

The LOCAL GOVERNMENT REVIEW

VOL. I — No. 2

FEBRUARY, 1949

ONE PESO

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RIZAL ON CHARACTER AND PERSONALITY

[From his letter to the young women of Malolos, February, 1889.]

I DO NOT propose that I be taken as an idol, a little god, and that I be believed or listened to with eyes closed, head down, and arms crossed over the chest. What I ask is that all should think and meditate, investigate and judge, in every case, through the use of reason, the things which I shall now declare:

First of all, that the tyranny of some persons is possible only because of the cowardice and negligence of others.

Second, that what makes a person despised is his lack of self-respect and his fear toward the one who despises

him.

Third, that ignorance is slavery, because what a man thinks is what he is; one who has no mind of his own will have no personality—a blind person who follows the mind of another, just as a beast which is led by a piece of rope.

Fourth. A person who likes to hide himself induces others to hide themselves because when you leave your fellowmen alone they will likewise leave you. One stick from a coconut palm is easy to break, but a bundle of them tied together to make a broom is difficult to break.—*Reprint from Panorama, Nov. 1938.*

HOROSCOPE: *Were You Born in February?* Turn to page 139.

The LOCAL GOVERNMENT REVIEW

*Monthly Organ to Promote the Welfare and Prosperity of the Provinces,
Cities and Municipalities and their Inhabitants.*

—oOo—

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Republic of the Philippines
DEPARTMENT OF THE INTERIOR
Manila

Message

The publication of the Local Government Review will fill a long felt need in the administrative organization of our government for a basic reference guide on such administration orders, rules and regulations as are issued from time to time by the departments concerned with local governments. The initiative made by the editor of this organ deserves distinct commendation.

I believe that all officials in the government service, particularly those in the local branch, will find the Local Government Review authoritative as well as helpful.

(Sgd.) SOTERO BALUYUT
Secretary of the Interior

January 15, 1949

THE LOCAL GOVERNMENT REVIEW is published monthly by Mrs. Petra O. Rivera with Atty. Juan F. Rivera, Chief of the Provincial Division of the Department of the Interior, and Mr. Jose R. Collante, Provincial Treasurer of Sorsogon, as Editor and Associate Editor, respectively. Entered as second class mail matter at the Manila Post Office on January 24, 1949.

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PROPER COMPENSATION FOR PROVINCIAL GOVERNORS, PROVINCIAL TREASURERS, AND PROVINCIAL AUDITORS

About a quarter of century ago the present rates of pay of our Provincial Governors, Provincial Treasurers, and Provincial Auditors were fixed by the Philippine Government under the Jones Law. Since then, that government and a Commonwealth regime had passed into history, a second world war ended, and a new Republic inaugurated. During that span of time, changes were made upward in living costs and in every line of endeavor, including increase in compensation of certain officials other than those adverted to above and a few more.

In the past, the activities of local governments had to do primarily with the essential functions of political subdivisions. Now the same local governments have taken upon themselves the performance of positive constructive work for the promotion of the public welfare and prosperity of their inhabitants. This accent on the public weal has created functions for Provincial Governors, Provincial Treasurers, and Provincial Auditors that are unequalled in their respective provinces in magnitude and complexity, and the operations to be performed by them in connection therewith are of an exceedingly technical and diverse character.

In the case of the Provincial Governors, their functions are not merely political—one involving the exercise of judgment in its use—but are also, and largely, administrative—one concerned with the putting into effect of policies and orders as determined or given by other superior offices or authorities. In a word, the Provincial Governors are the heads of the administration in their respective provinces. This means that the National authorities will look primarily to the Provincial Governors for the efficient carrying out of executive policies and administrative determinations. Besides their usual functions, there is inherently the desire of Provincial Chief Executives to stand well in the opinion of their constituents and in the opinion of the National authorities—an incentive, among others which might be mentioned, did space allow, that calls for expenditures, mostly from private funds, auditing requirements not allowing the charging thereof to public funds although apparently incurred to subserve public interests. Under such circumstances, therefore, the Provincial Governors should be placed in their proper rank—that of being the highest officials in their respective provinces. An indicium of official rank is the salary attached to the position occupied, for it is a popular observation that the amount of emolument received establishes one's rank. This being so, the Provincial Governors should be given compensation in amounts at least equal to the salary of any official from any branch of the government of whatever category permanently stationed in the provinces concerned.

Like most governmental problems, that of financial administration must be viewed from two standpoints, political and technical. These are functions allocated upon career men in the treasury service. While Provincial Treasurers have been entrusted with a cargo of duties larger than those discharged by their positions a quarter of a century ago, their emoluments have remained as they were fixed at about that time. Nay, such emoluments are even lower than those paid to certain chiefs of divisions with whom they deal in the National Government whose appointments are not of the category extended to Provincial Treasurers. The

Proper Compensation . . .

vital question to be considered in this case of the Provincial Treasurers is not, however, whether they deserve or should receive more from a moral point of view. The crucial question is: Do we want the best financial administrators and advisers inside the government or outside? There is no doubt that we want them inside, for there is work there worthy of their mettle and an attractive career to strive for.

Akin to the status of Provincial Governors and Provincial Treasurers with respect to compensation is that of Provincial Auditors. The Provincial Auditors have been placed in a position of great power in regard to the expenditure of local funds. Their functions concern the task of ensuring honest administration, and of preventing corruption or the improper application of public funds. Such tremendous powers and responsibilities call for commensurate pay. As it is now, the highest paid Provincial Auditor receives but ₱4560 per annum. Let us be fair to them!

Succinctly we are not here advocating vertical nor horizontal increases in compensation for the Provincial Governors, the Provincial Treasurers and the Provincial Auditors. What we hereby emphasize is a parallel compensation with apt level, that is to say, an adjustment of compensation that should at once insure uniform justice amongst the officials of whatever category in a particular province. This does not necessarily mean identic rates of compensation. An equitable rate of compensation is all that is being sought for to establish the nearest relation between compensation and rank, goodwill and enthusiasm that should prevail, an equilibrium called for by the difference in the values of the work involved in the respective positions, and the principle of compensating the position rather than the incumbent.

Bearing in mind the foregoing facts and views, we respectfully propose to the authorities concerned the adoption now, before another quarter of a century passes by, the following rates of compensation for Provincial Governors, Provincial Treasurers, and Provincial Auditors:

<i>Class of Province</i>	<i>Prov. Gov.</i>	<i>Prov. Treas.</i>	<i>Prov. Aud.</i>
1st Class- A	P10,000	P9,000	P8,000
1st Class- B	9,400	8,200	7,000
1st Class	8,800	7,600	6,400
2nd Class	8,200	7,200	6,000
3rd Class	7,600	6,400	5,200
4th Class	6,800	5,600	4,400
5th Class	6,000	4,800	3,600

With respect to the seeming high rates of salary herein proposed, we wish to add to the reasons given above that the rates advocated follow the maxim, so widely accepted by trade unionists and enlightened employers, that high wages are cheap wages, and can be aptly applied to the five- or four-figure-income man no less than to the weekly wage-earner. This can be achieved, it is hereby submitted, through careful budgetary analysis and plantilla adjustments. However, as a means of precluding financial embarrassments, it may be feasible by means of a proviso to empower the Chief Executive to reduce the compensation by a certain percentage or to give only such compensation as may be warranted by the condition of finances of the province concerned. This suggestion would save the theme of parallel compensation with proper level herein being brought to the sympathetic consideration of the Executive and Congressional authorities for positive legislation.—*J.F.R.*

THE MUNICIPAL GOVERNMENT AND OFFICIALS
OF PADRE BURGOS, PROVINCE OF QUEZON

Greet And Welcome

the birth of

THE LOCAL GOVERNMENT REVIEW

a very useful and important magazine
for all officials and employees.

