourist—begins to produce discouragements and dismays!

"Oh, believe me that if we do not succeed in becoming independent, it is because we do not deserve it: because there is no energy in our men, nor patriotic virtue in our women. Hence I need your cooperation, for women can do much.

"Tell to our fellowmen that Independence cannot be obtained from roses with comfort and without risk. Independence is attained after a period of fighting, of sufferings, sacrifices, afflictions and the surge of blood. If our fellowmen there do not have the courage to go to the battlefield to fight, they should at least have the virtue to be silent, inasmuch as in living in Manila they want to say that they recognize American sovereignty, because he who is not with us is against us, and are consequently, traitors.

"I do not demand compliance with oaths, cries and the unfurling of national colours in times of peace where everything was quiet and the table was ready. I would only want a bit of consistency, somewhat reasonable, that demonstrates that we are neither children nor cowards.

"Good-bye, Conchita! We find more pleasure here than there and we know how to be consistent with our ideals.

"Know that your servant is attentive to you,

A. LUNA"

(The foregoing letter is a reprint from the English version by Julio Villamor of Col. Juan Villamor's book: "GENERAL D. ANTONIO LUNA Y NOVICIO," pp. 64-66.)

—oO—

radiant with the romance and exquisite beauty of tropical seas and skies, with the sweet cadence and rhythm of Oriental music, song and dance; and again solemn and spiritual with mystic sublimity of philosophy and religion.

You have asked me to speak on Malayan history and culture. It is a subject far beyond my very limited powers and meager preparation. Volumes of fascinating narrative and literature could hardly do it honor and justice; for it would be more than a mere historical and ethnological treatise, it would be the vindication of a much misunderstood people, a race that has prominently contributed to lay the foundation of modern civilization and progress. And yet I have accepted the task willingly, and even enthusiastically because I am convinced that any unbiased discussion of history, however brief, will show that the Malayan race, to which we have the privilege to belong, is not inferior to any other race, absolutely to no other race, either in potentialities and capacity or in culture and achievements.

I lay no claim to any special erudition on the subject. But I am animated by honest conviction, and the fond hope that some of you with greater talents and more facilities than I have at my disposal, would take up the quest and undertake the defense of the Malay against the charge, at times outspokenly made, and always insinuated, that we are a shiftless race, incapable of sustained effort and constructive progress. The tragedy of it is that such an unjust and unfounded prejudice has gained credence even among our own people, many of whom have developed a kind of inferiority complex, a state of mind which has caused us incalculable harm and has considerably retarded our progress, like leaden weights shackled to our feet. No people that does not have a firm belief in its power and capabilities can achieve a great destiny. It is of the

*A reprint from Filipiniana

highest transcendence, therefore, that we strive for the well-deserved dignification of our race, by showing the immense contribution given to civilization by our ancestors, and by recounting and making known their glorious achievements. Thus may we redeem ourselves from the approbrium or blind prejudice; thus may we release the tremendous but latent forces of our people.

I will not now indulge in subtle definitions and distinctions, based on philological and ethnological theories, as regard who the Malays are, or whether they are different from Indonesians or Polynesians. Even learned authors fail to agree on these questions. I shall use the term Malay as referring to the brown race in general, as distinguished from the white, the yellow and the black, according to that simple, unsophisticated and practical classification we learned in the schools of our boyhood.

As we look around us today, we find the brown man occupying a widespread and far-flung territory more vast than we imagine; more extensive than that of any other race. Besides his home in the Malay Peninsula and the Indian Archipelago, comprising Sumatra, Java, Borneo and other islands of the East Indies, and the Philippines, we find him in India, in South-eastern Asia, where the names of countries like Siam and Annam and Kalinga, are suggestively Malaya; in Korea, Formosa and Southern Japan, particularly in the island of Kyushiu; in the Hawaiian Archipelago and other oceanic island groups; in New Zealand and Australia; in Madagascar and the African coast; in North and South Americas in the person of the American Indian and the descendants of the Aztecs and the Incas. And even in Europe traces of him may be found among the brunette peoples of the Mediterranean coast. The unparalleled dispersion of the race over the face of the entire globe speaks high of the courage and pioneering spirit of the brown race. History and literature written by Occidental writers, almost always one-sided and over-emphatic on the history of the white race, and ex-

ceedingly brief on the history of the East, extol the bravery and the sea-faring exploits of Phoenicians and Greeks in the dawn of history. We do not wish to minimize the heroism and the glory of their adventures, but it may be well to remember that they were almost entirely confined to the Mediterranean and Aegean seas, mere lakes compared with the immense vastness of the Pacific where the unsung adventures and daring exploits of Malayan Ulysses, conquerors, traders and colonizers were enacted, long before Trojans and Greeks fought their wars made famous by song and epic poetry, long before Phoenician sailors venturously issued forth from their native shores upon the blue waters of inland seas, to brave the dangers of mythological Scylla and Charybdis.

In consequence of that spirit of adventure and daring, which is also a necessary element of the highest progress, we see today the universal impress of Malay civilization and culture. Its influence is not only found in the present homelands of the race, which bear names all too obviously Malayan, like the kingdom of Siam, a word which means "nine" of Annam, which means "six," allusions probably to subdivisions or provinces of a more ancient and larger political unit; Malacca, Malabar in India, and the Himalayas, the highest mountain of the world, whose name suggests that the Malay might have been the first to use formidable mountain passes like famous Khyber pass now associated with the more recent migrations of Aryans; Madagascar near South Africa, and other places bearing Malayan names. The very word "Malay," "Malayo" which in Tagalog and kindred dialects means "far," denotes the wide range of Malay activities and influence. But it is not only in the East that the brown race has held its sway and has left traces of its ancient culture. It is not a wild theory to uphold that it has in no slight degree helped to lay the foundation of European civilization. I will now submit for your consideration certain facts and inferences which, though I do not pretend that they have been historically and defi-

nately established, may yet be true, and are at least reasonable leads or suggestions for further study and search in line with our thesis.

Prior to the flowering of Aryan civilization, antedating Median, Pesian, Greek, Roman and Teutonic cultures, there flourished in Europe and North Africa and in the islands of the Mediterranean, great empires and kingdoms of dark-skinned or brown peoples, whose civilization reached such a high degree of development and excellence, that in many respects it has remained unsurpassed unto this day. Sumerian and Ancient Egypt and Crete were the pioneers of European civilization, and they were the homes of dark-skinned or brown, Non-Aryan peoples. Huxley and Wells and many other researchers admit this fact. It has likewise been found that the Ancient Egyptians belonged to the same stock as the Dravidians of India, and therefore absolutely of the brown race. When we pause in wonder before the awesome grandeur of the Pyramids of Giseh, or the Oriental magnificence of the temples of Karnak; when we feel ineffable enchantment at the sight of the precious remnants of the lost arts of Egypt; when upon reading the deciphered cuneiform records of Assyria we come across the mention of a marvelous Sumerian civilization; when we admire a precious vase of exquisite workmanship excavated from pre-historic ruins of Cnossos, unexcelled by the best of Greek art, we cannot but feel proud of the accomplishments of the dark or brown race; and we realize how groundless and futile is the assumption and the misjudgment that ours is an indolent and unprogressive people. We do not want to claim superiority but neither do we admit inferiority. If we have learned much from other races, we may also contend with equal truth that they have learned much from us. In passing we may state, for whatever it may be worth, that even the symbols, adopted by those that pretend to be the principal exponents of Occidental civilization, were familiar to the Malay or the brown race. The Swastika of Nordic Germany is an old symbol of good luck among the people of Northern Luzon. The Roman

salute has for untold ages been the salute of ancient Malayan sun-worshippers and even the fasces, which stand for unity call to mind the graceful and banded strength of our bamboo trees. The folklore of Europe, specially of Ireland, is strikingly similar to that of the Malays.

As builders of empires the brown race was unsurpassed in ancient times. Besides those of Sumeria, Egypt and the Aegean cities, which we have already mentioned, there were those of India whose architectures are significantly of the same style, of the same imposing and colossal proportion, coupled with artistic care and finesse of details; those of Shri-Vishaya, and of the Kmers in Cambod who build the marvelous palaces and temples of Angkor-Vat and Angkor-Thom, and there was the Malay empire of Madjapahit, which produced the magnificent palaces of the Borobuddar, and with which, like the older Shri-Vishayan empire, the Philippines was associated.

As to the great men of the brown race, besides Rizal, Gandhi and others of our days, we may mention Buddha of Gautama, Asoka and Akbar and a host of others. According to Biblical history, the mother of Solomon, the wisest of men, was Hittite, of the Hyksos of Egypt who were a dark or brown people. Thus, may we say, our race had a place in the origins of Christianity. And one of the three kings or wise men who paid homage to the Divine Child at Bethlehem was Baltazar, the Malayan prince. We may continue reconstructing the glories of the past of our race. But what has already been said is sufficient to show the great potentialities of our people, and that what our people, and that what our ancestors could do we may achieve; that we are a people inferior to none, capable of the highest progress, culture and civilization: Sons of Malaya, lift high your brow, and steel your hearts and souls for noble and high achievements: be worthy of your ancestors and the glorious past of the race!

THE MAURA LAW

Royal Decree of May 19, 1893
(Continued from September Number)

Sec. 28. The funds obtained in the collection of all the impost and taxes shall be deposited by the Captain in a special chest, having three keys, called the "Chest of the Income of the Towns," which shall be under the custody of the Office of the civil or politico-military governor in each capital or seat of the province. If the Captain will not be able to go in person to the capital to make the deposit, he shall send one or two commissioners under his responsibility.

The regulations shall determine the amounts which the Captain may retain to meet the current obligations of the tribunals, as well as the formalities indispensable for a simple accounting, but always avoiding that any confusion or effacement come to the distinction, which must be complete, between the proceeds from the tax on rural property and other receipts in the municipal revenues.

The Captain is personally responsible for the funds deposited with him until the day upon which the deposit is made in the special chest of the "Income of the Towns."

Sec. 29. The tax on rural property, wherever it may be established, shall consist of a certain percentage of the real value of estate, whether or not under cultivation; and this percentage shall be fixed by each municipal tribunal, with the presence of the delegates of the *Principalia* and the Reverend Parish Priest.

The resolution to establish, abolish, increase, or reduce the tax shall be embodied in a record, whereof a copy shall be forwarded to the Governor of the Province for his information and that of the Governor-General.

In no case can the land tax be established, save in that of uncultivated private property.

Sec. 30. When the tax upon rural property has been fixed by the Municipal Tribunal, with the attendance of the *Principalia* deputies and the Reverend Parish Priest, a detailed statement shall be formally prepared of the estates upon which the tax is to be levied, with a description of the area, boundaries, and real value given them and a certified copy of the record being forwarded to the Provincial Board.

Observations made on this statement, or any part thereof, shall be addressed to the Provincial Board, in order that it may recommend to the Governor of the Province such decision as it shall deem just, such a decision to be considered final.

The Board shall prepare summaries of the statements it may receive and shall forward copies thereof every six months to the Governor of the Province, who shall in turn transmit them to the Governor-General.

Sec. 31. All the proceeds of the tax upon rural property shall be utilized exclusively for local community public works, and no reason or cause whatever can divert them from their original purpose.

A separate account for each town, distinct from that covering the other revenues of the "Municipal Income" and the other disbursements shall be kept of the receipts and payments made relative to such a tax.

Sec. 32. The Municipal Tribunal may, jointly with the representatives of the *Principalia* and the Reverend Parish Priest, order the execution of public works, whose total cost shall not exceed 400 pesos, to be paid for from the amounts collected and deposited in the chest of the "Income of the Towns," by reason of the tax on rural property, without the need of the intervention of any other authority for such a resolu-

tion. If the total cost of the work will exceed 400 but not be more than 2,000 pesos, it will be necessary to submit the resolution to the Provincial Board so that it may recommend approval to the Governor of the Province, which in such case is necessary in order to undertake the work.

If the cost of the work will exceed 2,000 pesos, the approval of the Governor-General shall be necessary, after the report of the Provincial Board and of the Governor of the Province has been made.

If, after the work has been undertaken, the cost does exceed the limit formally laid down with the adoption of the resolution, before the payment shall be made by the treasury of the towns for any amount beyond the said limit, the Provincial Board shall examine the facts of the case and shall recommend to the Governor of the Province the correction of the error, if it be unintentional, or show the liability of those persons who adopted the resolution, if the excess in cost has been committed with malice aforethought.

Sec. 33. The work referred to in the foregoing Section shall be undertaken under the immediate supervision of the Municipal Tribunal, and no other technical personnel, outside of that freely appointed by the Tribunal, shall have anything to do relative thereto.

Sec. 34. The Captain shall render a separate and special account of the execution of each of the public works referred to in the preceding Sections, upon its completion, if it is finished within the twelve months following the resolution to undertake them, and otherwise at the end of the calendar year wherein the said twelve months shall have ended.

After the vouchers have been attached to the account, it shall be examined and audited by the Provincial Board, and approved in each case, or corrected by the Governor of the Province, in keeping with the formalities prescribed

in Section 40. This official shall notify the Governor-General of the work undertaken and completed and of the decision rendered on the accounts.

Sec. 35. The fifteen days' work of the personal service tax shall be utilized for local community works and needs, by virtue of a direct order from the Captain of the Municipal Tribunal, and this order the chief Lieutenant shall cause to be executed.

A complaint can be addressed to the Governor of the Province against abuses which may be committed in this branch of the service, when they do not involve criminal liability chargeable before the courts of justice.

Sec. 36. The municipal Tribunals, once constituted, shall, with the assistance of the representatives of the *Principalia* and of the Reverend Parish Priest, order and prepare a simple statement of the fixed expenses which they adjudge indispensable each year to meet the needs of the community services, with a statement of the items and the amounts.

This statement, once approved, shall be the budget of the ordinary and annual expenses of the town, and shall remain in force until it shall be modified in due form. Of the general statement of fixed expenses and of the alterations which may be introduced therein, there shall always be true and certified copies with the Municipal Tribunal and in the office of the Secretary of the Provincial Board.

The following shall figure in the statement of fixed expenses:

1. The credits necessary to meet the expenses which, according to the provisions in force, are binding upon the town, such as the subscription to the *Gaceta de Manila*, the transportation and maintenance of conscripts, the allowances and transportation expenses for prisoners, the allowances for the members of the rural guard and their stay in military hospitals, and any other kindred expenses.

2. The credits necessary to remunerate the personnel engaged in municipal services, whether in the office of the Tribunal, or employed as police, guards, or watchmen, or in the administration of the property or revenues of the "Municipal Income." The share which the town is to pay, according to a *pro-rata* division of the expenses of the office of the Secretary of the Provincial Board, shall be added.

3. The credits necessary for the cost of office supplies and other municipal necessities.

4. The credits necessary for the preservation and repair of the public thoroughfares, within the entire jurisdiction of the town, as well as of the community buildings,

5. An amount for contingent expenses, which shall maintain a fixed proportion to the sum-total of the permanent expenditures which the regulations may determine.

6. The credits necessary for the service of cleaning, hygiene, charity, and embellishment, according to the circumstances and resources of each town.

7. The credits necessary to defray the expenses of public feasts and celebrations.

The regulations shall determine the maximum proportion which may be authorized for the credits mentioned in No. 7 in relation to those indicated in No. 6 of this Section.

Contingent or incidental obligations and necessities cannot be included in the fixed statement of community expenses.

Sec. 37. In no case may the ordinary expenses exceed the fixed revenues duly estimated in the statement thereof, which must be prepared in accordance with Section 25.

After those two permanent statements of ordinary receipts and disbursements shall have been prepared in such a way that the expenditures shall never exceed the revenues and at the same time shall have been approved by the Municipal Tribunal, jointly with

the representatives of the *Principalia* and the Reverend Parish Priest, both statements shall be forwarded to the Provincial Board. This body shall examine them, so as to avoid that this or other provisions in force be violated, and shall recommend to the Governor of the Province the approval or alterations which may be necessary to correct abuses or violations of law.

After both statements have been approved, the originals shall remain in the capital, and a certified copy thereof shall be forwarded to the Captain of the Municipal Tribunal so as to serve as a guide in the management of the receipts and disbursements as well as for the annual accounts.

Sec. 38. When the Municipal Tribunal, jointly with the delegates of the *Principalia* and the Reverend Parish Priest, comes to consider any alteration necessary in any of the statements of fixed receipts and disbursements of the town, it may be so ordered; and upon submitting the resolution to the superior authority in the manner prescribed in the foregoing Section, it shall be embodied in the statements together with its approval; but it shall have no effect until the following year, the statements being considered absolutely fixed throughout the entire year as a guide for the Administration and the accounts.

Any increase in the disbursements, if their total amount exceeds that of the fixed receipts, shall be considered illegal and cannot be approved.

Sec. 39. Expenses occasioned by unusual necessities and also those which may be decided upon as expedient by the Municipal Tribunal, with the help of the representatives of the *Principalia* and of the Reverend Parish Priest, shall be authorized once only with the same formalities as are prescribed for regular disbursements.

An indispensable prerequisite for the approval of the Governor of the Province shall always be the existence of a surplus in the ordinary revenues, according to the statement in force, or

that other revenues be provided for the emergency at the time of the authorization of the disbursement, sufficient in amount to cover the expenditure.

Sec. 40. During the month of January of the following year, the Municipal Captain shall render an account, accompanied by vouchers, of the ordinary receipts and disbursements for each calendar year, in accordance with the items appearing in the statements of either in force for the same year. On the credit side of such an account must appear one by one all the items of receipts which the permanent statement may include, with each item added to the amount collected thereunder during the year. On the debit side shall appear the disbursements grouped and placed in the same order as they appear in the statement of the fixed disbursements authorized for that year.

Furthermore, when during the year the special disbursements or receipts, referred to in Section 38 may have taken place, he shall render a special as well as an extraordinary account at the same time that he renders the other accounts.

The Captain shall prepare a statement of the uses during the year of the personal service tax of fifteen days, and this statement he shall subscribe and submit together with the accounts referred to in the preceding paragraphs.

Sec. 41. Within the first fifteen days of the month of February of each year, the Municipal Tribunal, with the attendance of the deputies of the *Principalia*, shall revise the accounts of the Captain and shall state categorically at the foot thereof, with the signature of all those present at the meeting, whether it approves them in whole or disapproves them in certain items, with an exposition of the grounds for objection. Should these resolutions not be unanimous, each member or each group must express and subscribe the opinion formed of the accounts.

It shall be legally presumed that every lieutenant or deputy elector ap-

proves the Captain's accounts if he does not state in writing at the bottom his opposition or objection, whether or not he attends the meetings, unless the Tribunal shall have previously accepted a valid excuse from attending by reason of licit inability.

Those members who shall have approved the accounts of the Captain expressly or impliedly, shall be amenable to the same degree of accountability as that devolving upon the Captain for the approval of the account or items thereof.

During the remaining days of the month of February, the Reverend Parish Priest, in view of the accounts and of the approvals or objections subscribed by the Lieutenants and Delegates, shall make a report, for whose contents they shall not be accountable before the law.

The accounts, with the annotations of approval or objection and with the report of the Reverend Parish Priest, shall be forwarded straightway to the Provincial Board so that, after their examination by that body, it may recommend to the Governor their approval or such resolutions as it may judge proper for their amendment and to make binding the liabilities contracted.

Sec. 42. Every disbursement, which shall not have been previously authorized, either in the permanent statement of the ordinary expenses of the towns or by emergency resolution shall be pronounced illegal and inadmissible on the statement of the accounts of the Captain; and he, together with any other members who may have made themselves share in his accountability, will be required to make the necessary reimbursements, even if it be proved that the liability had been incurred for local community needs.

CHAPTER THREE (General Provisions)

Sec. 43. The Governor-General is the president *ex officio* of all the municipal tribunals of the Islands, and—by delegation in each province—the Civil or Politico-Military Governor.

The governors of provinces may impose disciplinary penalties upon the municipal tribunals or members thereof by warning, summons, and fine, which shall not exceed 12 pesos for the Captain and six for the lieutenants and their substitutes while acting as such.