BIENVENIDO A. MARQUEZ
Municipal Mayor

LONGHINO AMADO
Vice-Mayor

ISIDORO LAURIO	<i>Councilor</i>
MELITON AMADOR	<i>Councilor</i>
TOMAS PONTIVEROS	<i>Councilor</i>
SILVINO SAYAT	<i>Councilor</i>
SEVERINO TORRENUOVA	<i>Councilor</i>
PELAGIO AMANDY	<i>Councilor</i>

DIONISIO M. PASIA
Municipal Secretary

FRANCISCO VILLAMATER
Municipal Treasurer

MRS. PAZ O. MARQUEZ
Elementary School Principal

ATTY. HUGO O. ARELLANO
Justice of the Peace

AMBROSIO CASTILLA
Chief, Tel-Com.

BENITO S. NIERE
Chief of Police

DR. RAMON L. ORDA
Charity Health Physician

MATEO MANALO
Sergeant

ALFREDO AUDINI
Postmaster

HERMOGENES ANGELES
Station Agent

CONGRATULATORY MESSAGES

(Excerpts)

The publication of a magazine like the Local Government Review fills a void in the administration of the provinces, cities, and municipalities. Every municipality should subscribe to such very informative journal.—Hon. TEOFILO SISON, Adviser to the President on Local Governments.

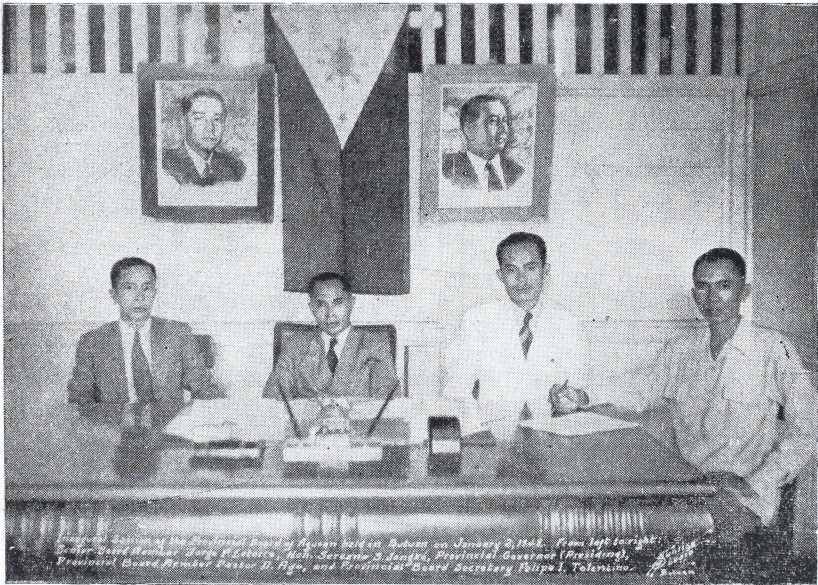
I am strongly and sincerely recommending that every government official should read this very important magazine if he wishes to know more about his duties and rights.—Hon. DOROTEO AGUILA, Provincial Governor of La Union.

The City Government of San Pablo welcomes the birth of the "Local Government Review". It needs the continuous support and encouragement of those who are desirous of having bet-

ter local governments free from corruptions, inefficiency and all sorts of derelictions of duties by those placed in the position of public trusts. Let us therefore give our support to the publishers. Patronage by way of subscription, advertisements, and contributions of articles of public interests will give it the push that a new publication needs.—Hon. FERNANDO A. BAUTISTA, City Mayor of San Pablo.

It is my greatest satisfaction to inform you that it is the general impression in this locality that with the publication of your Review one of the greatest needs of the government officials as well as of the public is going to be satisfactorily filled out especially because this is the first of its kind to

(Continued on page 137)



The Provincial Board of Agusan with the Provincial Secretary.

THE BILL OF RIGHTS

[*Sec. 1, Article III, Constitution of the Philippines*]

(1) No person shall be deprived of life, liberty, or property without due process of law, nor shall any person be denied the equal protection of the laws.

(2) Private property shall not be taken for public use without just compensation.

(3) The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures shall not be violated, and no warrants shall issue but upon probable cause, to be determined by the judge after examination under oath or affirmation of the complainant and the witnesses he may produce, and particularly describing the place to be searched, and the persons or things to be seized.

(4) The liberty of abode and of changing the same within the limits prescribed by law shall not be impaired.

(5) The privacy of communication and correspondence shall be inviolable except upon lawful order of the court or when public safety and order require otherwise.

(6) The right to form associations or societies for purposes not contrary to law shall not be abridged.

(7) No law shall be made respecting an establishment of religion, or prohibiting the free exercise thereof, and the free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed. No religious test shall be required for the exercise of civil or political rights.

(8) No law shall be passed abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble and petition the Government for redress of grievances.

(9) No law granting a title of nobility shall be enacted, and no person holding any office of profit or trust shall, without the consent of the Congress of the Philippines, accept any present, emolument, office, or title of any kind whatever from any foreign state.

(10) No law impairing the obligation of contracts shall be passed.

(11) No *ex post facto* law or bill of attainder shall be enacted.

THE BILL OF RIGHTS

(12) No person shall be imprisoned for debt or nonpayment of a poll tax.

(13) No involuntary servitude in any form shall exist except as a punishment for crime whereof the party shall have been duly convicted.

(14) The privilege of the writ of *habeas corpus* shall not be suspended except in cases of invasion, insurrection, or rebellion, when the public safety requires it, in any of which events the same may be suspended wherever during such period the necessity for such suspension shall exist.

(15) No person shall be held to answer for a criminal offense without due process of law.

(16) All persons shall before conviction be bailable by sufficient sureties, except those charged with capital offenses when evidence of guilt is strong. Excessive bail shall not be required.

(17) In all criminal prosecutions the accused shall be presumed to be innocent until the contrary is proved, and shall enjoy the right to be heard by himself and counsel, to be informed of the nature and cause of the accusation against him, to have a speedy and public trial, to meet the witnesses face to face, and to have compulsory process to secure the attendance of witnesses in his behalf.

(18) No person shall be compelled to be a witness against himself.

(19) Excessive fines shall not be imposed, nor cruel and unusual punishment inflicted.

(20) No person shall be twice put in jeopardy of punishment for the same offense. If an act is punished by a law and an ordinance, conviction or acquittal under either shall constitute a bar to another prosecution for the same act.

(21) Free access to the courts shall not be denied to any person by reason of poverty.

CLASSIFICATION OF MUNICIPALITIES IN REGULAR PROVINCES

COMMONWEALTH OF THE PHILIPPINES
DEPARTMENT OF THE INTERIOR
MANILA

December 11, 1940

DEPARTMENT ORDER)
No. 1)

Pursuant to the provisions of Sections 1 and 2 of Act No. 3261 amending Sections 2170^(a) and 2171 of the Administrative Code, providing for the classification of the municipalities in the regularly organized provinces according to their respective revenues for every period of three years, the municipalities herein below named are hereby classified as follows, effective January 1, 1941:⁽¹⁾

A B R A

Bangued	Second	Manabo	Fifth
Bucay	Fourth	Peñarrubia	"
Danglas	Fifth	Pidigan	Fourth
Dolores	"	Pilar	"
Lagangilang	Fourth	Sal-lapadan	Fifth
Lagayan	Fifth	San Juan	Fourth
Langiden	"	San Quintin	Fifth
La Paz	"	Tayum	Fourth
Luba	"	Villaviciosa	Fifth

A L B A Y

Bacacay	Third	Malilipot	Fourth
Baras ⁽²⁾	Fourth	Malinao	"
Bato ⁽²⁾	"	Manito	"
Calolbon ⁽²⁾	"	Oas	Third
Camalig	Third	Pandan ⁽²⁾	Fourth
Daraga	"	Pañganiban ⁽²⁾	"
Guinobatan	Second	Polangui	Third
Jovellar	Fourth	Rapu-Rapu	Fourth
Legaspi ⁽³⁾	First	Tabaco	First
Libog	Fourth	Tiwi	Fourth
Libon	"	Viga ⁽²⁾	"
Ligao	Second	Virac ⁽²⁾	Third

A N T I Q U E

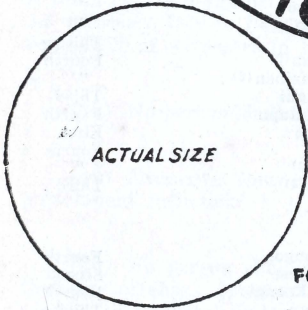
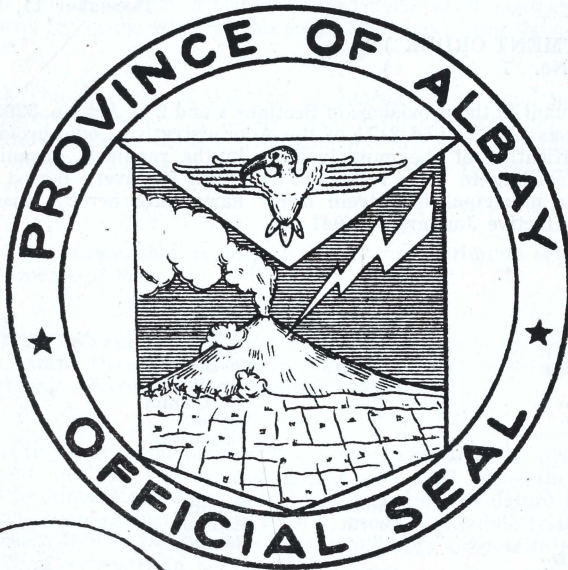
Barbasa	Fourth	Patnongon	Fourth
Bugasong	Third	San Jose	Second
Caluya	Fifth	San Remigio	Fourth
Culasi	Third	Sibalom	Third
Dao	"	Tibiao	Fourth
Laua-an	Fourth	Valderrama	"
Pandan	Third		

B A T A A N

Abucay	Fourth	Mariveles	Fourth
Bagac	"	Moron	"
Balanga	First ⁽⁴⁾	Orani	Third
Dinalupihan	Third	Orion	"
Hermosa	"	Pilar	Fourth
Limay	Fourth	Samal	"

OFFICE OF THE PRESIDENT
OF THE PHILIPPINES
MALACANAN

PHILIPPINE HERALDRY COMMITTEE



ACTUAL SIZE

FOR THE PHILIPPINE HERALDRY COMMITTEE

Gilbert S. Perez

GILBERT S. PEREZ

**TECHNICAL CONSULTANT
AND ACTING SECRETARY**

8/7/7

APPROVED
BY AUTHORITY
OF THE PRESIDENT

Emilio Abello
EMILIO ABELLO
EXECUTIVE SECRETARY

8/7/7

BATANGAS

Alitagtag	Fourth	Malvar	Fourth
Balayan	Second	Mataasnakahoy	"
Batangas	First	Nasugbu	Second
Bauan	"	Rosario	First
Calaca	Fourth	San Jose	Third
Calatagan	"	San Juan	Second
Cuenca	"	San Luis	Fourth
Ibaan	"	Santo Tomas	Third
Lemery	Second	Taal	First
Lian	Fourth	Talisyay	Fourth
Lipa ⁽⁵⁾	First	Tanauan	First
Lobo	Fourth	Taysan	Fourth
Mabini	"	Tuy	"

BOHOL

Albuquerque	Fourth	Inabanga	Third
Anda	"	Jagna	"
Antequera	Third	Jetafe	"
Baclayon	"	Lila	Fourth
Balilihan	"	Loay	Third
Batuan	Fourth	Loboc	"
Bilar	"	Loon	"
Borja (c)	"	Mabini	"
Calape	Second	Maribojoc	"
Candijay	Third	Panglao	Fourth
Carmen	"	Sevilla	"
Clarin	"	Sierra-Bullones	Third
Corella	Fourth	Sikatuna	Fourth
Cortes	"	Tagbilaran	Second
Dausi	"	Talibon	Third
Dimiao	Third	Trinidad ⁽⁶⁾	Fourth
Duero	Fourth	Tubigon	Second
Garcia-Hernandez	Third	Ubay	Third
Guindulman	"	Valencia	"

BULACAN

Angat	Third	Norzagaray	Third
Baliuag	First	Obando	"
Bigaa	Third	Pandi ⁽⁷⁾	Fourth
Bocaue	Second	Paombong	Second
Bulacan	"	Piariel	Third
Bustos	Third	Polo	"
Calumpit	Second	Pulilan	"
Guiguinto	Fourth	San Ildefonso	"
Hagonoy	First	San Jose del Monte	Fourth
Malolos	"	San Miguel	First
Marilao	Third	San Rafael	Third
Meycauayan	First	Santa Maria	Second

CAGAYAN

Abulug	Third	Gattaran	Third
Alcala	"	Gonzaga	Fourth
Allacapan ⁽⁸⁾	Fifth	Iguig	"
Amulung	Fourth	Lal-lo	Third
Aparri	First	Pamplona	Fourth
Baggao	Fourth	Peñablanca	"
Ballesteros	Third	Piat	"
Buguey	"	Rizal	"
Calayan	Fifth	Sanchez-Mira	"
Camalaniugan	Third	Solana	Third
Claveria	Fourth	Tuao	"
Enrile	"	Tuguegarao	First
Faire	"		