Sec. 44. Governors of provinces may suspend from their duties the captains, municipal lieutenants, and lieutenants' substitutes while acting as such, either individually or in a body, after the institution of administrative proceedings with a hearing before the Provincial Board and a prompt report and the records of the proceedings have been forwarded to the Governor-General.

The suspension cannot last more than three months.

If the number of the persons suspended cannot be made up with the persons forming the Tribunal, or if the suspension is complete, the Governor of the Province shall designate officially, with the concurrence of the Provincial Board, the persons who are to take the places of the those suspended, the selection to be made from among the members of the *Principalia*.

The Governor-General shall confirm or amend the resolution of the Governor of the Province within a period not exceeding fifteen days.

Sec. 45. It is a prerogative of the Governor-General to remove the members of the Tribunal or the entire corporation, following a report of the Council of Administration.

In special cases or for the sake of public peace, the Governor-General may order the removal of the municipal tribunals, without resorting to any proceedings whatsoever.

After the total or partial removal has been ordered, the substitution of the members removed shall be temporarily provided for by the Governor of the Province, in the manner prescribed in the preceding Section. The persons temporarily designated shall occupy the positions until the coming of the nearest regular period of renewal,

and then the persons who are to replace those removed shall also be elected.

Sec. 46. The questions which may arise with regard to boundaries of jurisdiction, additions, segregations, or the establishment of new municipal tribunals, shall be decided by the Governor-General, following a report from the provincial boards and the governors of provinces.

With the approval of the Governor-General, the towns may bind themselves into associations or societies for particular objects, such as the conduct of public works, the creation and endowment of charitable or educational institutions, the encouragement of their industries, or the enjoyment of communal property. The resolutions of the tribunals concerned, in cooperation with the delegates of the *Principalias* and the Reverend Parish Priests, together with a report of the provincial board or boards, shall suffice for the decision of the Governor-General.

Sec. 47. When a municipal tribunal or any of its members shall consider itself or himself offended or injured by the resolutions of the governors of provinces, a special appeal for redress may be sent to the Governor-General, to be decided following a hearing of the Governor of the Province and of the Provincial Board.

Sec. 48. The General Council of Civil Administration is charged with the expeditious settlement of the appeals and incidental details relative to the constitution of municipal corporations, or to their administration, in all matters that may come within the cognizance of the Governor-General.

Sec. 49. The resolutions of the municipal tribunals whether acting alone or with the attendance of the delegates of the *Principalia*, shall be embodied in the minutes and shall be passed by an absolute majority of votes, without which the resolutions shall not be valid.

The minutes of the sessions of the Municipal Tribunal, with or without the presence of the representatives of the *principalia* and of the Reverend

Parish Priests, shall be drafted in Spanish, if all of those members who are to subscribe the minutes understand the official language; but, otherwise; they shall be drafted in Spanish and translated into the local language in one and the same document, so that the signatures will authorize both versions.

The vote of the Captain or the person acting for him shall be the deciding one in case of a tie.

Identical rules shall apply to the Provincial Board and to the vote of the President at its meetings.

In all deliberations of the Municipal Tribunal, when it sits alone or when it must act jointly with representatives of the *Principalia*, or with them and the Reverend Parish Priest, as in the Provincial Board, the presence of one more than one-half of the number of members entitled to attend in each case shall be understood to be necessary.

Whenever the Reverend Parish Priest has the right to attend a meeting of the Municipal Tribunal, the Captain must previously come to an agreement with him on the hour of the meeting. At all these meetings, the parish priests shall exercise only the functions of supervision and advice and their presence shall not be reckoned for the number of those members obliged to attend in order to make the deliberations valid.

Only in case of a resolutions being urgent may a special meeting be called to deliberate with those members present, without a definite number, following the failure of a previous meeting on account of lack of quorum.

The captains may impose fines of one-half peso, increaseable to two pesos in case of repeated offenses, upon the lieutenants and delegates of the *Principalia* who shall fail to attend a meeting without just cause.

Sec. 50. The provisions of this Decree do not relieve the tribunals of the towns and the *cabezas de barangay* of their obligations to the province and to the

State, and the tribunals and the *cabezas de barangay* shall continue as heretofore assisting the general and the local administration in accordance with the laws and regulations in force.

Sec. 51. When the municipal tribunals (in order to make binding the liabilities of indirect or direct taxpayers), or the governors of provinces (in order to enforce compliance with their decisions as "hierarchical" superiors and inspectors of those corporations) do find it necessary to employ judicial compulsion for the nonpayment of net and specific amounts, the rules which the laws for the public treasury indicate for such procedure shall apply.

Sec. 52. Before January 1, 1894, every provincial board shall submit, for the approval of the Governor-General, the proposed regulations which, according to the conditions existing in each respective province, it may adjudge best suited to a faithful and orderly execution of the rules to which the organization and the administration of the municipal tribunals are subject. The Governor-General shall approve the regulations following a hearing of the Council of Administration.

Sec. 53. All provisions in contravention of those contained in this Decree, are repealed.

Incidental Provisions—

1. The Governor-General shall determine what may be proper in order that what is prescribed in this Decree may be executed and enforced on January 1, 1894.

2. The governors of provinces themselves shall for the first time make the appointment of the four members of the Provincial Board who are to be elected by the captains when the municipal tribunals shall be constituted but heeding in such appointments the qualifications required of those who are to be chosen by election.

3. The tribunals of Chinese *mestizos* shall be dissolved and included in the municipal council, wherever there is
(Continued from page 562)

SUPREME COURT DECISION OCCUPANCY OF PUBLIC MARKET STALLS A PRIVILEGE

(No. L-1891. March 31, 1949)

CO CHIONG ET AL., petitioners, vs. THE MAYOR OF MANILA, THE CITY TREASURER OF MANILA, THE MEMBERS OF THE MARKET COMMITTEE OF THE CITY OF MANILA, THE MARKET MASTERS OF DIVISORIA, ARANQUE, QUINTA, OBRERO, BAMBANG, SAMPALOC, PACO, and OTHER MARKETS OF MANILA, respondents.

1. CONSTITUTIONAL LAW; PUBLIC MARKETS MAINTENANCE AND OPERATION OF, AS PUBLIC FUNCTIONS; OCCUPANCY OF PUBLIC MARKET STALLS AS A PRIVILEGE.—There is no question that the establishment, maintenance and operation of public markets are governmental in nature, being among the public functions of the state and, therefore, the opportunity of occupying stalls in public markets is a privilege that can be granted or withdrawn without impairing any one of the guarantees embodied in the Bill of Rights of the Constitution.

2. ID.; ORDINANCE NO. 3051. VALIDITY OF.—Ordinance No. 3051 offends neither the constitutional clause guaranteeing the obligation of contracts nor the guarantees of due process of law and equal protection of the laws. Neither does it violate any principle of international law nor any of the provisions of the Charter of the United Nations Organization. It does not impair any treaty commitment, as the treaties mentioned by petitioners have no binding effect upon the Republic of the Philippines which is bound only by treaties concluded and ratified in accordance with our Constitution. Ordinance No. 3051 of the City of Manila is valid.

DECISION

PERFECTO, J.:

Petitioners allege that they are lessees of public market stalls in the City of Manila by virtue of contracts of lease expressly understood to be of continuous duration until the City Mayor, for any reasonable or just cause or any violation of the provisions of the market code or any ordinance, or any rules relating to the administration of public markets, revokes the same; that on October 1, 1946, Republic Act No. 37 was promulgated and, to carry into effect its purposes, the Secretary of Finance issued Department Order No. 32 on November 29, 1946; that petitioners filed with the Court of First Instance of Manila a petition challenging the constitutionality of Republic Act No. 37 and of Department of Finance Order No. 32 and praying for injunction to restrain their ejection from the leased public market stalls, that on April 19, 1947, the trial court rendered judgment annulling Section 2 of Department of Finance Order No. 32 and commanding respondents to desist from enforcing the provisions thereof, from which decision respondents appealed to the Supreme Court; that on June 26, 1947, Ordinance No. 3051, amending Ordinance No. 2995, was promulgated, providing for the termination of the occupancy of public market stalls by the Chinese petitioners; that petitioners are entitled to a writ of

injunction to command respondents to desist from enforcing said Ordinance No. 3051 because it was returned by the mayor with a qualified approval which, therefore, operated as a veto and avoided the promulgation of a valid ordinance, as the mayor has no right to qualify his approval and thereby amend the ordinances adopted by the municipal board; that while Ordinance No. 3051 provided for the termination on June 30, 1947 of any existing permission granted for the occupancy of public market stalls, the mayor approved the same subject to his interpretation that licenses paid up to December 31, 1947 would not terminate until the later date; that Ordinance No. 3051 is null and void, being inconsistent with the public policy of the state as declared in Republic Act No. 37; that said ordinance is unconstitutional in that it impairs the obligation of contracts, it nullifies the substantial protection of due process, it denies petitioners and aliens the equal protection of the law, is unreasonable, unfair, oppressive, partial, and discriminatory, and is in conflict with common right, it prohibits trade by Chinese stallholders, is violative of the generally accepted principles of international law and of the treaty obligations of the Philippines with respect to commercial activities by Chinese and other aliens, and of the basic principles laid down in the United Nations Organization Charter; that said ordinance cannot be enforced while the question of the constitutionality of Republic Act No. 37 is pending before the courts; and that the ordinance is obviously an attempt by an inferior legislative body to evade the decision rendered by the trial court in civil case No. 1436.

Petitioners pray for the issuance of a writ of preliminary injunction which was denied on January 8, 1948.

Petitioners filed an urgent petition for preliminary injunction and motion for reconsideration of said resolution of January 8, but they were also denied

by resolution issued on January 21, 1948.

Respondents deny petitioners' allegation with respect to the conditions of the contracts of lease, conceding *arguendo* that petitioners were lessees for the occupancy of the public market stalls in question, and allege that the fees of stallholders were collected either daily, weekly or monthly and, therefore the contracts of lease which had no definite period had expired on December 31, 1947; that petitioners' claim, that said leases are of continuous and indefinite duration, is contrary to law and would nullify the purpose of Republic Act No. 37, as well as Ordinance No. 3051 independently intended to put into effect the provisions of said act; that Ordinance No. 3051 does not impair the obligation of contracts because the licenses granted to petitioners to occupy public market stalls were not contracts but lease privileges which may be withdrawn at will; that the establishment, maintenance and operation of market, admittedly governmental in nature, are non-separable from the regulation as regards the leasing thereof and the occupants have no such interest in the stall which a lessee of a store or dwelling has, and that the municipal corporation may provide for the termination of the permit or licenses; that petitioners are mere licensees and their licenses are not contracts which would create in their favor vested rights protected against future and subsequent enactments; that Ordinance No. 3051 does not deprive petitioners of the equal protection of law, which does not limit the police power of the state to legislate for the promotion of the general welfare and prosperity, and the nationalization of retail trade; that the ordinance is not unreasonable, unfair, oppressive, partial and discriminatory and it is not made the subject of civil case No. 1436 of the Court of First Instance of Manila and, by its nature, may be enforced independently of Republic Act No. 37; and that

no generally accepted principle in international law is violated by its enactment, while, on the other hand, the right of a state to self determination is respected by the Charter of the United Nations.

There is no question that the establishment, maintenance and operation of public markets are governmental in nature, being among the public functions of the state and, therefore, the opportunity of occupying stalls in public markets is a privilege that can be granted or withdrawn without impairing any one of the guarantees embodied in the Bill of Rights of the Constitution. In the case of *Co Chiong, et al. vs. Miguel Cuaderno, Sr. et al* p 1440, we have already declared:

“Public markets are public services or utilities as much as the public supply and sale of gas, gasoline, electricity, water and public transportation are. Under the Constitution, the operation of all public services are reserved to Filipino citizens and to corporations or associations sixty *per centum* of the capital of which belongs to Filipino citizens.

“No franchise, certificate, or any other form of authorization for the operation of a public utility shall be granted except to citizens of the Philippines or to corporations or other entities organized under the laws of the Philippines, sixty per centum of the capital of which is owned by citizens of the Philippines, nor shall such franchise, certificate, or authorization be exclusive in character or for a longer period than fifty years. No franchise or right shall be granted to any individual, firm, or corporation except under the condition that it shall be subject to amendment, alteration or repeal by the Congress when the public interest so requires.

“Foodstuff sold in public markets demand at least, as much of

ficial control and supervision as the commodities sold and distributed in other public utilities.. They affect the life and health of the people, the safeguarding of which is one of the basic obligations of a constituted government. Official control and supervision can be exercised more effectively if public market stalls are occupied by citizens rather than by aliens.

“In impugning the validity of Republic Act No. 37, appellees invoke general guarantees in the Bill of Rights, such as the due process of law and the equal protection of the laws. Even if their position could be supported under said general guarantees, a hypothesis the validity of which we consider unnecessary to decide, said guarantees have to give way to the specific provisions above quoted, which reserves to Filipino citizens the operation of public services or utilities.

“Furthermore, the establishment, maintenance, and operation of public markets, as much as public works, are part of the functions of government. The privilege of participating in said functions, such as that of occupying public market stalls, is not among the fundamental rights or even among the general civil rights protected by the guarantees of the Bill of Rights. The exercise or enjoyment of public functions are reserved to a class of persons possessing the specific qualifications required by law. Such is the case of the privilege to vote, to occupy a government position, or to participate in public works. They are reserved exclusively to citizens. Public functions are powers of national sovereignty and it is elementary that such sovereignty be exercised exclusively by nationals.

“Although foreigners are entitled to all the rights and privileges of friendly guests, they can not claim the rights to enjoy privileges which

by their nature belong exclusively to the hosts."

With the above pronouncements the whole controversy is disposed of against petitioners. Ordinance No. 3051 offends neither the constitutional clause guaranteeing the obligation of contracts nor the guarantees of due process of law and equal protection of the law. Neither does it violate any principle of international law nor any of the provisions of the Charter of the United Nations Organization. It does not impair any treaty commitment, as the treaties mentioned by petitioners have no binding effect upon the Republic of the Philippines, which is not a party to said treaties. The Philippines is bound only by treaties concluded and ratified in accordance with our Constitution. Ordinance No. 3051 of the City of Manila is valid.

Petition dismissed.

(Sgd.) G. PERFECTO

WE CONCUR:

- " (Sgd. MANUEL V. MORAN
- " GUILLERMO F. PABLO
- " CESAR BENGZON
- " MANUEL C. BRIONES
- " PEDRO TUASON

In the result.

(Sgd.) RICARDO PARAS

I concur in the result.

(Sgd.) F. R. FERIA

Ozaeta, J., Montemayor and Reyes, JJ., did not take part.

Supreme Court Decision—

SUPREME COURT

In Banc

JULIAN SEGUNDO MANANTAN,
MARIA A. VDA. DE TALAVERA
BEATRIZ TALAVERA MORALES
accompanied by her husband
JESUS MORALES, and DELFIN
B. FLORES,

Petitioners-appellants,

versus

MUNICIPALITY OF LUNA, LA
UNION; JOSE N. ANCHETA,
Mayor; JOSE A. NUVAL, Coun-
cilor; AMBROSIO ARIPON,
Councilor; HILARIO NAZAL,

Councilor; ROMUALDO MULATO,
Councilor; EULOGIO CASEM,
Councilor; CATALINA RESURREC-
CION, Councilor; and
TIMOTEO SANTAROMANA,

Respondents-appellees

G. R. No. L-2337

Present:

Moran, C. J.,
Paras,
Feria,
Pablo,
Perfecto,
Bengzon,
Briones,
Tuason,
Montemayor, and
Reyes, JJ.

Promulgated:

Feb. 26, 1949

DECISION

REYES, J.:

This is an appeal from a judgment of the Court of First Instance of La Union.

The facts are not disputed.

On December 15, 1945, the municipal council of Luna, Province of La Union, passed its Resolution No. 32, series of 1945, for the purpose of offering at public auction on January 14, 1946, a lease of the privilege to catch "bañugus" fry within a certain section of the municipal waters. The pertinent part of the resolution reads.

"RESOLVED FURTHER, That said lease should be paid in cash by the successful bidder and that the minimum bid is hereby fixed to the minimum price of ONE THOUSAND PESOS (1,000.00) for one year, beginning January 1, 1946 up to and including December 31, 1946; that said lease can be extended for a period of from one to four years, to be paid in cash or by yearly instalments as this council may deem it profitable for the best interest of the government of this municipality."

Acting on the authority granted in said resolution, the municipal treasurer issued the necessary notices for the

auktion wherein it was stated, among other things, that the fishing privileges in question would be leased "to the highest bidder ranging from P1,000.00 and up together with a deposit of 10 per cent of the amount so offered, for the period of one year from January 1, 1946," with the further statement that "Bids for more than one year but not more than four years can be offered. Prospective bidders may see the Municipal Secretary about the conditions of the lease for more than one year."

The auction was held on the date specified, and, of the five bids submitted, that of Julian Segundo Manantan and his associates was declared to be the best and highest. In official confirmation of this declaration, the municipal council passed Resolution No. 37, series of 1946, granting to Julian Segundo Manantan and his associates the fishing privilege in question and authorizing the municipal mayor to execute the corresponding contract of lease. In due time the contract was signed by the parties, and, conformably to the bid, the lease was to be for four years (from 1946 to 1949, inclusive) at the agreed price of P1,000.00 for the first year, payable immediately, and P2,400.00 for the succeeding three years, payable in a lump sum at the beginning of 1947 or in instalments at the discretion of the municipal council.

After paying the P1,000.00 corresponding to the first year of the lease, the lessees, began catching "bañgus" fry within the fishery zone in question. But on July 20, 1946, the municipal council, now composed of a new set of councilors headed by a new mayor, passed Resolution No. 2 series of 1946, requesting the Provincial Board of La Union to annul Resolution No. 32, series of 1945, and the fishing privilege granted thereunder to Julian Segundo Manantan and his partners, and the request having been granted, the said council on December 23, 1946 approved Resolution No. 23, series of 1946, pro-

viding for the auctioning of the fishing privilege for the year 1947 at the minimum price of P4,000.00. Upon learning of this proposed auction, Julian Segundo Manantan, later joined by his partners, commenced the present suit in the Court of First Instance of La Union to have the last mentioned resolution declared void and the municipal council enjoined from carrying out the auction. The municipal council, however, went ahead with the auction, and awarded the lease for the fishing privilege in question to Timoteo Santaromana, whose bid was declared to be the better of the two that were submitted. But the petitioners succeeded in having a writ of preliminary injunction issued on April 11, 1947, against the municipality, the municipal mayor, the municipal councilors, and Timoteo Santaromana enjoining them and their agents from preventing the petitioners from enjoying their privilege under the lease.

After trial, the Court of First Instance decided in favor of the respondents, holding Resolution No. 37, series of 1946, and the fishery lease contract granted thereunder to the petitioners to be null and void, and in consequence upholding the validity of the lease contract granted to Timoteo Santaromana and requiring the petitioners to account for the value of the "bañgus fry caught by them from the date of the issuance of the preliminary injunction, less reasonable expenses.

From this decision, petitioners have appealed to this Court, contending that the lower court erred in holding Resolution No. 37 to be null and void, and in not declaring Resolution No. 23 null and void as violative of the constitutional provision prohibiting the passage of any law impairing the obligation of contracts.