CAMARINES NORTE

Basud	Fourth	Labo	Third
Capaionga	"	Mercedes ⁽¹⁰⁾	"
Daet	Second	Paracale	Second
Indan (Vinznons) ⁽⁹⁾	Third	San Vicente	Fifth
Jose Panganiban	Second	Talisay	Fourth

CAMARINES SUR

Baao	Fourth	Magarao	Fourth
Bato	"	Milaor	Fifth
Buhi	Third	Minalabac	Fourth
Bula	Fourth	Nabua	Second
Cabusao	"	Naga ⁽¹¹⁾	First
Calabanga	Third	Pamplona	Fourth
Camaligan	Fifth	Pasacao	"
Canaman	"	Pili	Third
Caramoan	Third	Ragay	Fourth
Del Gallego	Fourth	Sagnay	"
Gainza	Fifth	San Fernando	"
Goa	Third	San Jose	"
Iriga	Second	Sipocot	"
Lagonoy	Third	Siruma	"
Libmanan	Second	Tigaon	Third
Lupi	Fifth	Tinambac	Fourth

CAPIZ

Altavas	Fourth	Libacao	Fourth
Balete	"	Madalag ⁽¹³⁾	"
Baňa	Third	Makato	Fourth
Batan	Fourth	Malinao	"
Buruanga	"	Mambusao	Third
Capiz	First	Nabas	Fourth
Cuartero	Fourth	New Washington	Third
Dao	Third	Numancia	"
Dumalag	"	Panay	"
Dumarao	Fourth	Panitan	"
Ibajay	Third	Pilar	"
Iuisan	Fourth	Pontevedra	"
Jamindan	"	Sapian	Fourth
Kalibo	Third	Sigma	"
Lezo ⁽¹²⁾	Fourth	Tangalan ⁽¹⁴⁾	"
		Tapaz	Fourth

CATANDUANES (2)

Baras	Fourth	Pandan	Fourth
Bato	"	Panganiban	"
Calolbon	"	Viga	"
Caramoran ⁽¹⁵⁾	Fifth	Virac	Third

CAVITE

Alfonso	Fourth	Magallanes	Fifth
Amadeo	"	Maragondon	Third
Bacoor	Third	Mendez-Nuñez	"
Bailen	Fifth	Natic	"
Carmona	Fourth	Noveleta	Fourth
Dasmariñas	"	Rosario	"
General Trias	Third	Silang	Second
Imus	Second	Tanza	Third
Indang	"	Ternate	Fourth
Kawit	Fourth		

C E B U

Alcantara	Fourth	Madridejos	Fourth
Alcoy	"	Malabuyoc	"
Alegria	"	Mandaue	Third
Aloguinsan	"	Medellin	"
Argao	Second	Minglanilla	"
Asturias	Third	Moalboal	"
Badian	"	Naga	Second
Balamban	Second	Opon	"
Bantayan	Third	Oslob	Third
Barili	Second	Pilar	Fourth
Bogo	Second	Pinamungajan	Third
Boljo-on	Fourth	Poro	Fourth
Borbon	Third	Ronda	"
Carcar	Second	Samboan	"
Carmen	Fourth	San Fernando	Third
Catmon	"	San Francisco	Fourth
Compostela	"	San Remigio	Third
Consolacion	"	Santa Fe	Fourth
Cordova	"	Santander	"
Daanbantayan	Third	Sibonga	Second
Dalaguete	"	Sogod	Fourth
Danao	Second	Tabogon	Third
Dumanjug	Third	Talisay	"
Gimatilan	Fourth	Toledo	Second
Liloan	Third	Tuburan	"
		Tudela	Fourth

ILOCOS NORTE

Bacarra	Third	Nueva Era	Fifth
Badoc	"	Paoay	Third
Bangui	"	Pasuquin	"
Banna	Fourth	Piddig	"
Batac	Second	Pinili	Fourth
Burgos	Fourth	San Nicolas	Third
Currimao	"	Sarrat	"
Dingras	Second	Solsona	"
Laoag	First	Vintar	"

ILOCOS SUR

Banayoyo	Fifth	San Esteban	Fourth
Bantay	Third	San Ildefonso	Fifth
Bauguen	Fifth	San Vicente	Fourth
Burgos	Fourth	Santa	"
Cabugao	Third	Santa Catalina	"
Candon	Second	Santa Cruz	Third
Caoayan	Fourth	Santa Lucia	"
Cervantes	"	Santa Maria	"
Galimuyod	Fifth	Santiago	Fourth
Lapog	Third	Santo Domingo	Third
Lidlidda	Fifth	Sinait	"
Magsingal	Third	Tagudin	"
Nagbukel	Fifth	Vigan	First
Narvacan	Second		

I L O I L O

Ajuy	Third	Lambunao	Third
Alimodian	"	Leganes(x)	Fourth
Anilao(x)	Fourth	Lemery(17)	Fourth
Balasan	Third	Leon	Third
Banate	"	Lucena(18)	Fifth
Barotac Nuevo	Second	Maasin	Third
Barotac Viejo	Third	Miagao	Second
Buenavista	"	Nueva Valencia(y)	Fifth
Cabatuan	"	Oton	Second

SANTOS SALES STORE

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Calinog	Third	Passi	Second
Carles	Fourth	Pavia	Third
Concepcion	"	Pototan	First
Dingle	Third	San Dionisio	Third
Ducñas	"	San Joaquin	"
Dumangas	Second	San Miguel	Fourth
Estancia	Third	Santa Barbara	First
Guimbal	"	Sara	Second
Igbaras	"	Tigbauan	Third
Januay	First	Tubugan	Fourth
Jaro ⁽¹⁶⁾	First	Zarraga ⁽¹⁹⁾	"
Jordan	Third		

I S A B E L A

Angadanan	Third	Palanan	Fifth
Aurora ⁽²⁰⁾	Fourth	Reina Mercedes	Fourth
Cabagan	Third	Roxas ⁽²¹⁾	"
Cauayan	"	San Mariano	"
Cordon(x)	Fourth	San Pablo	"
Echague	Third	San Mateo ⁽²²⁾	"
Gamu	"	Santa Maria	"
Ilagan	First	Santiago	Second
Jones	Third	Santo Tomas ⁽²³⁾	"
Naguilian	Fourth	Tumauini	Fourth

L A G U N A

Alaminos	Third	Majajjay	Third
Bay	Fourth	Nagcarlan	Second
Biñan	First(z)	Paete	Fourth
Cabuyao	Third	Pagsanjan	Second
Calamba	First	Pakil	Fourth
Calauan	Third	Pañgil	"
Cavinti	Fourth	Pila	Third
Famy	Fifth	Rizal	Fourth
Lilio	Third	San Pablo ⁽²⁴⁾	First
Loños	Fourth	San Pedro	Fourth
Los Baños	Third	Santa Cruz	First
Luisiana	"	Santa Maria	Fourth
Lumban	Fourth	Santa Rosa	Third
Mabítac	Fifth	Siniloan	Fourth
Magdalena	Third		

L A U N I O N

Agoo	Third	Pugo	Fifth ⁽²⁵⁾
Aringay	"	Rosario	Fourth
Bacnotan	"	San Fernando	First
Balaoan	"	San Gabriel	Fifth ⁽²⁵⁾
Bangar	"	San Juan	Third
Bauang	"	Santo Tomas	Fourth
Caba	Fourth	Sudipen	Fifth ⁽²⁵⁾
Luna	Third	Tubao	Fourth
Naguilian	"		

L E Y T E

Abuyog	Second	La Paz	Third
Alangalang	Third	Leyte	Fourth
Albuera	Fourth	Libagon	"
Anahawan	"	Liloan	"
Babatigon	Fifth	Maasin	Third
Barugo	Third	Macorhon	Fourth
Bato	"	Malitbog	Third
Baybay	Second	Maripipi	Fourth
Biliran	Fourth	Matalom	"
Burauen	Second	Merida	Third
Cabalian	Third	Naval	Fourth
Caibiran	"	Ormoc ⁽²⁷⁾	First

Calubian	Fourth	Palo	Third
Capoocan	"	Palompon	"
Carigara	Third	Pastrana	Fourth
Dagami	"	Pintuyan	"
Dulag	"	San Isidro	Third
Hilongos	"	San Miguel	Fourth
Hindang	Fourth	Sogod	Third
Hinunangan	"	Tacloban	First
Hinundayan	"	Tanauan	Third
Inopacan	"	Telosa	Fourth
Isabel ⁽²⁶⁾	Fourth	Villaba	"
Jaro	Third		
Kawayan	Fourth		

MARINDUQUE

Boac	Second	Mogpog	Fourth
Buenavista	Fourth	Santa Cruz	Second
Gasan	Third	Torrijos	Fourth

MASBATE

Aroroy	Second	Milagros	Third
Cataingan	Third	Placer ⁽²⁸⁾	"
Dimasalang	"	San Fernando	Third
Masbate	Second	San Jacinto	"
		San Pascual	Fourth

MINDORO

Abra de Ilog	Fifth	Naujan	Second
Baco	Fourth	Paluan	Fifth
Bongabong	"	Pinamalayan	Third
Bulalacao	Fifth	Pola	Fourth
Calapan	Second	Puerto Galera	Fifth
Looc	Fourth	Roxas ⁽²⁹⁾	"
Lubang	"	Sablayan	"
Mamburao	"	San Jose	Third
Mansalay	Fifth	San Teodoro	Fifth

MISAMIS OCCIDENTAL

Aloran	Third	Lopez Jaena	Fourth
Baliangao	"	Misamis ⁽³¹⁾	Second
Bonifacio (x)	Fourth	Oroquieta	"
Calamba ⁽³⁰⁾	"	Plaridel	"
Clarín	Third	Tangub	"
Jimenez	"	Tudela	Third

MISAMIS ORIENTAL

Alubijid (x)	Fourth	Kinogitan	Fourth
Balingasag	Third	Linugos ⁽³⁴⁾	Fifth
Cagayan	First	Mahinog ⁽³⁵⁾	Fourth
Catarman	Fourth	Mambajao	Second
El Salvador ⁽³²⁾	"	Manticao (d)	"
Gingoog	Third	Medina ⁽³⁶⁾	Fourth
Initao	"	Sagay	"
Jasaan ⁽³³⁾	Fourth	Salay	"
		Tagoloan	Third
		Talisayan	"

NEGROS OCCIDENTAL

Asia ⁽³⁷⁾	Fifth	Manapla	Second
Bago	First	Murcia	"
Binalbagan	Second	Pontevedra	"
Cadiz	First	Pulupandan	"
Calatrava	Second	Sagay	First
Cauayan	Third	San Carlos	"
Escalante	First	San Enrique	Third
Himamaylan	Second	Saravia	Second
Hinigaran	First	Sipalay ⁽³⁸⁾	Fourth
Ilog	Second	Silay	First
Isabela	First	Talisay	"
Kabankalan	Second	Toboso ⁽³⁹⁾	Fourth
La Carlota	First	Valladolid	Third
La Castellana	"	Victorias	First

NEGROS ORIENTAL

Ayungon	Fourth	(Luzuriaga) Valencia ⁽⁴²⁾	Fourth
Ayuquitan	Third	Manjuyod	Third
Bacong	Fourth	Maria	Fourth
Bais	Second	San Juan	Fourth
Canlaon ⁽⁴⁰⁾	Fourth	Santa Catalina ⁽⁴³⁾	"
Dauin	"	Siaton	Third
Dumaguete ⁽⁴¹⁾	First	Sibulan	Fourth
Enrique Villanueva	Fourth	Siquijor	Third
Guijulan	First	Tanjay	First
Jimalalud	Fourth	Tayasan	Fourth
La Libertad	"	Tolong	Third
Larena	"	Vallehermoso	"
Lazi	Third	Zamboanguita	Fourth

NUEVA ECIJA

Aliaga	Third	Pantabangan	Fourth
Bongabon	"	Papaya	"
Cabanatuan	First	Peñaranda	"
Cabiao	Third	Quezon	Third
Carranglan	Fourth	Rizal	"
Cuyapo	Second	San Antonio	Second
Gapan	First	San Isidro	Third
Guimba	"	San Jose	First
Jaen	Third	San Leonardo	Fourth
Laur	"	Santa Rosa	Third
Licab	"	Santo Domingo	"
Lupao	"	Talavera	Second
Muñoz	Second	Talugtug ⁽⁴⁴⁾	"
Nampicuan	Fourth	Zaragoza	Third

P A M P A N G A

Angeles	First	Magalang	Second
Apalit	Third	Masantol	Third
Arayat	Second	Mexico	Second
Bacolor	"	Minalin	Fourth
Candaba	"	Porac	Third
Floridablanca	"	San Fernando	First
Guagua	First	San Luis	Third
Lubao	Second	San Simon	Fourth
Mabalacat	"	Santa Ana	"
Macabebe	"	Santa Rita	Third
		Sexmoan	"

PANGASINAN

Agno	Fourth	Manaoag	Second
Aguilar	"	Mangaldan	"
Alaminos	Second	Mangatarem	"
Alcala	Third	Mapandan	Fourth
Anda	Fourth	Natividad	"
Asingan	Second	Pozorrubio	Second
Balungao	Third	Rosales	"
Bani	"	San Carlos	First
Bautista	Fourth	San Fabian	Third
Bayambang	First	San Jacinto	Fourth
Binalonan	Second	San Miguel	Third
Binnaley	Third	San Nicolas	"
Bolinao	"	San Quintin	"
Bugallon	"	Santa Barbara	"
Burgos	Fourth	Santa Maria	Fourth
Calasiao	Third	Santo Tomas	"
Dagupan (45)	First	Sison	"
Dasol	Fourth	Sual	"
Infanta	"	Tayug	Second
Labrador	"	Umingan	"
Lingayen	Second	Urbiztondo	Fourth
Mabini	Fourth	Urdaneta	First
Malasiqui	Second	Villasis	Second