It is obvious that the case hinges on the validity of Resolution No. 37 granting the fishing privilege to the petitioners. The learned trial Judge rightly held that Resolution No. 32 (the

one authorizing the first auction) was not invalidated by the fact that it was disapproved by the provincial board, since "the only ground upon which a provincial board may declare any municipal resolution x x x invalid is when such resolution x x x is beyond the powers conferred upon the council x x x making the same." (Gabriel vs. Provincial Board of Pampanga, 30 Phil. 636, 592) and there is no question that Resolution No. 32 is within the powers granted to municipal councils by the Fishery Law (Section 67, Act No. 4003, as amended by Com. Act No. 471). His Honor, however, was in error in taking the view that Resolution No. 37 and the lease contract granted under it were null and void on the ground that when the municipal council by said resolution "accepted the four-year bid proposal of petitioners and declared them to (be) the best and highest bidders for the 1946-1947-1948-1949 fishing privilege, the municipal council in effect awarded to the petitioners the four-year fishing privilege without the intended benefits of public auction, in violation of section 69 of Act 4003, the Fishery Law, as amended by Commonwealth Act No. 471." The trial Judge thus proceeds on the assumption that Resolution No. 32, which authorized the first auction, did not authorize a lease for more than one year, so that the notice of public auction calling for bids for a longer period was unauthorized and, therefore, void. We don't think this assumption is justified by the terms of the resolution. It is true that the resolution fixes the minimum price for the lease at P1,000.00 for one year "beginning January 1, 1946, up to and including December 31, 1946." But nowhere does it say that the lease was to be for one year only. On the contrary, it expressly provides that the lease "can be extended for a period of from one to four years," thus indicating an intention not to limit the duration of the lease to one year. In accord with that intention, the municipal treasurer, in announcing the pub-

lic auction, inserted in the notice a provision that "bids for more than one year but not more than four years can be offered," and the same municipal council which passed the resolution (No. 32) confirmed that intention by entertaining and accepting in its Resolution No. 37 the petitioners' bid for four years. It is a rule repeatedly followed by this Court that "the construction placed upon a law at the time by the officials in charge of enforcing it should be respected." [In re Allen, 2 Phil. 630; Government of the P. I. vs. Municipality of Binalonan, 32 Phil. 634; Molina vs. Rafferty, 37 Phil. 545; Madrigal and Paterno vs. Rafferty and Concepcion 38 Phil. 414. (Guanio et al. vs. Fernandez et al., 55 Phil. 814, 819)]

As that part of the notice issued by the municipal treasurer which calls for a longer period than one year but not more than four years is in accord with the real intent of Resolution No. 32, as that intention was subsequently confirmed in Resolution No. 37 of the same municipal council, the said notice can not be deemed to be unauthorized and void, so that it is error to hold that the grant of the fishing privilege to the petitioners was null and void for lack of a valid notice of the public auction.

It results that the contract of lease entered into under the authority of Resolution No. 37 between the petitioners and the municipal government of Luna is a valid and binding contract, and as such it is protected by the Constitution and can not, therefore, be impaired by a subsequent resolution which sets it aside and grants the fishing privilege to another party.

Wherefore the judgment appealed from is revoked and another one shall be entered declaring the contract entered into between the municipal government of Luna, province of La Union and Julian Segundo Marantan and his associates under the authority of Resolution No. 32, series of 1945 and No. 37 series of 1946 to be valid and Resolution No. 27 series of 1946, (Continued on page 567)

OUR LOCAL OFFICIALS

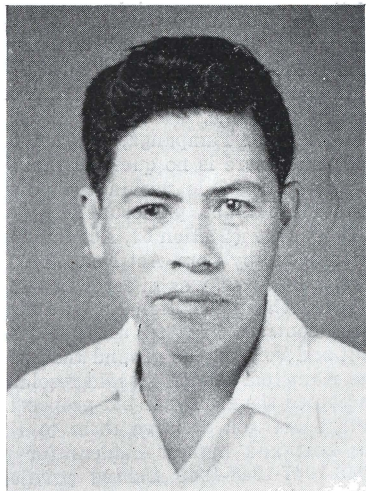


ROMAN L. PEREZ
Mayor of Batangas, Batangas

Personal Circumstances. — Born on November 18, 1894, in Batangas, Batangas; and married to Manuela Villena with whom he has four children.

Education and Profession.—Batangas High School graduate. 1918, and a businessman.

Experience and Activities.—Municipal Councilor for 12 years; Chairman, Batangas Peace Committee immediately after Japanese occupation; appointed Mayor during the Republic of the Philippines under the Japanese regime; reappointed Mayor by the late President Roxas on July 1, 1946; and elected to the same position on November 11, 1947. He was a Major in a guerilla force during the Japanese occupation. Elected Worshipful Master Batangas Lodge



BONIFACIO C. GAITAN
Municipal Treasurer

Personal Circumstances.—Born on May 7, 1910, in Botong, Oton, Iloilo, and married to Clauriana Alcala of La Paz, Iloilo City, with whom he has three children.

Schools attended.—Iloilo High School, Iloilo Normal School and Iloilo Accounting School.

Positions held.—Classroom teacher in Dueñas, Iloilo; bookkeeper in Sara; Chief clerk in Maasin, Alimodian, Igaras, Dumangas, Janiuay and municipal treasurer of San Doinisio, and Concepcion.

Hobby.—Collecting best-seller novels.

Motto.—“Honesty is the best policy.”

No. 35.

Hobbies.—Reading and playing golf.

Motto.—“Never boast of tomorrow for thou knowest not what is yet to come.”

THE LOCAL GOVERNMENT REVIEW

TEACHINGS OF THE HEROES

by
Arturo M. Tolentino

I. POLITICAL ¹

1. *Love of country*—Love your country next to your God and your honor, and above yourself, because she is the only Paradise that God has given you in this life, the only patrimony of your race, the only inheritance from your forefathers, and the only hope of your posterity; because of her, you have life, love, and property, happiness, honor and God. I love my native land, the Philippines, because to her I owe life and happiness, and because every man should love the land of his birth. Love of country will be a sin only in tyrannical countries, because then even rapine will be given a beautiful name. Always bear in mind that the true love for God is the love of country, the love which is also the true love of fellowmen. So, you who have desires that have withered within your souls, you whose hearts ache to see your fond hopes fall one by one like the plants in Otoño devoid of flowers and leaves, if you still want to love and cannot find one suited to you, look at your native land; love her with all your heart. You who have lost a father, a son, a brother, a wife, or a beloved one, if in your heart you can feel gloom and dreadful solitude, turn to the land of your birth; give her the love that she deserves.

Whatever may be our fate, we should love our native land and never advocate anything other than what will benefit her. *Think* of the motherland before anything else. Strive for the happiness of your country before your own, and seek that she be governed with jus-

^{*} Awarded first prize, contest on compilation of teachings of national heroes, 1931.

¹ This work is composed of extracts from the writings of our national heroes, like Jose Rizal, Apolinario Mabini, Marcelo H. del Pilar, Lopez, Jaena, Andres Banifacio, Emilio Jacinto, Antonio Luna, and others. The extracts are coordinated and organized under different topics to form a single composition. In the body of the composition, the words in italics are insertions by the author.

tice, reason, and industry, because when she is happy necessarily you and your family will also be happy. We have no worth when alone; so conform yourself to the country's desire, identify yourself with the country, hear her call heedless of others, and uphold the glory of the native land.

2. *Freedom of country*—Each nation has its own destiny. The nation that loves its traditions cannot ask another nation to teach it to accept oppression and stain its name. It is the unavoidable law of nations to obtain their liberties and, therefore, their welfare and progress, at the cost of tears and blood. It is necessary to teach the people to die—this is their duty. To escape is cowardice and will set a bad example. Without struggle there is no liberty.

Strive for the freedom of your country, for you are the only one who can have a true interest in her renown and dignity; because her independence is your own freedom and happiness, her renown your perfection and dignity, your glory and immortality. Let us not ask of the foreigners who come that they seek the welfare of our country, for they will get here what will enrich them and leave after satisfying their desire. They come in search of wealth; *on your part*, go to their land and seek other wealth that we will need. *But remember*, while a country has its own language it has its freedom, just as a man retains his liberty as long as he has his own judgment, for he who does not love his native tongue is worse than a beast or slimy fish; so what is right is to honor it properly like a mother that has truly cared for you.

To wait is the same as to suffer. Reason teaches that we should no longer wait. Reason teaches that we should not waste time waiting vainly for promises of a happiness that will never come. Reason teaches that we have to trust only to ourselves, and never to anyone else, our right to life. Reason teaches that we be one in feeling, in thought, and in purpose, in order to unify the course that will overthrow

the bad administrator in our country. *Therefore*, let us disperse the clouds of our intelligence, with unbreakable and absolute faith in success, in the realization of the desired prosperity of the land of our birth.

3. *Revolution*—It is already axiomatic that nobody can look out for a person as well as that person himself. *So that*, if you want to measure oppression or the good done by one country to another, you have only to determine whether it is hated or loved.

Whenever the government succeeds in stagnating the people, whether for its own gain or that of a particular class, or for any other end, revolution is inevitable. When a people is denied enlightenment, home, freedom, and reason, inherent gifts without which nations cannot live, such people has a right to consider him who denies them as a highway robber. *As a result*, revolution always occurs in subject countries, in those countries where human thought and feelings are suppressed to prevent expression. Revolution is just whenever it aims to overthrow a foreign usurping government. Revolution is also just against a national government, or one composed of the elements of the country, if said government, abusing the power which the people has placed at its disposal to help them in the sacred mission of administering justice, employs this same power to stifle the public voice and governed according to its caprice and convenience. He who imposes upon others by his own will and command, without the consent of the governed, usurps the right of God, the only one who can dispose of His creatures by His sole will. He who imposes fines and punishments without hearing those prejudiced usurps the powers and rights of his equals for his own gain. Therefore, he who resist the tyrant and usurper, dragging him from power so that he may not insult heaven and earth, performs a task pleasing to both God and men.

When the conceived child has reached the right age of birth, woe to the mother

who attempts to prevent such birth. *And* when a people rises as one man, with armed hand, against a policy of oppression and injustice, it manifests a vitality sufficient for a free existence. *Therefore*, let us unite so that each and everyone should learn to defend, until death if need be, the independence of the Philippines.

4. *Patriotism*—It is not sufficient that the revolutionist renounces his life and abandon the enjoyment of the family and the home in order to be truly such; it is necessary, besides, that he renounces temporarily his liberty, like the honest laborer who has to sacrifice his hours of rest and leisure for his work if he wants to have economy and to dedicate the rest of his life to ease. He alone possesses true patriotism who, whatever the positions he fills, be it high or low, strive to do for his country the most good possible. A little good done in a humble position gives title to honor and glory, while a little done in an elevated position is a sign of negligence and ineptitude.

There is nothing worth having the patriot

Will not give for his native land:
Blood and wealth, and knowledge and effort,

Even life, to be crushed and taken.

Engrave in your heart that the symbol of honor is to die in saving one's country. It does not matter whether we die in the end or in the middle of the taxing struggle: succeeding generations, on praying over our tombs, will dedicate to us tears of love and gratitude, and not of bitter reproach. *Therefore*,

Into her holocaust loving
The last drop of your blood you must offer;

If to free her your life you have given,
Yours is glory then and redemption.

If our country with danger is threatened

And help must be quickly forthcoming,

Children, wife, and parents, and brothers

At her first call we must abandon.

The father *should abandon* his children, and the son his parents, so that all may unite to defend the common motherland. *For*, what is death when one dies for the beloved, for the native land, and for the people that he adores?

5. *Government*—What is the use of independence if the slaves of today will be the tyrants of tomorrow? As the master is, so is the servant; as the government is, so is the people. *Therefore*, independence alone is not sufficient; it is furthermore indispensable to have a moral government, that is to say, one which governs with truth, and not with deception, complying sincerely with the laws and with what have been promised to the people: a government conveniently progressive, that is to say, neither behind nor too far advanced, but suited to the grade of culture and to the growing needs of the people, because both extremes are vicious; finally, a government that is truly very patriotic, that is to say, one which procures the general welfare and not that of an individual or a privileged class. Only in this way can we make our country great, and being great, it can fulfill the mission which Providence has decreed for it.

Seek for your country a republic, that in which the men in authority are selected by the people, and never permit a monarchy or that of a king; because a king bestows favor only to a few relatives to raise his own family from which will come succeeding kings; unlike this is a republic which gives consideration and right to all, according to the ability, honesty, and industry of each. Tyranny is possible only in a few because of the cowardice and negligence of others. In your country, do not recognize the authority of any person not elected by the people, because all authority emanates from God, and as God speaks through the conscience, therefore, whoever may be elected by the conscience of all the people is the only one who can bear the true authority. To have bad and weak leaders is not only useless but even harmful, because those who could be the source of love and gratitude are able to create bitterness and regret.

He who obeys the power conferred by the people obeys the people and identifies himself with the will of all the citizens who compose the people, which identification or accord is necessary for the very life of the people. Let us wipe out the habit of thinking that the ruler is the lord of the people and whatever he thinks and does is good. Let us accustom ourselves to thinking and saying that the happiness of all is the duty of the ruler, in order that he may bear it in mind. A people who abhors the administrators has nothing to ask but that the latter leave the reins of government. *And*, if by the proper means a people asks anything of the government, it is because they believe that the government is good and is ready to give them what will be beneficial to them; such an act should not offend, rather it should gladden, *because* the people asks from a mother and not from any other. *Besides*, all power, in order to be reasonable and genuine, must be exercised for the benefit of the people from which it emanates. The government is instituted for the good of the people, and to fully attain its purpose it should follow the wishes of the citizens who know best what they need. The welfare of the people, and nothing else, is the real reason and object, the beginning and the end, of all the duties of those who govern.

We do not want to be a semi-feudal people; we *should have* a free press so that truth may shine in all its splendor; we *should have* the privileges of commerce so that we may know until where the manifestations of our activity reach; we *should have* suffrage and representation so that our aspirations may be faithfully known.

6. *Liberty*—Liberty is the attribute of man from the moment he is born; thanks to it, he does and thinks as he pleases provided he does no harm to another. Liberty comes from heaven and no power on earth is entitled to appropriate it, nor have we a right to consent to its being so appropriated. Liberty is the column that sustains the edifice, and the audacious one who brings it down in order to

bring down the building must be annihilated. Liberty is only for good, and never for evil. It runs always in accordance with reason and righteousness and with the honest conscience of the individual. The thief, when he steals, is not free, because he is the slave of his own passions; and when we imprison him, we punish him precisely because he does not like to use true liberty. Liberty does not mean that we must not obey anyone; precisely it requires us to adjust our conduct according to reason and justice. Liberty does not order that we obey any person: but it dictates that we always obey those whom we have elected and recognized as most capable of directing us, because in this manner we would be obeying our own reason.

II. SOCIAL

1. *Fellowship*—Love your fellowmen as you love yourself, because he, as well as you, was given by God the duty to help you and not to do to you what he would not want you to do to him; but when your fellowman, failing in his sacred duty, attempts against your life, liberty, and property, then you must destroy and annihilate him, because in that case the law will be the foremost command of God: to help yourself because He is helping you, or that of self-preservation. It is righteous to defend oneself.

Of all human sentiments nothing is more sublime than love—love for the fellowman. Without it, the peoples would disappear from the earth, and the communities and associations and life itself would resemble the dry leaves of the trees swept away by the wind. It is rational to be charitable and love one's fellowmen, and to adjust one's actions, deeds, and words to what is reasonable. *But*, always consider your countryman above all other fellowmen, regarding him as a true friend and brother, or as a comrade with whom you are bound by a common fortune, by the same joys and sorrows, and by identical aspirations and interests. Therefore, as long as the frontiers of nations, which are raised by the egoism of the race and the family, subsist, you must unite

with him with perfect solidarity of purpose and interests so that you may have strength to fight the common enemy and to realize all the ends of human life. *If you* want to protect *yourself*, you should help protect others, because if you leave your fellowmen alone, they will also leave you alone. A single stick is easy to break; but it is hard to break a whole bundle of them. It is incumbent upon all to free and help, with their own riches and lives, him who runs grave risks in the fulfillment of his duties. Defend the oppressed and fight the oppressor, before the law or in the field. The person who does not side with the offended helps the offender and stains his own conscience.

Share as much as you can of your resources with every needy and unfortunate. *But* consideration for others is not always kindness; it is an evil when used to prepare for coercion. *For*, to do good for personal gain and not for its sake is not virtue. Any gift given, to be recognized with gratitude, must be made without the least desire for personal gain in the end. He who has noble sentiments prefers honor to personal gain; he who has perverted sentiments prefers personal gain to honor.

2. *Equality*—All men are equal; the origin of all is the same. Poor, rich, ignorant, wise; all are equal and true brethren. Whether the skin be black or white, all men are equal; it may happen that one is superior to another in knowledge, wealth or beauty, but he cannot be superior as a man. All men are born equal, naked, without subjection. God did not create man to be a slave, nor endowed him with intelligence to be blinded, nor adorned him with reason to be deceived by another. It is not stupidity to refuse venerating a fellow-creature, to illumine the intelligence, and to make use of reason in all things. The stupid is he who defies himself, who reduces others to stupidity, and covets the submission of all the reasonable and just to his caprice. *But* there is no oppressor where none consents to be oppressed. If there are teachers who

insult, it is because there are pupils who tolerate. What makes one despicable is his lack of dignity and his servile fear of the despiser. It is inherent in man to shun those whom he oppresses. Man has inborn bad qualities which will always go to excess when they meet people who will tolerate them. *However*, do not let anyone believe that the equality proclaimed is contrary to the respect due all authority governing the people; no, this pre-eminence created by the people, the people respect; but the representative of authority, as a man, is a man just like the rest.

3. *Industry*—Knowledge and wealth signify strength: only the poor and ignorant man is weak. *But*, it is not necessary that all Filipinos should have academic degrees to credit them with aptitude; it is enough that they have the firm will, the resolute desire, which is the generative cause of all human capacity. *However*, train and improve the inherent natural knowledge and keenness of mind with which God has endowed you by means of your efforts, without straying at any moment from the road of the good and the just, so that you may procure your protection, and by this means contribute to the progress of humanity. In that way, you will fulfill the mission entrusted to you by God in this life; realizing this, you will have honor; having honor, you will glorify your God.

From serenity, constancy, reason, and faith in all your actions and deeds is derived the success of every good desire. The school of suffering hardens men; the field of battle strengthens souls that love their honor. Diligence in work to procure the means of subsistence is the true cause, love, and affection for yourself, your wife, your children, your brother, and your countrymen. So, do not waste time; wealth that is lost may be recovered, but time that has passed will never return. To enjoy does not mean to make foolishness.

He who toils keep away from a life of disorderly and bad habits and from boredom, finds diversion in labor, and becomes strong, prosperous, and cheerful. *Therefore*, if homage is paid to

the mirage of presumption and the hambug of wealth, with much more reason should homage be paid to the tiller of the soil, who, under the open skies, allows himself to be soaked to the skin and scorched by the sun in order to make the soil produce by his labor.

4. *Women*—This virtue (respect for women) was not only a necessity in the legendary period of romanticism, but it is as well one of the greatest necessities in the life of a people, since when woman within the sphere in which she customarily moves meets with respect and consideration, she will at once acquire that sense of dignity which, transmitted to her sons, will inspire them with courage and fortitude for great enterprises, for heroic acts. During maidenhood, which is the flower that will ripen into the fruit, woman must gather the wealth that should be transmitted to the son. *And*, if a people, in obtaining their freedom, cannot offer to their chaste maidens a peaceful home; if the only inheritance of a man is shame for his widow, tears for his mother, and slavery for his children, it is indeed better for you, *women*, to voluntarily crush in your wombs the seeds of cursed children.

It is necessary to change the race. Cowardly fathers will bring forth nothing but slaves, and there is no use of demolishing only to build again with defective materials. In the thorny road of life the husband is the guide of his wife and children; and if the guide goes to evil, necessarily those who are guided will go to evil. So awake and prepare the heart of your son for every good and commendable purpose, love for his honor, rectitude and firmness of desire, clearness of thought, purity of conduct, love for his fellowmen, and glorification of God—teach these to your son. *But* what will be the fruit of a woman who has no saintliness but to murmur prayers, no knowledge but of songs, *novenas*, and miracles, no recreations except "*pang-gingue*"² or to confess often so that she may sin more frequently? What will be her child but the sexton or slave of the priest, or a gambler? Nothing can

be drunk from the dirty and bitter spring; no sweet fruit comes from a sour seed.