RIZAL

Angono	Fifth	Morong	Fourth
Antipolo	Third	Muntinlupa	"
Baras	Fifth	Navotas	Second
Binangonan	Third	Parañaque	First
Cainta	Fourth	Pasay (47)	"
Caloccan	First	Pasig	"
Cardona	Fourth	Pateros	Fourth
Jalajala	Fifth	Pililla	"
Las Piñas	Third	San Juan del Monte	First
Makati	First	San Mateo	Fourth
Malabon	"	Tagig	Third
Mandaluyong (46)	(Second) First	Tanay	"
Marikina	First	Taytay	"
Montalban	Fourth	Teresa	Fourth

ROMBLON

Badajoz (48)	Fourth	Looc (48)	Fourth
Cajidiocan (48)	"	Magdiwang (48)	Fifth
Concepcion (48)	Fifth	Odiangan (48)	Third
Corcuera (48)	"	Romblon (48)	"
Despujols (48)	Fourth	San Fernando (48)	Fourth
Jones (48)	Fifth	Santa Fe (48)	Fifth

SAMAR

Allen	Fourth	Mercedes (55)	Fifth
Almagro	Fifth	Mondragon	Fourth
Balangiga	Fourth	Motiong (56)	Fifth
Basey	Third	Oquendo (57)	Fourth
Bobon	Fourth	Oras	Third
Borongan	Third	Palapag	Fourth
Calbayog (49)	Second	Pambujan	"
Calbiga	Fourth	Pinabacdao (58)	Fifth
Can-avid (50)	"	Quinapundán (59)	"
Capul	"	Salcedo	Fourth
Catarman	Third	San Antonio	"
Catbalogan	Second	San Julian	"
Catubig	Fourth	San Policarpio (60)	Fifth
Dolores	"	Santa Margarita	Fourth
Gamay (51)	Fifth	Santa Rita	"
Gandara	Fourth	Santo Niño	Fifth
General MacArthur (52)	"	Sulat	Fourth
Guiuan	Third	Taft	"

Hernani	Fourth	Talalora ⁽⁶¹⁾	Fourth
Hinabangan ⁽⁵³⁾	Fifth	Tarangnan	"
Jiabong ⁽⁵⁴⁾	"	Tinambacan ⁽⁵⁷⁾	"
Laoang	Third	Villareal	"
Lavezares	Fourth	Wright	Third
Llorente	"	Zumarraga	Fourth

SORSOGON

Bacon	Third	Irosin	Third
Barcelona	Fourth	Juban	Fourth
Bulan	Second	Magallanes	Third
Bulusan	Fourth	Matnog	Fourth
Casiguran	"	Pilar	Third
Castilla	"	Prieto-Diaz	Fourth
Donsol	"	Santa Magdalena	"
Gubat	Third	Sorsogon	Second

SURIGAO

Bacuag	Fourth	Lianga	Fourth
Bislig	"	Lingog	"
Cantilan	Third	Loreto	"
Carrascal	Fourth	Mainit	Third
Dapa	"	Numancia	Fourth
Dinagat	"	Placer	Third
General Luna	"	Surigao	First
Gigaquit	Third	Taganaan ⁽⁶²⁾	Fourth
Hinatuan	"	Tago	Third (b)
Lanuza	Fourth	Tandag	Third

TARLAC

Anao	Fourth	Paniqui	Second
Bamban	Third	Pura	Fourth
Camiling	First	Ramos	"
Capas	Third	San Clemente	"
Concepcion	First	San Manuel	"
Gerona	Second	Santa Ignacia	Third
La Paz	"	Tarlac	First
Mayantoc	Fourth	Victoria	Second
Moncada	Third		

TAYABAS(63)

Agdangan	Fifth	Lucena	First
Alabat	Fourth	Macalelon	Fourth
Atimonan	Second	Mauban	Second
Aurora	Fourth	Malunay	Fourth
Baler	"	Padre Burgos	"
Burdeos ⁽⁶⁴⁾	"	Pagbilao	Third
Calauag	Third	Perez	Fourth
Candelaria	First	Pitogo	"
Casiguran	Fourth	Polillo	"
Catanauan	Third	Quezon	"
Dolores	Fourth	Sampaloc	"
General Luna	"	San Narciso	"
Guinayangan	Third	Sariaya	First
Gumaca	"	Tagcawayan ⁽⁶⁵⁾	Fourth
Infanta	"	Tayabas	First
Lopez	Second	Tiaong	Second
Lucban	"	Unisan	Third

ZAMBALES

Botolan	Fourth	San Antonio	Fourth
Cabangan	"	San Felipe	"
Candelaria	"	San Marcelino	Third
Castillejos	"	San Narciso	"
Iba	"	Santa Cruz	"
Masinloc	"	Subic	"
Palauig	"		

(Sgd.) RAF. R. ALUNAN
Secretary of the Interior

(For Footnotes, turn to next page)

Footnotes to Dept. Order No. 1, s. 1940, re classification of municipalities:

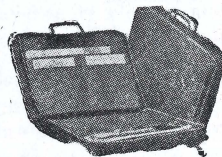
- (a) *Classification of municipalities...Number of Councilors.*—Municipalities are divided into five classes, according to their receipts, as follows: Municipalities of the first class shall be those the annual receipts of which averaged fifty thousand pesos or more during the last three years, and shall have eight councilors; of the second class, those the annual receipts of which averaged thirty thousand pesos or more, but less than fifty thousand pesos, during the last three years, and shall have eight councilors; of the third class, those the annual receipts of which averaged fifteen thousand pesos or more, but less than thirty thousand pesos, during the last three years, and shall have six councilors; of the fourth class, those the annual receipts of which averaged five thousand pesos or more, but less than fifteen thousand pesos, during the last three years, and shall have six councilors; of the fifth class, those the annual receipts of which averaged less than five thousand pesos during the last three years, and shall have four councilors; *Provided*, That the councilors elected at the last general election in each municipality shall continue to hold office during the term of which they were elected, and the reduction or increase of the number of councilors in accordance with the classification of municipalities prescribed in this Act shall take effect beginning with the general election of nineteen hundred and twenty-eight. (Sec. 2170, Adm. Code, as amended.)
- (b) Raised to third class (D. O. 51, Feb. 8, 1949, Sec. Int.)
- (1) See Republic Act No. 130, published in first issue of this magazine.
 - (2) Municipalities of the new province of Catanduanes (C. A. 687).
 - (3) Converted into a city by R. A. 306.
 - (4) Raised to 1st class—D. O. 29, Sept. 25, 1948, Sec. Int.
 - (5) Converted into a city by R. A. 162.
 - (6) Created by E. O. 80, s. 1947 and classification published by D. O. 11, Sept. 8, 1947, Sec. Int.
 - (7) Created by E. O. 106, s. 1936 and classification published by D. O. 1, July 10, 1946, Sec. Int.
 - (8) Created by C. A. 692 and classification published by D. O. 8, Apr. 13, 1946, Sec. Int.
 - (9) Name changed to Vinzons by C. A. 690.
 - (10) Created by R. A. 341 and classification is pending consideration.
 - (11) Converted into a city by R. A. 302.
 - (12) Created by E. O. 364, s. 1941 and classification published by D. O. 12, Sept. 15, 1947, Sec. Int.
 - (13) Created by R. A. 297; not yet classified.
 - (14) Created by R. A. 285; not yet classified.
 - (15) Created by E. O. 159, s. 1948 and classification published by D. O. 34, Nov. 17, 1948, Sec. Int.

(Continued on page 111)



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DATA FOR RECLASSIFYING A PROVINCE OR MUNICIPALITY

Province

"In order that proper action hereon can be taken under the provisions of Republic Act No. 130, it is requested that the advantages and benefits to be derived by the province and its inhabitants in the raise of its class from 2nd to 1st, as proposed herein, be stated. In this connection, information is also requested as to whether, if and when the province is raised in class as proposed, the additional expenditure which will necessarily follow in the form of increase in salaries of the statutory officials as well as of the employees therein and the other activities which a first class province has to provide, can be made available from the existing funds in the provincial treasury. In the affirmative, it is also requested that copies of the supplemental budgets providing for these additional expenditures be submitted herewith. With respect to the salaries of the District Health Officer and the Provincial Auditor which are payable in equal proportion by the National Government and the province, it should be stated that the present arrangement is to the effect that the province concerned should be ready to provide for the portion of their salaries payable by the National Government, if these officials have to be given the compensation corresponding to the class approved for that province. This arrangement is being made because the National Government may not pay its portion of the increased salaries of these officials, at least during the rest of the current fiscal year, inasmuch as the National budget has not provided for the increased compensation."—From 1st Indorsement dated January 6, 1949, of the Department of the Interior.

Municipality

"With reference to the papers regarding the readjustment of the classification of the municipality of Orani, that province, it is requested that the municipal council of Orani be instructed to prepare a tentative budget for that municipality covering a period of twelve months on the basis of the actual estimated income and expenditure, as of the current fiscal year, for a second class municipality to which classification said municipality is proposed to be elevated. In that budget, the higher rates of salary of the municipal officials and employees as well as all the other statutory expenditures which a second class municipality has to undertake should be provided for. For comparative purposes, it is also requested that a copy of the annual budget of said municipality for the current fiscal year be submitted with these papers. It is desired that both budgets be referred to the Provincial Treasurer for review and comment before submitting them to this Department."—Letter dated Dec. 20, 1948, of the Department of the Interior to the Provincial Governor of Bataan.

Editor's note: The foregoing administrative requirements are in addition to those called for in Republic Act No. 130. In the case of readjustment of classification of a municipality, the Office of the President imposed the condition that the applicant municipality shall pay the full amount of the increase in salary of the Justice of the Peace resulting from such change in classification until the portion thereof payable by the National Government shall have been duly authorized in the annual General Appropriation Act. (Ind. Jan. 19, 1949, of Office of President in case of Biñan, Laguna).

THE MUNICIPAL AUTONOMY LAW

Second National Assembly)
First Session) B. No. 1072

[Commonwealth Act No. 472]

AN ACT REVISING THE GENERAL AUTHORITY OF MUNICIPAL COUNCILS AND MUNICIPAL DISTRICT COUNCILS TO LEVY TAXES, SUBJECT TO CERTAIN LIMITATIONS.

Be it enacted by the National Assembly of the Philippines:

SECTION 1. A municipal council or municipal district council shall have authority to impose municipal license taxes upon persons engaged in any occupation or business, or exercising privileges in the municipality or municipal district by requiring them to secure licenses at rates fixed by the municipal council, or municipal district council, and to collect fees and charges for services rendered by the municipality or municipal district and shall otherwise have power to levy for public purposes, and for school purposes, including teachers' salaries, just and uniform taxes other than percentage taxes and taxes on specified articles.

SEC. 2. Until higher rates of municipal license taxes are fixed, the municipal license taxes on the following businesses shall be as appearing opposite each, the amounts stated being for the whole year, unless otherwise specified:

(a) Retail dealers in tuba, basi, and tapuy, five pesos;

(b) Proprietors of cockpits, two hundred pesos; and for each cockfight (soldada), twenty-five centavos;

(c) Proprietors of theaters, museums, cinematographs, and concert halls, one hundred pesos; or, by the month, ten pesos;

(d) Proprietors of circuses giving exhibitions in one or more places or provinces, two hundred pesos; or, by the month, twenty pesos;

(e) Proprietors of billiard rooms, for each table, ten pesos;

(f) Pawnbrokers, four hundred pesos.

SEC. 3. It shall be beyond the power of the municipal council and municipal district council to impose the following taxes, charges, and fees:

(a) Cedula tax;

(b) Documentary stamp tax;

(c) Taxes on the business of persons engaged in the printing and publication of any newspaper, magazine, review, or bulletin appearing at regular intervals and having fixed prices for subscription and sale and which is not published primarily for the purpose of publishing advertisements;

(d) Taxes on persons operating telephones and telegraph lines or exchanges, broadcasting or wireless stations, and on persons selling light, heat, or power and engaged in the installation of gas, or electric light, heat, or power;

(e) Taxes on the business of transportation contractors and persons engaged in the transportation of passengers or freight by hire, and common carriers by land or water;

(f) Taxes on the business of wholesale dealers in liquors and fermented liquors; tobacco dealers, wholesale peddlers of distilled, manufactured, or fermented liquors; wholesale peddlers of manufactured tobacco, stock, real estate, and commercial brokers; distillers of spirits, brewers, rectifiers of distilled spirits; manufacturers of tobacco; manufacturers of cigars and cigarettes; and repackers of wines or distilled spirits;

(g) Taxes on customs and immigration brokers, lawyers, medical practitioners, land surveyors, architects, public accountants, and civil, electrical, mechanical or mining engineers, dental surgeons, opticians, photographers, engravers, and professional appraisers or connoisseurs of tobacco and other domestic or foreign products, chemists, registered nurses, insurance agents and subagents, veterinarians, pharmacists, midwives.