That which you do not want done to your wife, daughter, or sister, do not do unto the wife, daughter or sister of another. Do not look upon woman as a mere plaything only, but as a helper and comrade in the difficulties of life; respect her in her weakness and think of the mother who gave you birth and nursed you in your childhood. When *women* are married, they should help their husbands, imbue them with courage, share with them half of the dangers without annoying them, and lighten their pains. They should teach their children to prefer dying with honor to living with shame. . . . Upon you, adorable Filipino women, depend the regeneration, the progress, the improvement of our great Archipelago. With the riches that you prodigally give to sisterhoods and brotherhoods for the maintenance of magnificent cults, you have more than enough to make of the Philippines a civilized, prosperous and happy country. Let us ponder a little and open our eyes, especially you, my countrywomen, because you open the life of men. Know that the good mother is different from the creation of the friar. Rear your children near the true picture of God, a God that cannot be bribed, a God who is not avaricious, a God who is the father of all and needs nothing, a God who does not fatten on the blood of the poor and who does not seek to suppress alert intelligence. What I want of you, my countrywomen, is that you become women with free minds, with steady hearts that will inspire weakening or despairing men or evoke brilliant thoughts; women of whom the country can be proud, admired by others; because it is common for Spaniards and priests to speak of the weakness and ignorance of the Filipino women.

5. *Greatness*—The welfare of one cannot be equal to the welfare of all; one man is worthless when compared to a nation. So, abandon that desire for exclusive personal gain which covers you; that envy and self-conceit which oppresses you; and that boastfulness and gossip which harm you. The greatness of a man is not in being

a king, nor in having an aquiline nose or white skin; it is not in being a priest, a representative of God, it is not in holding high positions on this earth. The great and truly noble man is he who, even though born in the forest and knowing nothing but his native language, does good, keeps his word, is worthy and honest; he who never oppresses nor permits himself to be oppressed; he who loves and cherishes his native land. The ecclesiastical garment does not add anything to the knowledge of a man; even if the ecclesiastical garments be piled one over another on a man from the mountains (taga bundok), he remains a mountain-man and cannot fool anyone but the ignorant and weak-hearted.

True honor is gained by cultivating the intellect in order to learn the truth, and by educating our hearts to accustom them to love it. It is not God's desire that man, his image, be blinded and deceived; the jewel of intelligence, with which we are adorned, should be used and made brighter. Ignorance is servitude, because as his thought is, so is the man; the man without his own judgment is a man without personality. *Although* some are born to command and others to obey, the person who blindly follows the judgment of another is like an animal following the chain. A man should die for his own convictions.

The life which is not consecrated to a lofty and reasonable purpose is a tree without a shadow, if not a poisonous herb. Don't you know that a life which is not dedicated to a high purpose is useless? It is a small stone thrown into the fields and not utilized in the construction of an edifice. Your own character is the sole strong and everlasting foundation of your habits, and so is industry the strongest support for your own development.

III. RELIGIOUS

1. *Worship of God*—Love God with your heart. Love God and your honor above all things; God is the source of all truth, justice, and activity; honor is the only incentive to make you truthful, just, and industrious. Only a few worship the good God; attention is attracted to the many saints. Worship God in the manner that your con-

science deems reasonable and dignified; because in your conscience, which reproves your bad acts and praises the good, speaks your God. Know that the will of God is distinct from the will of the priest; that saintliness does not consist in devoting much time on your knees, nor in long prayers, big rosaries, and dirty scapularies, but in immaculate conduct, in clean intentions, and in rectitude of criterion. Know also that prudence does not consist in blindly obeying whatever caprice of those who pretend to be gods (dios-diosan), but in following only what is just and what is reasonable, happen what may happen. God is the father of humanity, and what a father requires of his children is not constant protestations of respect, fear, and love for him, but the performance of his mandates, which are the mandates of reason; hence, the true respect and obedience to God consists in respect, love, and obedience to the dictates of reason, and to them we must adjust all our deeds, thoughts, and actions, because reason originates from God himself.

2. *Minister of God*—The representative of Christ is not recognized by the kissing of hands. The true minister of God is not he who wears the ecclesiastical garment, but he who proclaims His glory by means of good work useful to the greatest possible number of his creatures. *Therefore*, he who wishes to call himself a disciple and man of Christ must imitate Him in His humility, kindness, and love for his fellowmen.

IV. MISCELLANEOUS

It is never good for any one to take something not belonging to him. Only by the wide and easy way of violence and robbery will we find our own dishonor, which is the dishonor of our country as well as its ruin and death. We need as an indispensable requisite union and discipline in order to raise the edifice of our social regeneration. But that is not all. We need, besides, to march by the narrow path of honor and virtue, because there, and only there, will we find true liberty, which is only for good and never for evil. So let us seek the light and let us not be deceived by the false glitter of the

wicked. All that glitters is not gold. Treason and perversity seek glitter in order to conceal their falseness to the eyes of the spectator; but honesty and sincere love go naked confidently, allowing themselves to be seen by the light of day.

Believe in punishment for all the wicked and the traitors, and in recompense for all good labor. He who voluntarily confesses his sins at least displays a praiseworthy and honorable desire for amendment and improvement. Evil is not cured by another evil.

Surely, we must not trust in ourselves alone, but we should consult others and hear them, and then proceed to that which we believe is right. The intelligent man is cautious in his speech and is faithful in guarding the secrets he should keep. It is not courage but imprudence for anyone to challenge all those who are here; nobody scorns a pilot who seeks shelter in a harbor at the first rising of the wind. To bow before a bullet to let it pass is not cowardice; what is bad is to expose oneself to it and fall, never to rise again. Pride, which the recognition of power always creates, oftentimes considers as a weakness what prudence suggests. Besides, it is necessary not to lose sight of the fact that pride, although sometimes it has infused valor and perseverance for hazardous undertakings, is always a bad counsellor when the question is one of deciding whether or not a proposed end is proper.

To the man with shame, his word is sacred.

When the grass in a field has been eaten up, the locusts will fly to another.

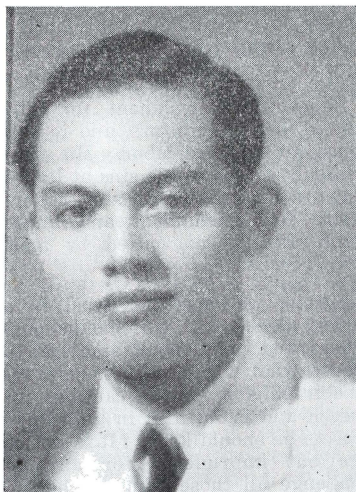
Always bear in mind that with new life come new customs.

(From PRIZE SELECTIONS ON THE NATIONAL HEROES—by Arturo M. Tolentino)

2 A common gambling game by use of cards.

OUR LOCAL...

(Continued from page 548)



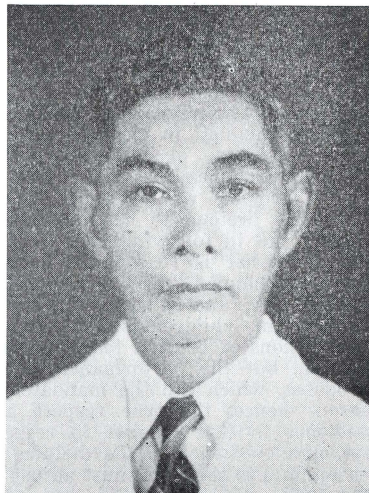
PEDRO BELDEROL

Mayor of Tagbilaran, Bohol

Personal Circumstances.—Born in Tagbilaran on May 13, 1913 and married to Felicitas Butalid with whom he has three children.

Schools attended.—Bohol High School, 1933; Union College of Manila, A. A., 1937; and Philippine Law School, L.L.B., 1946.

Experience and accomplishments.—Elected president of different class organizations from primary to high school—President of the Mansasa Primary Graduating Class and Tagbilaran High School Student's Council; Vice-President of the Junior Class; and Member, Board of Directors of the Bohol High School Graduating Class. President of his class in the Union College of Manila and outstanding member of College's Student Council. Represented the Union College of Manila in an Inter-University Debate and an orator in an annual contest of



DAMASO V. ABELEDA

Mayor of Paluan, Mindoro

Personal Circumstances.—Born in Paluan, Mindoro, on December 11, 1893, and married to Rosa Mendoza with whom he has eight children.

Schools attended.—Paluan Elementary School and Liceo de Manila.

Experience and activities.—Continuously occupied the position of Mayor Paluan since his election thereto in 1941. His avocation is cattle-raising. Owns six hundred heads of cattle in three municipalities of Mindoro.

Hobby.—Reading.

Motto.—"When the spirit is determined and yields not to discouragement it can accomplish its purpose."

(Continued on page 567)

the Philippine Law School. Elected president of the Bohol Barristers League and president of the Bohol Association for six years.

Activities Of The Local Governments And Their Officials

Minutes of the Convention of Governors and City Mayors held at the Mansion House, Baguio City, on May 5-6, 1949

No. 10

Whereas, the Governor, as Chief Executive of the Province, is the people's chosen representative in the Government and is the principal subject of the people's security in any actuation in the government; and

Whereas, the Governor, in order to be better prepared to disseminate to his constituents the works being done in his administration, must be included in the deliberation and dissemination of the different sources of income and expenditures of the province; and

Whereas, the Governor is not represented in the Committee on Award and the Committee which determines the provincial surcharge; now therefore,

On motion of Governor Pimentel of Surigao and seconded by Governor Quijano of Misamis Occidental, be it

RESOLVED, by the Governors and City Mayors in convention, as it is hereby resolved, to request the Honorable, the Auditor General, the Honorable, the Secretary of Finance, and the Honorable, the Secretary of Public Works and Communications to amend Sections No. 760 and 771 of the Manual of Instructions to Treasurers, to include the Governor as one of the Members of the Committee on Award and as one of the Members of the Committee to determine the provincial surcharge accruing to the Engineering Fund;

RESOLVED FURTHER, to forward copies of this Resolution to the Honorable, the Auditor General, the Secretary of Finance, and the Secretary of Public Works and Communication, Manila, for their information and consideration.

Carried unanimously.

No. 11

WHEREAS, the Governor or City Mayor is the one directly in contact with the people of the province or city; and

WHEREAS, the Governor or City Mayor should be the first to be informed of anything that may be given the province or city in due respect to his position as Chief Executive of the province or city; now therefore,

Upon motion of Governor de los Reyes of Zambales, and seconded by Governor Madarang of Nueva Vizcaya, be it

RESOLVED, by the Governors and City Mayors in Convention, as it is hereby resolved, to request the Honorable, the Secretary of Public Works and Communications to furnish a copy of any release of funds and appropriations for the province or city to the Governor or City Mayor.

RESOLVED FURTHER, to transmit this resolution to the Honorable, the Secretary of Public Works and Communications, Manila, for his information, and consideration.
Carried unanimously.

No. 12

WHEREAS, sometimes situation demands that the employment of temporary police is necessary in the speedy suppression of banditry in the provinces and cities; and

WHEREAS, the present Philippine Constabulary Force is inadequate to maintain peace and order throughout the country giving use to the imperative employment of temporary policemen; and

WHEREAS, most municipalities are not financially able to meet the salaries of temporary policemen;

NOW, THEREFORE, upon motion of Governor Lingad, seconded by Governor Bersamin be it

RESOLVED, as it is hereby resolved, to request the Honorable, the Secretary of the Interior to make representations to His Excellency, the President of the Philippines, to extend National Aid to the provinces and cities to pay the salaries of temporary po-

licemen from any fund available in the National Treasury not otherwise appropriated or from the PACSA for a period of one year so as to eradicate once and for all banditry in the country.

RESOLVED FURTHER, to forward this resolution to His Excellency, the President of the Philippines, for his information and favorable consideration, and

RESOLVED FINALLY, to forward with a copy of this resolution to the Honorable, the Secretary of the Interior, for his information and prompt action.

Carried unanimously.

No. 13

WHEREAS, under Republic Act No. 267, in relation to Commonwealth Acts 538 and 539, cities and municipalities are authorized to contract loans from the Rehabilitation Finance Corporation, the Philippine National Bank and/or any other entities or persons at a rate of interest not exceeding 8% per annum for the purpose of purchasing or expropriating homesites within their territorial jurisdictions, and reselling them at cost to their residents;

WHEREAS, the problems of housing is felt more acutely in the City of Manila than in any other city or municipality in the Philippines considering the increase in population therein and the comparatively greater destruction to property caused by the last war;

WHEREAS, there are still thousands of city residents without adequate shelter, living only in shacks and makeshifts built on borrowed lands, without sanitary facilities and other conveniences which contribute to a decent living;

WHEREAS, the problem of housing also affects other cities and municipalities in the Philippines although to a lesser degree;

NOW, THEREFORE, upon motion of Vice-Mayor Cesar Mirafior, in representation of Mayor Manuel de la Fuente of Manila, and seconded by Mayor Manuel Rojas of Cavite City, be it

RESOLVED, as it is hereby resolved that, in view of the seriousness of the problem, the Central Bank, the Rehabilitation Finance Corporation, the

Philippine National Bank and any similar government entity be requested to reserve substantial amount from their funds to be devoted exclusively for the purpose mentioned in Republic Act No. 267 in the procurement of contract loans by cities and municipalities from these agencies, and that in the application for these loans, technicalities and red tape be dispensed with as much as possible.

RESOLVED FURTHER, to forward this resolution to the Governor, Central Bank, the Chairman of the Rehabilitation Finance Corporation and the President of the Philippine National Bank, Manila for their information and favorable consideration.

CARRIED UNANIMOUSLY.

No. 14

WHEREAS, this young republic of ours is beset from without by force spreading ideologies which intend to undermine our democratic way of life; and

WHEREAS, this has already overrun most of our neighboring countries and perhaps its agents have already infiltrated to our shores working to convert our resilient populace to the tenets of their governmental way of life; and

WHEREAS, the effects of the recent world war are still with us and most of our people are still physically weak, mentally bewildered and easily misled that they are susceptible to be imbued with the precepts of communism;

NOW, THEREFORE, with the foregoing considerations, has

Upon motion of Governor Pimentel of Surigao and seconded by Mayor of Ozamis City.

RESOLVED, as it is hereby resolved, by the Governors and City Mayors in Convention to request the Honorable, the Secretary of the Interior, to redouble and intensify its efforts to eradicate communism and subversive elements in the country.

RESOLVED FURTHER, to forward this resolution to the Honorable, the Secretary of the Interior, Manila, for his information and immediate action.

Carried unanimously.

No. 15

WHEREAS, there is a movement at this time to merge the Philippine Constabulary and the Philippine Army into one single unit, for reasons perhaps to have better and closer cooperation of their various activities and for economy;

WHEREAS, this plan is not appropriate to be consummated at the present due to the present unstable state of world conditions and the petty flareups of banditry in some isolated places of the country;

WHEREAS, the Philippine Constabulary is an entity, distinct and separate with functions and scope of operation different from the Philippine Army;

Now therefore, with the foregoing considerations,

BE IT RESOLVED, as it is hereby resolved, by the Governors and City Mayors in Convention, to register the opposition of this Body to the plan of merging the Philippine Constabulary and the Philippine Army.

RESOLVED FURTHER, to forward with a copy of this resolution to His Excellency, the President of the Philippines, for his information and consideration.

RESOLVED FINALLY, to furnish with copies of this resolution to the Chief of the Philippine Constabulary, Camp Crame and the Chief of Staff, Philippine Army, Camp Murphy, Quezon City, for their information.

Carried unanimously.

No. 16

WHEREAS, the Honorable Manuel Rojas, City Mayor of Cavite, has shown able leadership, deep concern and interest for the betterment and welfare of the people of Cavite City; and

WHEREAS, with such official showing of great interest for the welfare of the people he should not only serve them by being in his present position but should be elevated to a higher position where he can better serve the interest and welfare of the people of Cavite province in particular and the country in general;

NOW, THEREFORE, the Conference of Provincial Governors and City Mayors in Convention assembled with

the foregoing considerations, has

Upon motion of Governor Abueg of Palawan and seconded by Governor Pimentel of Surigao

RESOLVED, as it is hereby resolved, to endorse the candidacy of Hon. Manuel Rojas, City Mayor of Cavite City for Congressman of Cavite of the Liberal Party in the forthcoming election on November 8, 1949, against Congressman Justiniano Montano.

RESOLVED FURTHER, to forward with copies of this resolution to the Executive Committee of the Liberal Party, strongly recommending the candidacy of Hon. Manuel Rojas, City Mayor of Cavite, for Congressman in the forthcoming election on November 8, 1949, and to earnestly request that Congressman Justiniano Montano be excluded from the Executive Committee of the Liberal Party.

RESOLVED FINALLY, to furnish with copy of this resolution to Hon. Manuel Rojas, City Mayor of Cavite City, for his information.

Carried unanimously.

No. 17

WHEREAS, this Body is fully aware of the aid, assistance and facilities extended by the Honorable, the Undersecretary of the Interior, which have been instrumental in bringing this convention to a success and;

WHEREAS, this Body of Governors and City Mayors believes that the outcome of this Convention would have been otherwise had it not been for the invaluable services and assistance of the Undersecretary of the Interior, Honorable Marciano Roque;

NOW, THEREFORE, with the foregoing considerations, this Body in Convention assembled, unanimously

RESOLVED, as it is hereby resolved, to extend this Body's most profound gratitude to the Honorable, the Undersecretary of the Interior, in recognition of the invaluable help and assistance he has unselfishly extended to this Body.

RESOLVED FURTHER, to forward this resolution to the Honorable, the Undersecretary of the Interior, Manila, for his information.

Carried unanimously.

No. 18

WHEREAS, the Convention of

Provincial Governors and City Mayors in this beautiful city of pines is about to end and has been able to achieve and accomplish worthy solutions of the varied problems presented for the Body's deliberation; and

WHEREAS, the success of the Convention has been realized due to the full-hearted cooperation and help extended by the Department Secretaries and Commissioner Pio Joven;

NOW, THEREFORE, in consideration of the above premises, the Convention has

Upon motion of Governor Pecson of Masbate, unanimously

RESOLVED, as it is hereby resolved, to express the profound gratitude of this Body to all Department Secretaries and Budget Commissioner Pio Joven, for having made this Convention possible and a success.

RESOLVED FURTHER, to forward with copies of this resolution to all Department Secretaries and to Budget Commissioner Pio Joven, Manila, for their information.

Carried unanimously.

No. 19

WHEREAS, this Body is cognizant of the part contributed by our respected colleague and his associates of this beautiful mountain city in making this Convention a success; and

WHEREAS, the members of this Body believe that without the unsolicited assistance of the handsome and dapper Mayor of this City, our stay would have not been pleasant, bearable and eventual;

NOW, THEREFORE, with the foregoing consideration, has

Upon motion of Governor Jongko of Agusan, unanimously

RESOLVED, as it is hereby resolved, to express this Body's heartfelt gratitude to Honorable Jose Cariño, City Mayor of Baguio City and his associates for the assistance and entertainment extended, without which, our stay in this beautiful city would have not been pleasant and enjoyable.

RESOLVED FURTHER, to forward this resolution to Honorable Jose Cariño, City Mayor of Baguio City, for his information and to request him to transmit the contents of this resolution to his associates.

Carried unanimously.

No. 20

WHEREAS, this body is aware of numerous differences relative to the appointment of National Officials and employees with provincial assignments between the Department Heads on one hand and the Governors and/or City Mayors on the other hand;

WHEREAS, in order to forestall such differences and effectively carry out the purposes and aims for the appointment of such officials and employees, it is imperative that Governors and/or City Mayors, should work in a spirit of mutual help and cooperation with the appointing and appointive official or employees;

WHEREAS, to iron out such differences and to carry out the aims and purposes of the office under which such appointment is made a definite policy be adopted relative to the appointment of such officials;

NOW, THEREFORE, in view of the foregoing considerations, the Governors and/or City Mayors in convention has

Upon motion of Mayor Vicente Suarez of Zamboanga City, unanimously

RESOLVED, as it hereby resolves to request all Department Heads and/or Heads of different instrumentalities to consult first, Governors and/or City Mayors relative to provincial appointments in their respective provinces and/or cities.

RESOLVED FURTHER, to forward copies of this resolution to all Department Heads and/or Heads of different instrumentalities for their information and favorable consideration.

Carried.

No. 21

WHEREAS, as the Chief Executive of the province or city, the Governor or City Mayor is supposed to be rendering service twenty four hours a day in the supervision and administration of the machineries of the Provincial or City Government;

WHEREAS, most often the Governor or City Mayor is outside his office performing his duties as Chief Executive;

WHEREAS, in the performance of his duties outside his office the Governor or City Mayor incur actual and

necessary expenses;

WHEREAS, the Governor or City Mayor may go to Manila or be called upon to report to his superiors in Manila or Baguio wherein he incurs expenses for meals and transportation to be covered by receipts;

WHEREAS, the procedure of issuing receipt for anything spent by the Governor or City Mayor may cause unnecessary delay, embarrassment and sometimes misunderstandings;

NOW, THEREFORE, be it

RESOLVED, as it is hereby resolved, to request the Honorable, the Secretary of the Interior and the Honorable, the Auditor General to liberalize the regulations regarding reimbursement vouchers in that Governors and City Mayors be exempted from preparing reimbursement receipts for his actual and necessary expenses incurred in the performance of official business in Manila, Baguio and the province or City.

Be it further resolved, that copies of this resolution be sent to the Honorable, the Secretary of the Interior and the Honorable, the Auditor General, Manila, for their consideration.

Carried unanimously.

No. 22

WHEREAS, conditions of peace and order in the City of Manila and in the provinces leave much to be desired;

WHEREAS, there is need for the government to take concrete measures to combat criminality and maintain peace and order at all costs to strengthen the faith of the people in it;

WHEREAS, this can be accomplished without much expense to the government although it requires special efforts on the part of the chief executives and other officials; now therefore,

Upon motion of Vice-Mayor Cesar Miraflor of Manila in representation of Mayor Manuel de la Fuente and seconded by Mayor Mateo of Rizal City, be it

RESOLVED, as it is hereby resolved, that all Provincial Governors and City Mayors initiate immediately the necessary steps for the formation throughout the Philippines of Community Associations which shall assist in and/or have the following functions

(a) equitable distribution of essential commodities, particularly rice; (b) facilitate census checking; (c) report on suspicious individuals and otherwise assist the police authorities in the maintenance of peace and order; (d) promote closer neighborhood ties among the residents of the community; and (e) assist in the performance of civic functions of the government;

RESOLVED FURTHER, that necessary rules and regulations be adopted for such associations taking into account the peculiar conditions and circumstances obtaining in each particular locality.

Carried unanimously.

No. 23

WHEREAS, Article II, Section 27, of the Revised Election Law, provides that any elective Provincial, Municipal or City Officials running for an office, other than the one which he is actually holding, shall be considered resigned from his office from the moment of the filing of his certificate of candidacy; and

WHEREAS, elective National Officials are not affected by such said provisions of law; and

WHEREAS, it is but fair and just that elective local officials should also be accorded the same privilege granted to elective national officials in this particular case;

NOW, THEREFORE, the Conference of Provincial Governors and City Mayors now in Convention in the City of Baguio, with the foregoing considerations, has

Upon motion of Governor Abueg of Palawan,

RESOLVED, as it is hereby resolved, to request both Houses of Congress to amend Article II, Section 27 of the Revised Election Code in the sense that elective provincial, municipal or city officials should not be considered resigned from the office they actually occupy upon filing their certificate of candidacies for any other office, a privilege which elective national officials actually exercise.

RESOLVED FURTHER, to forward copies of this Resolution to both Houses of Congress thru the Honorable, the President of the Senate and the Speaker, House of Representatives, Manila,

for their information and approval.
Carried unanimously.

[TO BE CONTINUED]

—oOo—

THE MAURA. . .

(Continued from page 541)

any, subject to the Royal Decree of November 12, 1889, or in the municipal tribunal which may be constituted in accordance with these provisions. The *barrios* of the City of Manila are excepted.

4. Contracts bidden for at public auction or awarded at the time of the publication of this Decree in the *Gaceta de Manila*, involving the revenues which are to form the "Income or Funds of the Towns," are declared to be in force until their legal expiration.

The income which the local funds may derive from these contracts shall be distributed among the treasuries of the "Income of the Towns" in the manner which the Governor-General may consider most equitable.

Given in the Palace this Nineteenth Day of May, 1893.

MARIA CRISTINA
ANTONIO MAURA Y MONTANER
Colonial Minister.

—oOo—

RAMIE CULTURE. . .

(Continued from page 571)

feed on the leaves of ramie. The adults are easily attracted to light and may be killed by using a device described briefly as follows:

A piece of board about one foot square is nailed on one end of a bamboo pole about five feet long to form a platform. This is placed in the center of the field. A hurricane lamp or torch is then put in a basin of water or oil and placed on top of the platform. Attracted to the light, the flying insects are caught in the oil or water where they perish.

Another method is the use of fermenting coconut sap or tuba. This is put in an open vessel and placed over a pan of water to which sufficient kerosene or crude oil has been added. The whole thing is placed on a platform in the middle of the field. The odor of the co-

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(Continued from page 523)

ment service for the first time, insofar as the right to retire under Act No. 2589, as amended, is concerned. The length of his previous service may not be added to that rendered upon reinstatement, because, aside from the forfeiture previously referred to, the requirement of "continuous" service provided in Act No. 2589, as amended, would not be met. (*Idem.*)

Applying the above principles to the case of Mr. Diño, it becomes evident that he may not retire under Act No. 2589, as amended, inasmuch as the length of his service since his reappointment after the liberation is less than the six-year minimum period prescribed for retirement under said Act. The services rendered by him prior to his resignation on June 15, 1938, may no longer be considered, the benefits thereof having been forfeited upon his resignation on said date. Moreover, the requirement of "continuous . . . service for at least six years" would not be satisfied. (Sec. 1, Act No. 2589, as amended.)—*3rd Ind., Nov. 4, 1946, of Sec. of Justice.*

Coconut tuba attracts large numbers of moths, thus reducing infestations. This method has been verified by the plant pest and disease control division of the Bureau of Plant Industry to have given good results in Mindanao. A spray of 60 grams of lead or calcium arsenate for every petroleum can of water (approximately 19 liters) sprayed on the leaves of the plants will reduce the number of the insects and minimize crop damage. Lead or calcium arsenate mixed with equal parts of *gawgan* or starch may also be dusted on the leaves of the plant with equally good effect.

The leaf spot diseases caused by *Cercospora boehmeriana* (Wor.) which are common among plants in a poor soil and under unfavorable climatic conditions may be identified by the presence of rusty brown spots scattered on the leaves with a grayish center surrounded by a circular structure. It may be controlled by clipping off and burning the affected parts, and by clean

(Continued on page 566)

LEASING OF MARKET STALLS

Department Order No. 32, dated Nov. 29, 1946, as amended by Department Order No. 42, dated March 12, 1947, of the Secretary of Finance

Pursuant to the provisions of Republic Act No. 37, the following rules and regulations governing the leasing of public market stalls are hereby promulgated:

Section 1. *Definition of terms.*—“Public market” shall be understood to refer to any place, building or structure of any kind designated as such by the municipal council, city council or municipal board concerned. “Stall” refers to any allotted space or booth in the public market where merchandise of any kind is sold or offered for sale.

Sec. 2 *Vacancy of Stalls; Notice of Application.*—For the purpose of this Order, all stalls or booths in any public market shall be deemed to be vacated by their present occupants and their lease terminated on January 1, 1947, and the same shall be leased to applicants therefor beginning said date in the following manner:

(a) Notice of this general vacancy shall be posted on the bulletin board in each public market and other conspicuous places therein immediately upon the promulgation of this order.

(b) If the occupants or holders of the stalls on December 31, 1946 are citizens of the Philippines, and have been occupying or holding the same for not less than thirty (30) days before said date and they file their applications to continue occupying the same in the manner herein prescribed, they shall be given the lease to their respective stalls, subject to the conditions prescribed in these regulations. The application shall be substantially in the form prescribed in Section 3

(c) hereof and shall expressly state that the applicant is actual occupant on December 31, 1946, of the stall applied for.

(c) If their occupants on December 31, 1946 are not Filipino citizens the stalls affected shall be awarded for occupancy to the Filipino applicant who filed his application therefor in accordance with the provisions hereof. (As amended by Department Order No. 42, dated March 12, 1947, Sec. of Finance)

(d) In case two or more applications from Filipino citizens are filed for the leasing of one and the same stall, the lease of the stall shall be awarded by lot under the supervision of the Market Committee as herein provided. (As amended by Dept. Order No. 42, dated March 12, 1947, of Sec. of Finance)

(e) The award of market stalls to an alien applicant can be made only in the absence of a Filipino applicant.

Sec. 3. *Stalls Vacated after January 1, 1947, Adjudication to Applicants.*—Market stalls vacated after January 1947, and those constructed or designated as such after said date shall be leased to the applicants therefor in the following manner:

(a) Notice of vacancy of the stall or booth shall be hung for a period of not less than ten (10) days immediately preceding the date fixed for their award to the applicants above the vacant or newly-established stalls or booths, or otherwise so placed therein as to apprise the public of the fact that such stalls or booths are unoccupied and available for lease. Such notice shall also be posted on the bulletin board of the market concerned. This notice of vacancy shall be written on cardboard or any thick paper and shall conform to the following form:

N O T I C E

Notice is hereby given that Stall No. of the market is vacant (or will be vacated on, 194....). Any person, 21 years of age and is not legally incapacitated, desiring to lease this stall, shall file an application therefor on the prescribed form (copies may be obtained from the Office of the City Treasurer) during office hours and before 12 o'clock noon of , 194.... In case there are more than one applicant, the award of the lease of the vacant stall shall be determined thru drawing of lots to be conducted on, 194...., at 12 o'clock noon in the office of the city treasurer (or municipal treasurer) by the Market Committee. This stall is in the section of and is intended for the sale of

City Treasurer (or Mun. Treas.)

(b) The application shall be under oath. It shall be submitted to the office of the city or municipal treasurer concerned by the applicant either in person or through his or her attorney.

(c) It shall be the duty of the city or municipal treasurer to keep a register book showing the names and address of all applicants for vacant stalls or booths, the number and description of the stall applied for by them, and the date and hour of the receipt by the treasurer of each application. It shall also be the duty of the treasurer to acknowledge receipt of the application setting forth therein the time and date of receipt thereof.

The application shall be substantially in the following form:

Application to Lease Market Stall

.....
Address Date
The City Treasurer (or Municipal Treasurer) City of
(or Municipality of
Province of)

Sir:

I hereby apply under the following contract for the lease of Stall No. of the Market. I am years of age,, a citizen of the,, and residing at
(Civil Status)

Should the above mentioned stall be leased to me in accordance with the market rules and regulations, I promise to hold the same under the following conditions:

(1) That while I am occupying or leasing this stall (or these stalls), I shall at all times have my picture and that of my helper (or those of my helpers) conveniently framed and hung up conspicuously in the stall.

(2) I shall keep the stall (or stalls) at all times in good sanitary condition and comply strictly with all sanitary and market rules and regulations now existing or which may hereafter be promulgated.

(3) I shall pay the corresponding rents for the booth (or booths) or the fee for the stall (or stalls) in the manner prescribed by existing ordinance.

(4) The business to be conducted in the stall (or stalls) shall belong exclusively to me.

(5) In case I engage helpers, I shall nevertheless personally conduct my business and be present at the stall (or stalls or booths). I shall promptly notify the market authorities of my absence, giving my reason or reasons therefor.

(6) I shall not sell or transfer my privilege to the stall (or stalls or booths) or otherwise permit another person to conduct business therein.

(7) Any violation on my part or on the part of my helpers of the foregoing conditions shall be sufficient cause for the market authorities to cancel this contract.

Very respectfully,

Applicant

I,,
do hereby state that I am the
person who signed the foregoing
application; that I have read the
same; and that the contents are
true to the best of my knowledge
and belief

Applicant

Subscribed and sworn to before
me in the city (or municipality)
of, Philippines,
this day of
194.....

Official Title

(d) Applications from Filipino citizens shall have preference in the lease of public market stalls. If on the last day set for filing applications, there is no application from a Filipino citizens, the hanging and posting of the Notice of Vacancy prescribed above shall be repeated for another ten-day period. If after the expiration of that period there is still no Filipino applicant, the stall affected may be leased to any alien applicant who filed his application first. If there are several alien applicants, the adjudication of the stall shall be made thru drawing of lots to be conducted by the market Committee. In case there is only one Filipino applicant, the stall or booth applied for shall be adjudicated to him. If there are several Filipino applicants for the same stall, adjudication of the stall shall be made thru drawing of lots to be conducted by the Market Committee on the date and hour specified in the Notice. The result of the drawing shall be reported immediately by the Committee to the city or municipal treasurer concerned for appropriate action.

(e) In chartered cities the successful applicant shall furnish the city treasurer with two copies of his or her picture immediately after the award of the lease. It shall be the duty of the city treasurer to paste copy on the record card kept for that purpose.

Sec. 4. *Vacancy of Stall before Expiration of the Lease.*—Should, for any reason, a stall holder or lessee discontinue or be required to discontinue his business before his lease of the stall expires, such stall shall be considered vacant and its occupancy thereafter shall be disposed of in the manner herein prescribed.

Sec. 5. *Partnership with Stall Holder.*—A market stall holder who enters into business partnership with any party after he has acquired the right to lease such stall shall have no authority to transfer to his partner or partners the right to occupy the stall; Provided, however, that in case of death or any legal disability of such stall holder to continue in his business, the surviving partner may be authorized to continue occupying the stall for a period of not exceeding sixty (60) days within which to wind up the business of the partnership. If the surviving partner is otherwise qualified to occupy a market stall under the provisions hereof, and is not the spouse, parent, son, daughter or relative within the third degree by consanguinity or affinity of the deceased or disqualified partner, he shall be given the preference to continue occupying the stall or booth concerned, if he applies therefor.

Sec. 6. *Lessee to Personally Administer his Stall.*—Any person who has been awarded the right to lease a market stall in accordance with the provisions hereof shall occupy, administer and be present personally at his stall or stalls, booth or booths; Provided, however, that he may employ helpers who must be citizens of the Philippines; and Provided further, that the spouse, parents and children of the stall holder who are actually living with him and who are not disqualified under the provisions hereof, may be registered as his or her helpers; and Provided, furthermore, that persons to be employed as helpers shall under no circumstance be persons with whom the stall holders has any commercial relation or transaction.

Sec. 7. *Dummies; Sub-lease of Stalls.*—In any case where the person who,

according to the records, is the registered holder or lessee of a stall or stalls, booth or booths, in the public market is found to be in reality not the person who is actually occupying said stall or stalls, booth or booths, the lease of such stall or stalls, booth or booths, shall be cancelled, if upon investigation such stall holder shall be found to have sub-leased his or her stall or stalls, booth or booths to another person or to have connived with such person so that the latter may for any reason be able to occupy the said stall or stalls, booth or booths.

Sec. 8. *Appeals*.—Any applicant who is not satisfied with the adjudication made by the city or municipal treasurer or the Market Committee of the stall applied for by him, may file with the Secretary of Finance an appeal therefrom, thru the Mayor concerned, who may submit such comment and recommendation as he may desire to make on the matter. The decision of the Secretary of Finance in such cases shall be final.

Sec. 9. *Duties and Powers of the City Municipal Treasurer*.—The city or municipal treasurer, as the case may be, shall exercise direct and immediate supervision and control over public markets in accordance with local ordinances. He shall have direct administration, control and supervision over market personnel, except those whose duties concern the maintenance of sanitary conditions of the market premises. In the case of cities, the city treasurer shall exercise the power herein conferred upon him, subject to the general executive supervision and control of the Mayor of the city.

“Sec. 10. *Market Committee*.—There is hereby created a Committee in each city and municipality to be designated as Market Committee, whose duty it shall be to conduct the drawing of lots and opening of bids in connection with the adjudication of vacant or newly created stalls or booths in the city or municipal markets as prescribed in this Order, and to certify to the city treasurer or municipal treasurer, as the case may be the result thereof. In the chartered

cities, the committee shall be composed of the City-Treasurer, as Chairman, a representative of the Mayor, a representative of the Municipal Board or City Council, a representative of the Secretary of Finance, a representative of the City Fiscal and a representative of the Market Vendors to be appointed by the Secretary of Finance, as members. In the municipalities, the municipal treasurer shall be the Chairman, and a representative of the Mayor, a representative of the Council, and a representative of the market vendors to be appointed by the Secretary of Finance, as members. In any case in which the deliberation of the Market Committee results in a tie vote, the decision of the city or municipal treasurer shall prevail. (As amended by Dept. Order No. 42, dated March 12, 1947, of Sec. of Finance.)

—oOo—

RAMIE CULTURE . . .

(Continued from page 562)

culture and fertilization of the plants. In severe cases the plants may be sprayed with a solution of Bordeaux mixture consisting of copper sulphate, calcium oxide, and water depending upon the degree of infection.

Uses

Ramie has a variety of uses comparable to abaca, cotton, and silk. As a textile material the yarn can be woven into cloth equal to that of flax and linen. It can be blended with cotton and woven into ramitex, a cloth much stronger, more elastic and more lustrous than the ordinary tropical drill. It can be used in the manufacture of parachutes, fishing cords, lamp mantles, laces, fancy handbags, belts, lalyards, naval cordage, tire cords, opaque papers, surgical pads, dressings, bandages, and operating gowns. Mixed with wool it can be woven into greatly improved cloth which may be comfortably and elegantly worn. The ramie fiber is said to be 30% to 60% stronger when wet than when dry and that it dries more rapidly than cotton and flax. If the fiber is treated and the spun yarn well woven, the finished fabric does not shrink unlike cotton and silk.

THE SCIENCE OF . . .

(Continued from page 582)

change in public morality, obscure and mysterious in origin but laudable in character, is to miss the whole significance of British reforms. In the present-day politics of the United States, it is not so clear that the utility of patronage has disappeared; under the American system of separation of powers, patronage remains almost as useful as it was under the British constitution of the eighteenth century. And in any case, it is self-evident that the problem here lies in a distinctly different political and social setting from that of Victorian England.

Last, a successful administrative class rests upon the condition that such a group possesses the prestige of an elite; for unless the class has an elite status, it is in a poor position to compete against any other elite for the brains and abilities of the nation. It is one thing to offer a *career* in a merit service; it is quite another to insure that such a service has enough prestige to acquire the best of the nation's competence. The argument that the mere creation of an administrative class would be sufficient to endow that group with prestige in the United States may or may not be valid; it is certainly invalid to argue that this was the casual sequence in Britain. In assessing the ability of the British civil service to recruit the best products of the universities, one can scarcely overlook the profound significance of the fact that for centuries the public service was one of the few careers into which a member of the aristocracy could enter without loss of prestige. Like the church, the army, and politics, and unlike trade and commerce, public service was a profession in which the aristocracy could engage without violating the mores of the class. Even during the eighteenth century and the first half of the nineteenth, when the burden of incompetence and patronage in the public service was at its heaviest, government was a field into which the social elite could enter without a diminution of prestige, and often enough without even a loss in leisure. Throughout the age of patronage, the British public

service succeeded in obtaining some of the best of Britain's abilities. The effect of the reforms after 1853 was to make more attractive a profession that already outranked business and industry in prestige values. In Britain, as in Germany, the psychic income accruing from a career in the civil service more than compensates for the smaller economic income. Contrast this with the United States, where since the Civil War prestige has largely accrued to acquisitive successes. It is small wonder that in the United States the problem of government competition with business for the abilities of the community should be much more acute.

If these remarks about the British administrative class are well founded, then these conclusions suggest themselves:

1. Generalizations derived from the operation of public administration in the environment of one nation-state cannot be universalized and applied to public administration in a different environment. A principle *may* be applicable in a different framework. But its applicability can be determined only after a study of that particular framework.

2. There can be no truly universal generalizations about public administration without a profound study of varying national and social characteristics impinging on public administration, to determine what aspects of public administration, if any, are truly independent of the national and social setting. Are there discoverable principles of *universal* validity, or are all principles valid only in terms of a special environment?

3. It follows that the study of public administration inevitably must become a much more broadly based discipline, resting not on a narrowly defined knowledge of techniques and processes, but rather extending to the varying historical, sociological, economic, and other conditioning factors that give public administration its peculiar stamp in each country.

— end —

RAMIE CULTURE IN THE PHILIPPINES

By
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Introduction

Ramie (*Boehmeria nivea* (Lin.) is a fiber-yielding plant indigenous to China. It is known as "China grass" in that country and elsewhere. From China it has been introduced into other parts of the world, namely, Japan, Sumatra, India, United States, England, Java, Borneo, and the Philippines. In these Islands, it is grown extensively in Davao and Cotabato, and lately in Albay, Camarines Sur, Agusan, Laguna, Tayabas, Mindoro, Negros Occidental, Negros Oriental, and other provinces. In 1940 the Philippines produced a little over half a million kilos of fiber valued at about half a million pesos. The prospects of ramie in the postwar period are bright and the industry is bound to expand.

Varieties

Of the commercial varieties known, Saikeseishin, Chuma, and Guiran Taipan No. 1 are the most important. Other varieties of secondary importance are Guiran Taipan No. 2, Taiwan Hakuki, Kagui Hakucho, Kohai Guiran, and possibly Amrai. It is hard if not impossible to distinguish one variety from another based on the external appearance of the plant alone. For practical purposes, however, the above three commercial varieties may be briefly described as follows:

Saikeseishin.—This is the most popular and widely grown commercial variety. It is a monoecious shrub about one to two meters high, with erect stems seldom branching out, with hairy petioles, practically identical leaves, coarsely pointed, with the upper surface green and rough, the lower surface silvery white and the

veins covered with white hairs. This variety is hardy, being drought resistant. It matures in about 65 days and yields more and better quality of fiber than the other varieties.

Chuma.—This variety resembles Saikeseishin in practically all respects but does not grow as tall. The petioles are of pinkish color throughout, gradually disappearing towards the tip. Like Saikeseishin, it is also drought resistant but produces less fiber. It matures in about 55 days.

Guiran Taipan No 1.—This variety possesses morphological characters greatly akin or similar to that of Saikeseishin with the exception of the presence of light and green-colored petioles and a light pinkish coloration near the base of the leaves and midribs. It matures in about 80 days and produces less fiber.

All the above-mentioned varieties fall under the species of *Boehmeria nivea* (Linn.).

The other less popular variety is known as "rhea" or simply called *Boehmeria nivea* var. *Tenacissima* (Rexb.). Both surfaces of the leaves of rhea are green and the plant possesses other characteristics similar to the commercial varieties of *Boehmeria nivea*.

Soil and climatic requirements

Ramie thrives best in deep rich loam soils which are fairly well drained. The presence of sufficient organic matter in the soil is an important requisite as this promotes rapid growth and insures a good crop. Ramie raised on poor lands produces fiber of inferior quality. In places like Davao, Albay, Camarines Sur, Samar, and Leyte, old and fertile abaca lands have

been found suitable for ramie growing.

Ramie grows best in places with a uniform distribution of rainfall throughout the year, without any marked dry and wet season with rare or no destructive typhoons and floods. Davao, parts of Cotabato, Lanao, Agusan, Zamboanga, Surigao, and Mindoro have been found suitable for the cultivation of this fiber crop. Of late it has been found that ramie also grows well in some parts of Albay, Camarines Sur, Samar, Leyte, Laguna, Tayabas, and Negros Oriental, although these places are less suitable due to the prevalence of destructive typhoons and floods.

Preparation of land

Old agricultural lands should be plowed deep and the soil thoroughly pulverized. This should be done ahead of actual planting in order to give time for the complete destruction of weeds and organisms harmful to the young plants. In the Philippines ramie lands are usually prepared during the later part of September in time to be ready for planting from October to December.

On newly-opened lands ramie plantations may be established by kaingin system. In this particular case underbrushing, cutting and logging big trees, threshing, and burning will come in order. The cleared area is allowed to rest about a week before properly spaced holes are dug by means of pointed wood or any suitable farm implements.

Fertilizer requirements

The plantation should be top-dressed annually with a commercial fertilizer, preferably ammonium sulphate at the rate of from 250 kilos to 500 kilos to the hectare. Organic fertilizers like guano and barnyard manure may also be applied at the rate of from 500 to 1,000 kilos to the hectare.

The leaves, stalks, ends, and butts removed from the plants should be returned to the plantation as these improve the physical condition of the soil, keep down weeds, and reduce the cost

of fertilization.

Planting

While ramie can be propagated by seeds, cuttings or rootstocks, the last-named should be preferred for practical purposes. When seeds are used, they are first sown in well-prepared beds or seed boxes. The seedlings may be transplanted to the field when they are from two to three weeks old. Because of the extra cost of labor in the care of seeds and in the preparation of seedbeds or seed boxes and the wide range of variability of the resulting plants, this method of propagating ramie is not recommended for commercial purposes.

In the propagation of ramie by cuttings care should be taken to use only mature brown stems, preferably the size of a lead pencil, containing three or four nodes and about one-half to one foot long. The cuttings may be set horizontally on the ground or at an angle of about 45 degrees, one to two inches deep in the furrows and gently covered with soil. Stem cuttings properly prepared and planted will give from 80% to 90% germination.

The best method of propagating ramie is by rootstocks or rhizomes. The lateral roots that are uniform in size with numerous nodes and the smooth tuber-like roots are classified as rootstocks, but only the former should be used for planting purposes in order to get more percentage of germination. Each cutting should be from five to six inches long with three to four buds. All tube-like roots should be cut off for obvious reasons. One sack of lateral rootstocks weighing about 40 kilos will contain around 1,000 pieces, and a year-old hectare of such rootstocks is capable of supplying planting material for about eighty hectares of land. Planting materials intended for distant places should be properly packed in moist sawdust or sphagnum moss and then wrapped in gunny sacks.

The seedlings, stem cuttings, and rootstocks should be set in the field at a distance of from 30 to 40 centimeters in the row and from 80 to 100 centi-

meters between the rows. About 25,000 to 42,000 seedlings, cuttings or rootstocks per hectare are required if the proper distance between plants is followed.

If propagated by rootstocks the plants begin to appear above the ground a week after planting.

Care

The field must be very well cultivated to control the weeds and to promote the rapid growth of the young plants.

The effects of strong winds or storms may be minimized by judicious planting of windbreaks around the field.

The effects of drought may be reduced by clipping off some of the side branches and scattering them around the base of the plants. Talahib or cocon may also serve the purpose. These materials serve as surface mulch by preventing the rapid evaporation of moisture from the soil.

Where there is water available, the plantation should be irrigated at least twice a week.

At the end of every fifth year the plantation should be partly rejuvenated by judicious pruning of the lateral roots to promote rapid growth, maintain high yield, and give a new life to the plantation.

Harvesting

The date of maturity or the period of harvesting depends upon such factors as climate, care given to the plantation, presence or absence of diseases and pests, etc.

The presence of brown patches on the bark of the stem and the brown color of the majority of the panicles of the clusters indicates maturity. The plants in no case should be allowed to overmature if a maximum yield and good quality of fiber are desired.

The growth of ramie during a long period of dry spell is generally arrested and the plants mature late.

Improperly kept plantations produce plants of a very poor stand which have a tendency not to mature on time.

When the plants are attacked heavily by pests or diseases they do not develop a normal stand and they mature early as the general tendency of the plants under such conditions is to reproduce their kind before they die.

Under ordinary circumstances the preliminary cutting may be made from two to three months after planting. Usually the stalks from the preliminary cutting are not decorticated due to the low yield and inferior quality of fiber. A sharp bolo, knife or scythe may be used in harvesting, care being taken not to harm or injure the lateral roots under the ground. The whole plants and sprouts are cut close to the ground and spread between the rows where they are allowed to decay. Incidentally, this practice is aimed at producing a uniform stand for the succeeding harvests.

The harvested stalks are piled in bundles in the field along the road and hauled to a nearby shed by sleds, carts or trucks ready for extraction. Only the butts and the rhizomes are left behind.

The stalks should be decorticated as soon as they are harvested, because delay means difficulty in extraction and the production of poor quality fiber.

Extraction of Fiber

Ordinarily, ramie fiber is extracted by a 2-H. P. decortivating unit. In actual practice only two men are needed to keep the unit constantly at work with a daily output of from one to two piculs of dry fiber. The feeder takes hold of a handful of well-arranged stalks and inserts their tips into the receiver of the decortivating machine. The revolving knives inside take the stalks inward and remove the fiber from the stalks. With a jerk the feeder pulls the ribbon off the machine with most of the pulp already removed. Taking hold of ribbon and winding it around his hand he now inserts the undecorticated parts or butts into the receiver of the machine and pulls them off again after they have passed

through the revolving knives as before. The ribbon or fiber itself is now properly arranged and set by hand on a nearby rack where it is combed to remove the remaining pulp dirt, and other materials. The fibers are tied in small bundles about three to four inches in diameter and are further hung in the sun to dry. In the warehouse the small bundles are graded according to length. They are then folded and bundled in bales of from 30 to 60 kilos ready for the market.

In extracting the fiber on a big scale a much more complicated and elaborate decorticating unit is used. Big plantation owners or companies ordinarily make use of a series of decorticating machines connected together to a common shaft driven by a more powerful motor engine. The principle involved in the preparation of the fiber remains the same. In some cases, however, further treatment of the decorticated fiber is necessary in order to improve its quality and increase its market value. This treatment consists of subjecting the hanging fiber to the action of a smoke of sulphur powder from an inclosed chamber made for the purpose.

For highly industrialized uses, the gummy material commonly found in ramie fiber should be removed as it interferes with the spinning of the fiber and the weaving of the yarn into cloth. This phase of the works is not ordinarily done on the farm due to lack of necessary materials and the extra cost of labor involved. To remove the gum, a hank of fiber is first soaked in a dilute solution of caustic soda and then treated with a solution of bleaching powder. The fiber thus treated is immersed in a dilute solution of sulfuric acid and further washed in clean water until the gum is completely removed.

For the extraction of fiber on a small scale and where no decorticating machine of any type is available stripping or retting may be resorted to.

In stripping, the surface of the stem is pared off with a knife or a piece

of bamboo to facilitate the extraction of individual fibers. These are dried in the sun, collected, and bundled ready for the market.

In retting, the whole stalks are soaked in water until the outer layers can be washed off. The stalks may be immersed in fresh or salt and stagnant or running water. A concrete tank or a big vat provided with an outlet may be used if a stagnant pool or running stream is not available. Fresh stalks put in water ret from 5 to 10 days.

As soon as the outer surface of the stalks shows signs of decay the fiber should be separated from the woody portion of the plants. With a wooden paddle or a piece of board a handful of stems is beaten slowly and the fiber in the form of ribbons is pulled off. The ribbons are then tied in bundles and struck against the water until the outer dead bark is removed. The remaining dead bark and any dirty material adhering to the fiber are scraped off by hand with the aid of a sharp stick or knife. The fiber should be carefully washed in fresh water. If the stalks are retted in salt water all traces of salt should be removed to facilitate drying. The fiber is then hung in racks in the sun and as soon as thoroughly dried, it is collected and bundled.

Yield

The yield of ramie is variable depending upon such factors as varieties planted, soil and climatic conditions, time and method of planting, methods of preparing the fiber, presence or absence of pests and diseases, etc.

A yield of from three to five piculs of fiber per hectare from the first harvest is considered fair disregarding the preliminary cutting. In subsequent harvest a yield of from seven to eight piculs of fiber per hectare may be obtained. In general, the annual yield of well-organized and established ramie plantations ranges from 30 to 50 piculs per hectare of clean fiber.

Enemies of ramie

The larvae and adults of a moth known as *Cocytodes coerulea* (Guen.)
(Continued on page 562)

The Science of Public Administration: Three Problems

By ROBERT A. DAHL
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The effort to create a science of public administration has often led to the formulation of universal laws or, more commonly, to the assertion that such universal laws *could* be formulated for public administration! In an attempt to make the science of public administration analogous to the natural sciences, the laws or putative laws are stripped of normative values, of the distortions caused by the incorrigible individual psyche, and of the presumably irrelevant effects of the cultural environment. It is often implied that "principles of public administration" have a universal validity independent not only of moral and political ends, but of the frequently nonconformist personality of the individual, and the social and cultural setting as well.

Perhaps the best known expression of this kind is that of W. F. Willoughby. Although he refused to commit himself as to the propriety of designating administration as a science, Willoughby nevertheless asserted that "in administration, there are certain fundamental principles of general application analogous to those characterizing any science" "A more recent statement, and evidently an equally influential one, is L. Urwick's contention that "there are certain principles which govern the association of human beings for any purpose, just as there are certain engineering principles which go-

vern the buildings of bridge."³

Others argue merely that it is possible to discover general principles of wide, although not necessarily of universal validity.⁴ Surely this more modest assessment of the role of public administration as a study is not, as an abstract statement, open to controversy. Yet even the discovery of these more limited principles is handicapped by the three basic problems of values, the individual personality, and the social framework.

Public Administration and Normal Values

The first difficulty of constructing a science of public administration stems from frequent impossibility of excluding normative considerations from the problems of public administration. Science as such is not concerned with the discovery or elucidation of normative values; indeed, the doctrine is generally, if not quite universally, accepted that science *cannot* demonstrate moral values, that science cannot construct a bridge across the great gap from "is to "ought." So long as the naturalistic fallacy is a stumbling block to philosophers, it must likewise impede the progress of social scientists.

Much could be gained if the clandestine smuggling of moral values into the social sciences could be converted into open and honest commerce. Writers on public administration often assume that

1. See, for example, F. Merson, "Public Administration: A Science," 1 *Public Administration* 220 (1923); B. W. Walker Watson, "The Elements of Public Administration, A dogmatic Introduction," 10 *Public Administration* 397 (1932); L. Gulick, "Science, Values and Public Administration," *Papers on the Science of Administration*, ed. by Gulick & Urwick, (Institute of Public Administration, 1937); Cyril Renwick, "Public Administration: Towards a Science," *The Australian Quarterly* (March 1944), 73.

2. *Principles of Public Administration* (The Brookings Institution, 1927), Preface, p. ix.

3. See fn. 12, *infra*, for the full quotation and citation.

4. This I take to be Professor D. White's position. See his "The Meaning of Principles in Public Administration," in *The Frontiers of Public Administration* (University of Chicago Press, 1936), pp. 13-25.

ownership and the amount of real estate and its cash value. *He may, if they are snugly insulated from the storms of clashing values; usually, however, they are most concerned with ends at the very moment that they profess to be least concerned with them. The doctrine of efficiency is a case in point; it runs like a half-visible thread through the fabric of public administration literature as a dominant goal of administration.* Harvey Walker has stated that "the objective of administration is to secure the maximum beneficial result contemplated by the law with the minimum expenditure of the social resources" which⁵ is sufficiently ambiguous to allow for almost any interpretation, but it suggests that the general concept involved is one of maximizing "output" and minimizing "cost." Likewise, many of the promised benefits of administrative reorganization in state governments are presumed to follow from proposed improvements in "efficiency in operation." And yet, as Charles Hyne- man has so trenchantly observed, there are in a democratic society other criteria than simple efficiency in operation.⁶

Luther Gulick concedes that the goal of efficiency is limited by other values.

In the science of administration, whether public or private, the basic "good" is efficiency. The fundamental objective of the science of administration is the accomplishment of the work in hand with the least expenditure of man-power and materials. Efficiency is thus axiom number one in the value scale of administration. This brings administration into apparent conflict with certain elements of the value scale of politics, whether we use that term in its scientific or in its popular sense. But

both public administration and politics are branches of political science, so that we are in the end compelled to mitigate the pure concept of efficiency in the light of the value scale of politics and the social order.

He concludes nevertheless, "that these interferences with efficiency (do not) in any way eliminate efficiency as the fundamental value upon which the science of administration may be erected. They serve to condition and to complicate, but not to change the single ultimate test of value in administration."⁸

It is far from clear what Gulick means to imply in saying that "interferences with efficiency" caused by ultimate political values may "condition" and "complicate" but do not "change" the "single ultimate test" of efficiency as the goal of administration. Is efficiency the supreme goal not only of private administration, but also of public administration, as Gulick contends? If so, how can one say, as Gulick does, that "there are . . . highly inefficient arrangements like citizen boards and small local governments which *may* be necessary in a democracy as educational devices"? Why speak of efficiency as the "single ultimate test of value in administration" if it is not ultimate at all—if, that is to say, in a conflict between efficiency and "the democratic dogma" (to use Gulick's expression) the latter must prevail? Must this dogma prevail only because it has greater political and social force behind it than the dogma of efficiency; or ought it to prevail because it has, in some sense, greater value? How can administrations and students of public administration discriminate between those parts of the democratic dogma that are so strategic they ought to prevail in any conflict with efficiency and those that are essentially subordinate, irrelevant, or even

5. *Public Administration* (Farrar & Rinehart, 1937), p. 8.

6. "Administrative Reorganization," 1 *The Journal of Politics* 62-65 (1939).

7. *Op. cit.*, pp. 192-93.

8. *Op. cit.*, p. 193.

false intrusions into the democratic hypothesis? What is efficiency? Beisen and Dachau were "efficient" by one scale of values. According to what and whose scale of values is efficiency placed on the highest pedestal? Is not the worship of efficiency itself a particular expression of a special value judgment? Does it not stem from a mode of thinking and a special moral hypothesis resting on a sharp distinction between means and ends?

The basic problems of *public* administration as a discipline and as a potential science are much wider than the problems of mere *administration*. The necessarily wider preoccupation of a study of *public* administration, as contrasted with *private* administration inevitably enmeshes the problems of public administration in the toils of ethical considerations. Thus the tangled question of the right of public employees to strike can scarcely be answered without a tacit normative assumption of some kind. A pragmatic answer is satisfactory only so long as no one raises the question of the "rights" involved. And to resolve the question of rights merely by reciting *legal* norms is to beg the whole issue; it is to confess that an answer to this vital problem of public personnel must be sought elsewhere than with students of public administration. More over, if one were content to rest one's case on legal rights, it would be impossible to reconcile in a single "science of administration" the diverse legal and institutional aspects of the right to strike in France, Great Britain, and the United States.

The great question of responsibility, certainly a central one to the study of public administration once it is raised above the level of academic disquisitions on office management, hinges ultimately on some definition of ends, purposes, and values in society. The sharp conflict of views on responsibility expressed several years ago by Carl Friedrich and Herman Finer resulted from basically different interpretations of

the nature and purposes of democratic government. Friedrich tacitly assumed certain values in his discussion of the importance of the bureaucrat's "inner check," as an instrument of control. Finer brought Friedrich's unexpressed values into sharp focus and in a warm criticism challenged their compatibility with the democratic faith.⁹

It is difficult, moreover, to escape the conclusion that much of the debate over delegated legislation and administrative adjudication, both in this country and in England, actually arises from a concealed conflict in objectives. Those to whom economic regulation and control are anathema have with considerable consistency opposed the growth of delegated legislation and the expansion of the powers of administrative tribunals—no doubt from a conviction that previously existing economic rights and privileges are safer in the courts than in administrative tribunals; whereas those who support this expansion of administrative power and techniques generally also favor a larger measure of economic regulation and control. Much of the debate that has been phrased in terms of means ought more properly to be evaluated as a conflict over general social goals.

One might justifiably contend that it is the function of a science of public administration, not to determine ends, but to devise the best means to the ends established by those agencies entrusted with the setting of social policy. The science of public administration, it might be argued, would be totally non-normative, and its doctrines would apply with equal validity to any regime, democratic or totalitarian, once the ends were made clear. "Tell me what you wish to achieve," the public administration scientist might say, "and I will tell you what administrative means are best designed for your purposes." Yet even this view has difficulties, for in most societies, and particularly in democratic ones, ends are often in dis-

pute; rarely are they clearly and unequivocally determined. Nor can ends and means ever be sharply distinguished since ends determine means and often means ultimately determine ends.

The student of public administration cannot avoid a concern with ends. What he *ought* to avoid is the failure to make explicit the ends or values that form the groundwork of his doctrine. If purposes and normative considerations were consistently made plain, a net gain to the science of public administration would result. But to refuse to recognize that the study of public administration must be founded on some clarification of ends is to perpetuate the gobbledygook of science in the area of moral purposes.

A science of public administration might proceed, then, along these lines:

1. *Establishing a basic hypothesis.*

A nonnormative science of public administration might rest on a basic hypothesis that removed ethical problems from the area covered by the science. The science of public administration would begin where the *basic hypothesis* leaves off. One could quarrel with the moral or metaphysical assumption in the basic hypothesis; but all normative argument would have to be carried on at that level, and not at the level of the science. The science, as such, would have no ethical content.

Can such a basic hypothesis be created? To this writer the problem appears loaded with enormous and perhaps insuperable difficulties; yet it is unlikely that a science of public administration will ever be possible until this initial step is taken.

2. *Stating ends honestly.* Some pro-

blems of the public services, like that of responsibility, evidently cannot be divorced from certain ends implied in the society served by the public services. If this is true, there can never be a universal science of public administration so long as societies and states vary in their objectives. In all cases where problems of public administration are inherently related to specific social ends and purposes, the most that can be done is to force all normative assumptions into the open, and not let them lie half concealed in the jungle of fact and inference to slaughter the unwary.

Public Administration and Human Behavior

A second major problem stems from the inescapable fact that a science of public administration must be a study of certain aspects of human behavior. To be sure, there are parts of public administration in which man's behavior can safely be ignored; perhaps it is possible to discuss the question of governmental accounting and auditing without much consideration of the behavior patterns of governmental accountants and auditors. But most problems of public administration revolve around human beings; and the study of public administration is therefore essentially a study of human beings as they have behaved, and as they may be expected or predicted to behave, under certain special circumstances. What marks off the field of public administration from psychology or sociology or political institutions is its concern with *human behavior in the area of services performed by governmental agencies.*¹¹

This concern with human behavior greatly limits the immediate potentialities of a science of public administra-

9. C. J. Friedrich, "Public Policy and the Nature of Administrative Responsibility," in *Public Policy* (Harvard Press, 1940); Herman Finer, "Administrative Responsibility in Democratic Government," 1 *Public Administration Review* 335 (1940-41). See also Friedrich's earlier formulation, which touched off the dispute, "Responsible Government Service under the American Constitution," in *Problems of the American Public Service* (McGraw-Hill Book Co., 1935); and Finer's answer to Friedrich in 5 *1 Political Science Quarterly* 582 (1936).

10. See Aldous Huxley's discussion in *Ends and Means* (Harper & Bros., 1937), and Arthur Koestler, *The Yogi and the Commissar* (Macmillan Co., 1945).

tion. First, it diminishes the possibility of using experimental procedures; and experiment, though perhaps not indispensable to the scientific method, is of enormous aid. Second, concern with human behavior seriously limits the uniformity of data, since the datum is the discrete and highly variable man or woman. Third, because the data concerning human behavior constitute an incredibly vast and complex mass, the part played by the preference of the observer is exaggerated, and possibilities of independent verification are diminished. Fourth, concern with human action weakens the reliability of all "laws of public administration," since too little is known of the mainsprings of human action to insure certitude, or even high probability, in predictions about man's conduct.

All these weaknesses have been pointed out so often in discussing the problems of the social sciences that it should be unnecessary to repeat them here. And yet many of the supposed laws of public administration and much of the claim to a science of public administration derive from assumptions about the nature of man that are scarcely tenable at this late date.

The field of organizational theory serves as an extreme example, for it is there particularly that the nature of man is often lost sight of in the interminable discussions over idealized and abstract organizational forms. In this development, writers on public administration have been heavily influenced by the rational character that capitalism has imposed on the organization of production, and have ignored the irrational qualities of man himself.

Capitalism, especially in its industrial form, was essentially an attempt

to organize production along rational lines. In the organization of the productive process, the capitalistic entrepreneur sought to destroy the old restrictive practices and standards of feudalism and mercantilism; to rid the productive process of the inherited cluster of methods and techniques that characterized the guilds and medieval craftsmen; in short, to organize production according to rational rather than traditional concepts. The rational approach to production transformed not only the whole economic process but society itself. The rapid growth of mechanization, routine, and specialization of labor further increased the technically rational quality of capitalist production. It was perhaps inevitable that concepts should arise which subordinated individual vagaries and differences to the ordered requirements of the productive process: for it was this very subordination that the replacement of feudal and mercantilist institutions by capitalism had accomplished. The organization (though not the control) of production became the concern of the engineer; and because the restrictive practices authorized by tradition, the protective standards of the guilds, the benevolent regulations of a mercantilist monarchy, and even the nonacquisitive ideals of the individual had all been swept away, it was actually feasible to organize production without much regard for the varying individual personalities of those in the productive process. The productive process, which to the medieval craftsman was both a means and an end in itself, became wholly a means.

11. See Ernest Barker's excellent and useful distinctions between state, government, and administration, in *The Development of Public Services in Western Europe, 1660-1930* (Oxford University Press, 1944), p. 3. Administration "is the sum of persons and bodies who are engaged, under the direction of government, in discharging the ordinary public services which must be rendered daily if the system of law and duties and rights is to be duly 'served'. Every right and duty implies a corresponding 'service'; and the more the State multiplies rights and duties, the more it multiplies the necessary services of its ministering officials." See also Leon Duguit, *Law in the Modern State* (B. W. Huebsch, 1919), Ch. II.

Ultimately, of course, men like Taylor provided an imposing theoretical basis for regarding function, based on a logical distribution and specialization of labor, as the true basis of organization. Men like Urwick modified and carried forward Taylor's work, and in the process have tremendously influenced writers on public administration. Urwick, so it must have appeared, provided a basis for a genuine science of administration. "There are principles," he wrote, "*which should govern arrangements for human association of any kind. These principles can be studied as a technical question, irrespective of the purpose of the enterprise, the personnel composing it, or any constitutional, political, or social theory underlying its creation.*"¹² And again "Whatever the motive underlying persistence in bad structure it is always more hurtful to the greatest number than good structure."¹³

Sweeping generalizations such as these gave promise of a set of "universal principles": i. e., a science. American students of public administration could not fail to be impressed.

Aside from the fact that Urwick ignored the whole question of ends, it is clear that he also presupposed (though he nowhere stated what sort of human personality he *did* presuppose) an essentially rational, amenable individual; he presupposed, that is to say, individuals who would accept logical organization and would not (for irrelevant and irrational reasons) rebel against it or silently supersede it with an informal organization better suited to their

personality needs. Urwick must have supposed this. For if there is a large measure of irrationality in human behavior, then an organizational structure formed on "logical" lines may in practice frustrate, anger, and embitter its personnel. By contrast, an organization not based on the logic of organizational principles may better utilize the peculiar and varying personalities of its members. Is there any evidence to suggest that in such a case the "logical" organization will achieve its purposes in some sense "better" or more efficiently than the organization that adapts personality need to the purposes of the organization?¹⁴ On what kind of evidence are we compelled to assume that the rationality of organizational structure will prevail over the irrationality of man?

Patently the contention that one system of organization is more rational than another, and therefore better, is valid only (a) if individuals are dominated by reason or (b) if they are so thoroughly dominated by technical process (as on the assembly line, perhaps) that their individual preferences may safely be ignored. However much the latter assumption might apply to industry (a matter of considerable doubt), clearly it has little application to public administration, where technical processes are, on the whole of quite subordinate importance. As for the first assumption, it has been discredited by all the findings of modern psychology. The science of organization had learned too much from industry and not enough from Freud.

12. L. Urwick, "Organization as a Technical Problem," *Papers on the Science of Administration*, p. 49 (Italics added.) See also his "Executive Decentralisation with Functional Co-ordination," 13 *Public Administration* 344 (1935), in which he sets forth "some axioms of organization," among others that "there are certain principles which govern the association of human beings for any purpose, just as there are certain engineering principles which govern the building of a bridge. Such principles should take priority of all traditional, personal or political considerations. If they are not observed, co-operation between those concerned will be less effective than it should be in realizing the purpose for which they have decided to co-operate. There will be waste of effort." (Italics added.) See also his criticisms of the "practical man fallacy," p. 346.

13. *Ibid.*, p. 85.

The more that writers on public administration have moved from the classroom to the administrator's office, the more Urwick's universal principles have receded. As early as 1930, in a pioneering work, Harold Lasswell described the irrational and unconscious elements in the successful and unsuccessful administrator.¹⁵ Meanwhile, experimenters in the Hawthorne plant of Western Electric Company were indicating beyond doubt that individual personalities and social relationships had great effects even on routinized works in industry. Increased output was the result of "the organization of human relations, rather than the organization of technics"¹⁶ Urwick had said (with little or no supporting evidence): "The idea that organizations could be built up round and adjusted to individual idiosyncracies, rather than that individuals should be adapted to the requirements of sound principles of organization, is . . . foolish. . . ." The Hawthorne experiment demonstrated, on the contrary, that " . . . no study of human situations which fails to take account of the non-logical social routines can hope for practical success."¹⁷

In 1939, Leonard White seriously qualified the principle of subordinating individuals to structure by adding the saving phrase of the neo-classical economists: "in the long run." "To what extent," he said, "it is desirable to rearrange structure in preference to replacing personnel is a practical matter to be determined in the light of special cases. In the long run, the demands of sound organization require the fitting of personnel to it, rather than sacrificing normal organization relationships to the needs or whims of individuals."¹⁸ In the same year, Macmahon and Millet went far beyond the customary deductive principles of public administration theory by making an actual biographical study of a number of federal administrators.¹⁹ In the most recent text on public administration, the importance of personality is frankly admitted. ". . . administrative research," say the authors, "does not seek its goal in the formulation of mechanical rules or equations, into which human behavior must be molded. Rather, it looks toward the systematic ordering of functions and human relationships so that organizational decisions can and will be based upon the certainty that each step taken will actually serve the purpose of the organization as a whole."²⁰ And one whole

(Continued on page 587)

14. See John M. Gaus's excellent definitions: "Organization is the arrangement of personnel for facilitating the accomplishment of some agreed purpose through the allocation of functions and responsibilities. It is the relating of efforts and capacities of individuals and groups engaged upon a common task in such a way as to secure the desired objective with the least friction and the most satisfaction to those for whom the task is done and those engaged in the enterprise Since organization consists of people brought into a certain relationship because of a humanly evolved purpose, it is clear that it should be flexible rather than rigid. There will be constant readjustments necessary because of personalities and other natural forces and because of the unpredicted and unpredictable situations confronted in its operations." "A Theory of Organization in Public Administration," in *The Frontiers of Public Administration*, pp. 66-67.

15. *Psychopathology and Politics* (University of Chicago Press, 1930), Ch. 8 "Political Administrators".

16. L. J. Henderson, T. N. Whitehead, and Elton Mayo, "The Effects of Social Environment," in *Papers on the Science of Administration*, *op. cit.*, p. 149. It is worth noting that this essay properly interpreted contradicts the implicit assumption of virtually every other essay in that volume; and it is, incidentally, the only wholly empirical study in the entire volume.

17. Urwick, *op. cit.*, p. 85, and Henderson, *et al.*, p. 155. Urwick has set up a false dilemma that makes his choice more persuasive. Actually, the choice is not between (a) wholly subordinating organizational structure to individual personalities, which obviously might lead to chaos or (b) forcing all personalities into an abstractly correct organizational structure which might (and often does) lead to waste and friction. There is a third choice, (c) employing organizational structure and personalities to the achievement of a purpose. By excluding purpose, Urwick has, in effect, set up organization as an end in itself. An army may be organized more efficiently (according to abstract organizational principles) than the political structure of a de-

REPUBLIC OF THE PHILIPPINES
COMMISSION ON ELECTION
MANILA

List of Municipal Office Elect November 11, 1947 Election

Province of Camarines Norte

Mayor— — — Natalio Alegre (N)

Vice-Mayor— Primitivo Apo (N)

Councilors:

1. Blas del Monte (N)
2. Marciano Garbin (N)
3. Pedro Mera (L)
4. Fermin Ornaña (N)

TALISAY

Mayor— — — Lazaro Cabezudo (L)

Vice-Mayor— Damaso Ubana (L)

Councilors:

1. Felix Valles (L)
2. Pedro Ramores 2nd (L)
3. Balbino Auro (N)
4. Isabelo Edora (N)
5. Segundo Aguilar (N)
6. Ignacio Semeniano (L)

VINZONS

Mayor— — — Victor Rasco (L)

Vice-Mayor— Pedro Serrano (L)

Councilors:

1. Sofronio Cereno (L)
2. Justiniano de Mesa (L)
3. Felix Sanchez (L)
4. Facundo Baylon (L)
5. Jorge Pajares (L)
6. Juan Roldan (L)

Mercedes (By Appointment)

Mayor Alfredo de los Santos

Vice-Mayor—Agapito Zabala

Councilors:

Claro Ibasco
Perfecto Alante
Macario Savilla
Silverio de Leon
Alejo Mobeza
Juan Villafuerte

Province of Camarines Sur

1. Baao

Mayor —Juan E. Fajardo (L)

Vice-Mayor—Epifanio Bulalacao (L)

Councilors:

1. Santiago Arroyo (L)
2. Antero Panambo (L)

3. Basilio B. Fajardo (L)

4. Proceso Bolalin (N)

5. Alvaro Pereira (L)

6. Mariano Imperial (N)

2. Bato

Mayor —Mateo Ramos (N)

Vice-Mayor—Jorge Solares (L)

Councilors:

1. Pio Mota (N)
2. Vicente Martires (L)
3. Nicolas Varde (N)
4. Vicente Epres (L)
5. Nicasio Laganzon (L)
6. Sotero Tino (L)

3. Buhi

Mayor —Agustin M. Villadares (L)

Vice-Mayor—Pablo M. Sabinorio (L)

Councilors:

1. Quirino Fabul (L)
2. Tiburcio Rubi (L)
3. Francisco D. Saez (L)
4. Esteban Claveria (L)
6. Juan Sabinorio (L)
7. Juan Martinez (L)

4. Bula

Mayor —Moises A. Habana (L)

Vice-Mayor—Pedro Yorobe (L)

Councilors:

1. Moises Belgado (L)
2. Venancio Relativo (N)
3. Regino Azuela (L)
4. Felix Antioquia (L)
5. Adriana de Taburnal (L)
6. Feliciano Habana (L)

5. Cabusao

Mayor —Pedro Abendante (L)

Vice-Mayor—Margarito Yago (L)

Councilors:

1. Francisco Camigla (L)
2. Llorentino Abanto (L)
3. Tito Oporto (L)
4. Anastacio Candelaris (L)
5. Rafael Adan (L)
6. Jacinto Santa Ana (L)

6. Calabanga

Mayor —Antonio Falcon (L)

Vice-Mayor—Dominador Medrono (N)

Councilors:

1. Benjamin Iquitan (N)

2. Teodoro Tible (N)
3. Fidel Belleca (N)
4. Reynaldo Gonzales (L)
5. Ramos Boncacas (N)
6. Dominador Sta. Ana (L)

7. *Camaligan*

Mayor —Francisco Aurellano (L)
 Vice-Mayor—Feliciano Oliva (L)

Councilors:

1. Patricio Nicolas (L)
2. Agapito Loriaga (L)
3. Francisco Aday (L)
4. Felix Asico (L)

8. *Canaman*

Mayor —Paciano Medenilla (L)
 Vice-Mayor—Fortunato Alcantara (L)

Councilors:

1. Macario Azurias (L)
2. Severo Miranda (L)
3. Gregorio Bermudo (L)
4. Gabriel Pagnindian (L)

Caramoan

Mayor —Glicerio O. Alarkon (L)
 Vice-Mayor—Esteban P. Azaña (L)

Councilors:

1. Cresencio Beltran (L)
2. Domingo V. Ruiz (L)
3. Sixto Lopez (L)
4. Pedro Breis (L)
5. Nicomedes A. Teoxon (L)
6. Asencio Valencia (L)

10. *Del Gallego**

Mayor —Alfredo Y. Adulta (L)
 Vice-Mayor—Lucio Quina (L)

Councilors:

1. Dominador Alarde (L)
2. Julio Paterter (L)
3. Guillermo Yglip (L)
4. Miguel Collantes (L)
5. Ignacio Suarilla
6. Manuel Madera

* This municipality is entitled to six councilors but there were only four candidates for councilor as per Council Resolution No. 13, Del Gallego.

11. *Gainza*

Mayor —Fausto Aquino (L)
 Vice-Mayor—Julian San Jose (L)

Councilors:

1. Cecilio Eufrazio (N)
2. Maximo Fernando (L)
3. Pantaleon Sto. Domingo (N)
4. Cecilio Espiritu (N)

12. *Goa*

Mayor —Alejandro Garchitorena (L)

Vice-Mayor—Inocencio Gonzaga (L)

Councilors:

1. Felipe Pan (L)
2. Rosauo Garchitorena (L)
3. Jose Rodriguez (L)
4. Florentino Padua (L)
5. Victoriano Palaypayon
6. Eladio Belleza (N)

13. *Iriga*

Mayor —Felix M. Monte (L)

Vice-Mayor—Geronimo V. Camposano (L)

Councilors:

1. Pio Racelis (L)
2. Celedonio L. Llagas (L)
3. Domingo Gonzales (L)
4. Eliodoro D. Cailao (L)
5. Francisco Amoroso (L)
6. Gregorio de Lima (L)
7. Fabian Mendez (L)
8. Zosimo Ampognan (L)

14. *Lagonoy*

Mayor —Vicente Melgarejo (L)

Vice-Mayor—Aurelio R. Valencia (L)

Councilors:

1. Salvador Odiamar (L)
2. Filemon Odiamar (L)
3. Daniel Mino (L)
2. Felipe Borais (L)
5. Mariano Zuniega (L)
6. Eusebio Moreno (L)

15. *Libmanan*

Mayor —Policarpo C. Benitez (L)

Vice-Mayor—Sofronio S. Hermita (L)

Councilors:

1. Angel M. Palo (L)
2. Jose R. Luntok (L)
3. Francisco Q. Regidor (L)
3. Alejandro F. Rili (L)
5. Cornelio D. Carillo (L)
6. Francisco A. Vera (L)

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on British experience except in a few instances, they follow British practices with almost complete fidelity.²³ White has likewise argued for the creation of an "administrative corps" along the lines of the British administrative class. He has suggested that reform of the civil service in Britain and creation of an administrative class were accomplished in little more than two generations; profiting by British experience, he argues, we ought to be able to accomplish such a reform in even shorter time.²⁴ Since the question of an administrative class is perhaps the outstanding case where American writers on public administration have employed the comparative method to the extent of borrowing from foreign experience, it is worthy of a brief analysis to uncover some of the problems of a comparative "science of public administration." For it shows into stark perspective the fundamental difficulties of drawing universal conclusions from the institutions of any one country, and at the same time sharply outlines the correlative problem of comparing the institutions of several nations in order to derive general principles out of the greater range of experiences.

The central difficulty of universal generalization may be indicated in this way: An administrative class based on merit rests upon four conditions. All of these prerequisites were present coincidentally in Britain in the mid-nineteenth century; and none of them is

present in quite the same way here.

First of all, an administrative class of the British type rests upon a general political acceptance of the hierarchical idea. This acceptance in Britain was not the product of forty years; it was the outcome of four centuries. It is not too much to say that it was the four centuries during which the public service was the particular prerogative of the upper classes that made a hierarchical civil service structure feasible in Britain. The Tudor monarchy had rested upon a combination of crown power administered under the King by representatives of the upper middle and professional classes in the town and newly created members of the gentry in the country; Tudor authority was in effect derived from an alliance of King and upper middle classes against the aristocracy. From the Revolution of 1688 until 1832, public service was the special domain of an increasingly functionless aristocracy whose monopoly of public office was tacitly supported by the upper middle classes of the cities. Whatever the Reform Bill of 1832 accomplished in terms of placing the urban oligarchy overtly in office, no one in Britain had many illusions that a change in the hierarchical structure of politics and public service was entailed. The upper middle classes were no more keen than were the landed gentry of the eighteenth century to throw open the doors of public service and politics to "the rabble." Out of this long historic background the idea of an administrative class emerged. The unspoken political premises of the dominant groups

25. Significantly, the most recent study of reform of the American civil service states, "We do not recommend the formation of a specially organized administrative corps for which a special type of selection and training is proposed." *Report of President's Committee on Civil Service Improvement* (Government Printing Office, 1941), p. 57. Instead, the Committee recommends that "all positions whose duties are administrative in nature, in grades CAF-11, P-4, and higher . . . be identified as an occupational group within the existing classification structure." This is a noteworthy step in an attempt to achieve the advantages of an administrative class within the framework of American mores and institutions. It is therefore a great advance over the earlier proposal in the Report of the Commission of Inquiry on Public Service Personnel, *Better Government Personnel* (McGraw-Hill Book Co., 1935), which recommended the outright creation of a distinct administrative class (p. 30).

26. This was the essential point, stated in more specific terms, of Lewis Meriam's criticism of the administrative corps idea. See his excellent *Public and Special Training* (University of Chicago Press, 1936).

27. It is noteworthy that the latest U. S. Civil Service Commission announcement for the junior professional assistant examination (November, 1946) follows.

in the nation reflected an acceptance of hierarchy in the social, economic, and political structure of Britain; the contention, common in the American scene, that an administrative class is "undemocratic" played no real part in mid-nineteenth century Britain. One may well question whether it would be easy to create an administrative class in any society, like the American, where egalitarianism is so firmly rooted as a political dogma; however desirable such a class may be, and however little it may actually violate the democratic ideal, one is entitled to doubt that the overt creation of an administrative elite is a practical possibility in American politics.²⁵ In any case, the idea must be fitted into the peculiar mores and the special ethos of the United States, and cannot be lightly transferred from Britain to this country.²⁶

Second, the administrative class idea rests upon a scholastic system that creates the educated nonspecialist, and a recruiting system that selects him. Too often, the proposal has been made to recruit persons of general rather than specialized training for an "administrative corps" without solving the prior problem of producing such "generalists" in the universities. The British public school system and the universities have long been dominated by the ideal of the educated gentlemen; and for centuries they have succeeded admirably in producing the "generalist" mind, even when that mind is nourished on apparently specialized subjects. It is a peculiarly British paradox that persons of high general ability are recruited into the civil service by means of examinations that heavily weight such specialties as classical languages and mathematics. In so far as this country has an educational ideal (a question on which this writer speaks with considerable trepidation), it appears to be, or to have been, the ideal of the specialist. Much more is involved, too, than a question of education; at base the problem is one of social mores that give the specialist a prestige and a social utility that no person of general education is likely to attain. That the recruiting process has been forced to adapt itself to the educational

specialization characteristic of American universities (indeed, one might say of American life) is scarcely astonishing. It would be more astonishing if the Civil Service Commission were able to recruit nonexistent "generalists" to perform unrecognized functions within a corps of practitioners where almost everyone regards himself as a subject-matter specialist.²⁷

In the third place, the administrative class idea rests upon the acceptance of merit as the criterion of selection. In Britain this acceptance was no mere accident of an inexplicable twenty-year change in public standards of morality. If patronage disappeared in Britain, it was partly because patronage had ceased to have any real function, whereas efficiency had acquired a new social and political utility. Prior to the nineteenth century, patronage had two vital functions: it provided a place for the sons of the aristocracy who were excluded from inheritance by primogeniture; and it placed in the hands of the King and his ministers a device for guaranteeing, under the limited franchise of the eighteenth century, a favorable House of Commons. Both these factors disappeared during the first decades of the nineteenth century. With the expansion of the electorate after 1832, the monarchy was forced to withdraw from politics, or risk the chance of a serious loss of prestige in an electorate that was now too large to control. Meanwhile, the development of dissolution as a power available to the Prime Minister upon his request from the Crown gave the executive a means of party discipline and control far more effective than the promise of office. Finally, the accession to power of the manufacturing and trading classes by the reforms of 1832 placed a new emphasis on efficiency, both as a means of cutting down public expenses and insuring economies in government, and (especially after 1848) of warding off the revolutionary threat that might develop out of governmental incompetence.²⁹ All these conditions make possible, and perhaps inevitable, the substitution of merit for patronage. To talk as if reform arose out of some
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HOROSCOPE*

Were You Born in October?

OCTOBER 1

Endowed with warm, friendly nature, you will make many friends and through them gain substantial advancement. You will travel much though preferring to be at home. A love of the beautiful is a religion with you.

OCTOBER 3

You are temperamental but so reserved that few guess your true nature. Success and happiness lie in finding your forte and giving your great abilities rein.

OCTOBER 5

Today's child makes friends easily and has great abilities for leadership. The law, politics or the stage are indicated as leading to the greatest success.

OCTOBER 7

The child born today is studious and soberminded, but with little sense of humor or imagination. He will hold a position of integrity and come through the attacks of enemies unscathed.

OCTOBER 9

Curiosity is both your besetting sin and your most valuable characteristic. Scientific research offers you a brilliant career if you develop a capacity for accuracy in detail.

OCTOBER 11

Capacity for painstaking detail indicate a successful career in law, banking or with proper training, in chemical engineering. Lack of imagination, however, will be a handicap.

OCTOBER 13

Energetic and resourceful, you are handicapped by a body not strong enough to keep up with your ambitions. Guard your health carefully, for on it your success depends.

OCTOBER 15

Highly strung and sensitive, you have great talents but are easily discouraged. Find the work you like, disregard your critics and fame and fortune will come in late life.

OCTOBER 2

Children born on this day are brilliant but inclined to be impractical. They are lovers of sports but must take care that recreation does not interfere with business.

OCTOBER 4

Endowed with more than average intelligence, you will rise rapidly. Choose associates carefully, as there will be many pitfalls along your way toward fame and fortune.

OCTOBER 6

You are a lover of the outdoors and prefer solitude to a crown. A happy, contented life is indicated but without great financial gain. You are also a regular "book-worm," but your efforts bring you much success.

OCTOBER 8

Love of travel will take you into many lands and enrich you with broad experience. You will find greatest happiness in a pursuit lending itself to this inclination.

OCTOBER 10

You have a keen business mind but are prone to impulsive action. Your talents fit you admirably for saleswork, but be very cautious of financial entanglements.

OCTOBER 12

Yours is a creative mind, restless, impulsive and original. Develop this characteristic. It is rare, and properly directed leads to great success.

OCTOBER 14

Your analytical mind coupled with imagination and sound judgment fit you admirably for a successful business career. You will meet reverses but perseverance will win out sooner or later.

OCTOBER 16

Today's child may expect always to work for what he gets in this world. However, what he does acquire he will keep, be it money, education or friends.

OCTOBER 17

You should be in direct contact with a large public as you have a forceful personality, a vibrant voice and personal appeal. Try radio announcing.

OCTOBER 19

Today's child has a great future ahead of him if his dominant qualities are carefully brought out. Beware, though, of jealous associates and false friends.

OCTOBER 21

You are honest, faithful and loyal to your friends, but have not much initiative. Try to cultivate this quality for it is necessary if you make your life a success.

OCTOBER 23

If you were born on this day the signs all point to great and sudden riches for you. Be careful not to make serious mistakes in their investment.

OCTOBER 25

There is a singleness of purpose in your nature and a tendency to override all difficulties which promise well for you. An executive career should be your aim.

OCTOBER 27

You have a restless, roving disposition and a desire to be always traveling on the water. This brings you at least two very important contacts which you must make use of.

OCTOBER 29

Love of home is your most noticeable quality, although it seems likely that yours will be a wandering life. Develop your sense of direction for you will need it some day.

OCTOBER 31

You are keen, clever and quick to make decisions, but inclined to be too inconsiderate of others. Cultivate some of the gentle traits in order to balance your character.

OCTOBER 18

You have a very artistic and temperamental nature and are extremely sensitive to color. Train yourself to enjoy practical things, as they are essential to you.

OCTOBER 20

If this is your birthday, you must guard carefully against fear of any sort. Never allow circumstances to conquer you. Make decisions and stand by them. Be resourceful.

OCTOBER 22

The child born on this day will have a happy life. Material things will mean less than spiritual. He will never lack friends and will find his greatest pleasures in simple things.

OCTOBER 24

You are capricious, and exacting in all your relationships, business and personal. Consequently, you have few friends and are a lonely person.

OCTOBER 26

You are sympathetic and have a great understanding of the minds of the young. Consequently, work of a social nature is clearly indicated for you, as your ideals are clean-cut and high.

OCTOBER 28

If today is your birth date you will early develop a flair for being where things are happening. This is invaluable in a journalistic career, and most unusual. Cultivate it!

OCTOBER 30

Your most detrimental quality is your inborn hatred of any sudden change. If you can overcome this handicap you will win many friends. It is unlikely that you will ever amass much wealth.

"The law of worthy life is fundamentally the law of strife. It is only through labor and painful effort, by grim energy, resolute courage, that we move on to better things.

—Theodore Roosevelt.

HOROSCOPE *

Were You Born in November?

NOVEMBER 1

The orderly mind born of this date will finish what it starts and should apply talent for organization work either in fields of literature or law. You will have patience with details.

NOVEMBER 3

Men and women born of this date are true, constant lovers and great home makers who are well qualified to rear children. Insurance of work dealing in home protection is your work.

NOVEMBER 5

A bright year for business advancement, a good period to invent and market new products. You are a good character, judge and select associations with care. Business has your time and ability.

NOVEMBER 7

Self-assurance born to one this date can readily be misunderstood as stubbornness that will lose friends. One should be careful not to force his opinions on others. Avoid partnership.

NOVEMBER 9

Of a natural happy disposition you are sensitive and easily disturbed by the little things. You are not best fitted for detail work but can go far in the fields of retail commerce.

NOVEMBER 11

You have a love for nature and the out-of-doors and do not crave excitement or garish entertainment. Best results should come from agricultural work—landscape gardening and horticulture.

NOVEMBER 13

Children of today should show artistic temperament in early life in either music or art. Here is an inclination to be very careless in the handling of money. Design calls you.

NOVEMBER 15

The high ideals which you are clinging to are likely to cause you some unhappiness, yet your entire success in life depends upon your determination to adhere strictly to your accepted belief.

NOVEMBER 2

Born of this date is a great bargainer who will do far better in buying than selling. You are quick to appraise true values and will get your enjoyment in the field of commerce.

NOVEMBER 4

A natural leader with an executive mind is born this date—more a director of work than a doer of it. Your good nature and understanding of the human aspect qualifies you to lead.

NOVEMBER 6

One line of work and one line of thinking will be your weakness that makes you work more with the hands than with the head. Read, study and diversify your interests.

NOVEMBER 8

Your makeup is an internal combat between high ideals that are naturally yours and the material opportunities that come to you. Happiness comes from the former and wealth from the latter.

NOVEMBER 10

Here is a suspicious temperament that discounts people and things until their worth is proved and slow to make friends. Your efforts will show best in lines where fine precision is required.

NOVEMBER 12

Born of this date you will be inclined toward too much generosity to others whether they are deserving or not. It will pay you to concentrate on your own problems in the field of finance.

NOVEMBER 14

This mind leans toward science, especially as it applies to all machines that have to do with agriculture. The problems of the farm field will interest you and your work will be very helpful.

NOVEMBER 16

The field of business, especially retail trade, would seem your calling even though your nature reaches for the artistic. Possibly you can deal in art materials or interior decorations.

NOVEMBER 17

Born of this date is one who so well understands people that his advice will be sought as a professional mind either in law or medicine, with signs favoring the scientific work.

NOVEMBER 19

Your bent on saving and extreme care in handling details should qualify you for financial work or secretarial work in connection with commercial or fraternal organizations.

NOVEMBER 21

Self-will and determination are born with this day. Too much will ruin good friendship and lead to misunderstandings. Toleration should be developed for other opinions. Good sports.

NOVEMBER 23

Do not try to go far in this world without friends as your inclination will be to live within yourself and become a lone worker. The mistrust and suspicion of people must be overcome.

NOVEMBER 25

A bad year for incurring big debts. Avoid handling other people's money. You will be successful except in financial work. Direct plans and lay out work for others. Leadership is born on this date.

NOVEMBER 27

Though not a creator of ideas those born of this date will do better in the development of the ideas of others. Given a good plan you will succeed because of your dogged determination.

NOVEMBER 29

Splendid power for leadership will only succeed after having gained the confidence and friendship of associations. The inclination to drive and order should be tempered with greater friendliness.

NOVEMBER 18

A real individualist is born on this date and will be given to expressing theories of life that may seem radical to those who do not read or study as much of human relations.

NOVEMBER 20

One who has such love for dress, pomp and ceremony would do well in a military career. Coupled with good nature you have the ability to give orders that will be respected.

NOVEMBER 22

Born of this date must be prepared to meet many changes. Your keen mind will fall short of its best possibilities unless restlessness is curbed. You are apt to be overcritical.

NOVEMBER 24

Born of this date is one with deep spiritual sense that should by study become well fitted for religious work. Your best inspiration will come from good reading of religious works.

NOVEMBER 26

The free-and-easy mind born of this date is readily taken advantage of both in business and among friends. By all means avoid speculation in stocks. Avoid detail and financial responsibility.

NOVEMBER 28

You are shown to be active, industrious, energetic, ambitious and persevering. You belong properly to the business class of people. You are capable of making headway for yourself against fate.

NOVEMBER 30

Born of this date is great toleration for the feelings and opinions of others but underneath it a great confidence in one's own opinion. Public service work should claim one so well endowed.

"Blessed are they who have the gift of making friends, for it is one of God's best gifts. It involves many things, but above all, the power of going out of one's self, and appreciating whatever is noble and loving in another."

—Thomas Hughes.

THE SCIENCE OF . . .

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chapter of this text is devoted to informal organizations—the shadow relationships that frequently dominate the formal structure of the organization.

Thus by a lengthy and circumspect rouse, man has been led through the back door and readmitted to respectability. It is convenient to exile man from the science of public administration; it is simpler to forget man and write with “scientific” precision than to remember him and be cursed with his maddening unpredictability. Yet his exclusion is certain to make the study of public administration sterile, unrewarding, and essentially unreal.

If there is ever to be a science of public administration it must derive from an understanding of man's behavior in the area marked off by the boundaries of public administration. This area, to be sure, can never be clearly separated from man's behavior in other fields; all the social sciences are interdependent and all are limited by the basic lack of understanding of man's motivations and responses. Yet the broad region of services administered by the government; until the manifold motivations and actions in this broad region have been explored and rendered predictable, there can be no science of public administration.

It is easier to define this area in space than in depth. One can arbitrarily restrict the prospective science of public administration to a certain region of human activity; but one can not say with certainty how deeply one must mine this region in order to uncover its secrets. Does concern with human behavior mean that the re-

searcher in public administration must be a psychiatrist and a sociologist? Or does it mean rather that in plumbing human behavior the researcher must be capable of using the investigations of the psychiatrist and sociologist? The need for specialization — a need, incidentally, which science itself seems to impose on human inquiry—suggests that the latter alternative must be the pragmatic answer.

Development of a science of public administration implies the development of a science of man in the area of services administered by the public. No such development can be brought about merely by the constantly reiterated assertion that public administration is already a science. We cannot achieve creating in a mechanized “administrative man” a modern descendant of the eighteenth century's rational man, whose only existence is in books on public administration and whose only activity is strict obedience to “universal laws of the science of administration.”

PUBLIC ADMINISTRATION AND THE SOCIAL SETTING

If we know precious little about “administrative man” as an individual, perhaps we know even less about him as a social animal. Yet we cannot afford to ignore the relationship between public administration and its social setting.

No anthropologist would suggest that a social principle drawn from one distinct culture is likely to be transmitted unchanged to another culture; Ruth Benedict's descriptions of the Pueblo Indians of Zuñi, the Melanesians of Dobu, and the Kwatiutl Indians of

mocratic state, but no one except an authoritarian is likely to contend that it is a superior organization—*except for the purposes it is designed to achieve*. Yet once one admits the element of purpose, easy generalizations about organizational principles become difficult if not impossible; and the admission presupposes, particularly in the case of public organizations, a clear statement of end and purposes.

18. Leonard White, *Introduction to the Study of Public Administration* (Macmillan Co., 1939), p. 38.

19. A. W. Macmahon and J. D. Millet, *Federal Administrators* (Columbia University Press, 1939).

20. Fritz Morstein Marx, ed., *Elements of Public Administration* (Prentice-Hall, 1946), p. 49, (Italics added.)

Vancouver Island leave little doubt that cultures can be integrated on such distinctly different lines as to be almost noncomparable.²¹ If the nation-states of western civilization by no means possess such wholly contrasting cultures as the natives of Zuni, Dobu, and Vancouver Island, nevertheless few political scientists would contend that a principle of political organization drawn from one nation could be adopted with equal success by another; one would scarcely argue that federalism has everywhere the same utility or that the unitary state would be equally viable in Britain and the United States or that the American presidential system would operate unchanged in France or Germany.

There should be no reason for supposing, then, that a principle of public administration has equal validity in every nation-state, or that successful public administration practices in one country will necessarily prove successful in different social, economic, and political environment. A particular nation-state embodies the results of many historical episodes, traumas, failures, and successes which have in turn created peculiar habits, mores, institutionalized pattern of behavior, *Weltschmerzen*, and even "national psychologies."²² One cannot assume that public administration can escape the effects of this conditioning; or that it is somehow independent of and isolated from the culture or social setting in which it develops. At the same time, as value can be gained by a comparative study of government based upon a due respect for differences in the political, social, and economic environment of nation-states, so too the comparative study of public administration ought to be rewarding. Yet the comparative aspects of public administration have

largely been ignored; and as long as the study of public administration is not comparative, claims for "a science of public administration" sound rather hollow. Conceivably there might be a science of American public administration and a science of British public administration and a science of French public administration; but can there be "a science of public administration" in the sense of a body of generalized principles independent of their peculiar national setting?

Today we stand in almost total ignorance of the relationship between "principles of public administration" and their general setting. Can it be safely affirmed, on the basis of existing knowledge of comparative public administration, that there are *any* principles independent of their special environment?

The discussion over an administrative class in the civil service furnishes a useful example of the difficulties of any approach that does not rest on a thorough examination of developmental and environmental differences. The manifest benefits and merits of the British administrative class have sometimes led American students of public administration to suggest the development of an administrative class in the American civil services; but proposals of this kind have rarely depended on a thorough comparison of the historical factors that made the administrative class a successful achievement in Britain, and may or may not be duplicated here. Thus Wilmerding has virtually proposed the transfer to the United States of all the detailed elements in the British civil service; although he does not explicitly base his proposals
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23. Lucius Wilmerding, Jr., *Government by Merit* (McGraw-Hill Book Co., 1935).

24. "The British civil service, which the whole world now admires, went through nearly twenty years of transition before its foundations even were properly laid. It went through another twenty years of gradual adjustment before the modern service as we know it today was fully in operation . . . In the light of British experience, and by taking advantage of modern knowledge about large-scale organization, we can easily save the twenty years in which the British were experimenting to find the proper basis for their splendid service. We shall, however, need ten years of steady growth, consciously guided and planned, to put a new administrative corps into operation, and probably another ten years before it is completely installed." *Government Career Service* (University of Chicago Press, 1935), p. 8.