(h) Specific taxes on things manufactured or produced in the Philippines, or imported from the United States or foreign countries;

(i) Taxes of any kind on banks, insurance companies, and persons paying a franchise tax;

(j) Charges on forest products;

(k) Taxes on mines and mining concessions;

(l) Taxes on estates, inheritances, gifts, legacies, and other acquisitions *mortis causa*;

(m) Taxes on income of any kind whatsoever;

(n) Fees for testing, sealing, and licensing of weights and measures;

(o) Taxes on dealers in, and individual holders of, firearms, dynamite, powder, detonators, fuses or other high explosives and their components; and fees for the issuance of hunting permits;

(p) Taxes on premiums paid by owners of property who obtain insurance directly with foreign insurance companies;

(q) Taxes or fees on the taking of marine mollusca, or the shells of such, and fees for the issuance of pearly-boat and pearl diver's licenses;

(r) Taxes or fees for the privilege of fishing, collecting, or gathering sponges from the sea bottom or reefs and for prospecting for sponges in any waters of the Philippines;

(s) Taxes or fees for the registration of motor vehicles and for the issuance of all kinds of licenses or permits for the driving thereof;

(t) Customs duties, registration, wharfage, tonnage, and all other kinds of customs fees, charges, and dues.

SEC. 4. The approval of the Secretary of Finance shall be secured:

(1) Whenever the rates of municipal license taxes fixed or imposed by ordinance of the municipal council or municipal district council by virtue of the provisions of this Act exceed the rates of fixed internal revenue privilege taxes regularly imposed by the National Government upon the same businesses or occupation, except on hotels, restaurants, cafés, refreshment parlors, race tracks, and retail dealers in vino liquors and fermented liquors, and any tax or fee on livery stables, garages, and other places or establishments where public vehicles and other conveyances are kept for hire;

(2) Whenever the rate of fixed municipal license taxes on businesses not excepted in this Act or otherwise covered by the preceding paragraph and subject to the fixed annual tax imposed in section one hundred eighty-two of the National Internal Revenue Law, is in excess of fifty pesos per annum; and

(3) Whenever the municipal license tax on any business, occupation, or privilege the rate of which is not limited above is increased by more than fifty *per centum*.

Hawkers, peddlers, hucksters, piano tuners, piano repairers who do not carry on their trade in their own shops or establishments, and proprietors of circuses, who have secured licenses at the rates fixed by ordinance in any municipality or municipal district shall not

(Continued on page 96)

—Congratulations—

**THE
LOCAL GOVERNMENT
REVIEW**

is just the kind of magazine
needed by all concerned.

—>:◀—

FRANCISCO A. PERFECTO
Congressman from Catanduanes

POWERS AND DUTIES OF RURAL COUNCILS

"Each barrio or rural subdivision with a barrio lieutenant shall also have four rural councilmen who shall be appointed in the same manner as the barrio lieutenants. These rural councilmen shall be duly qualified electors of the place. Their chairman shall be the barrio lieutenant or, in his absence or inability, the substitute lieutenant. They shall serve without compensation. Their term of office shall be fixed in their appointment. The officer who appointed them may, however, remove them or suspend them from office, for cause. They shall, together with the barrio lieutenant and substitute lieutenant, form an organization which shall be known as rural council and shall have the following duties and powers: (a) to represent the barrio or portion of barrio where it is located, in cases in which such representation is not incompatible with the personality of the municipal council; (b) to hold a regular session once a month; (c) to make their own rules of procedure which shall be approved by the councilor of the place before they take effect; (d) to submit to the municipal council, through said councilor, such suggestions or recommendations as they may see fit for improvements in their place or for the welfare of the inhabitants thereof; (e) to provide for the publication by town crier or such other means as they may see fit, of new laws and municipal ordinances they may consider as important; (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 offer to the Government the cooperation necessary locally for the success of measures of general interest. The rural councilmen may hold their sessions in the public school building of the place during hours when there are no classes,

or in any house or lot in the barrio the provisional or permanent use of which may be granted to them for said purpose free of charge; and shall elect from among their number a secretary who shall prepare short minutes of the proceedings of the council and draft the recommendation or suggestions to be submitted by the same to the municipal council, in either of the official languages of the country or in the local dialect." — *Act No. 3861 of the Philippine Legislature, Approved Nov. 13, 1931; See Sec. 2219½, Revised Administrative Code.*

—»«—

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Autonomy . . .

be required to take out licenses in any other municipality or municipal district through which they may travel for business, unless the term for the renewal of such licenses shall have expired.

SEC. 5. Acts Numbered Thirty-four hundred and twenty-two, Thirty-seven hundred, Thirty-seven hundred and ninety, Thirty-eight hundred and thirty-three, and Four thousand and nineteen, are repealed.

SEC. 6. This Act shall take effect on its approval.

Approved, June 16, 1939.

THE LOCAL GOVERNMENT REVIEW

NATIONAL SOLIDARITY AND PRACTICAL INTERNATIONALISM

[Extemporaneous Speech of President Elpidio Quirino on opening the First Conference of Provincial Governors and City Mayors since he assumed office as President of the Philippines on April 17, 1948, convened at Malacañan Social Hall on October 4, 1948]

"I am happy to welcome you this morning to this my first conference with provincial and city executives since I assumed office. I called this conference so that we may coordinate our respective functions in the execution of the programs and administration of government.

Coordination of Activities

"I have diverted from the old practice of having the members of the Cabinet address you as guests. I want them to directly participate in your deliberations as my representatives so that they can freely discuss the manner of coordinating the activities of their respective departments with those of your provincial units. In this way you will have an opportunity to be nearer to the department heads and be able to deal with them more effectively and perhaps more successfully. I want you to discuss with them freely as if you were taking up matters with me for they are in fact the extension of the president's personality.

Pressing Problems of Public Administration

"My friends, there are many pressing matters that prompted me to call this conference. The Republic's first two years of life have been primarily devoted to planning, to blueprinting our program of administration. Although we have executed some of the policies we have adopted, there are still many which await execution.

"Many and varied are the problems before us, but the most pressing ones in my opinion are the question of peace and order, of economic development, of solidifying and unifying our country in an effort to make this an integrated, firm, strong and enduring government. In order to accomplish all these objectives, which are uppermost in our minds, it is necessary that we all contribute to the total effort in our respective jurisdictions.

Peace and Order

"Of course, peace and order is the most important of all. Without peace and order, without tranquility in our mind, without our fields and our homes, being protected, without our industries being safe we shall find it difficult to carry out our program of economic development. And economic development, my friends, is the key to the stability of this nation.

"In my effort to maintain peace and order, you all know that I extended amnesty to the dissident elements. I was supported by the party. I was supported by the Congress. I was supported by the Council of State. And I was supported by all factions. Public opinion today is unanimous for eradicating their menace to our enduring existence. We of the government did not fail. We have accomplished everything expected of us. I have extended to the dissidents all benefits under the Constitution. I have given all kinds of relief, specially to the peasants whose cause I have espoused. I have given food, I have given medicine, I have given clothing, I have given money in crop loans. I even gave them lawyers and equipment plus money for the legal needs of dissident elements with cases in court as those for sedition. I have given them liberty. I have given their leader more. He was given complete freedom to collect his salary . . . his backpay, his secretary's salary, and he even mortgaged his future salary; he received all privileges extendable to members of Congress.

National Solidarity . . .

"The social amelioration program was adopted after a lengthy discussion with the participation of the leaders of the dissidents. Even the leaders of the opposition were there, especially the right-thinking members of the intellectual group, the Democratic Alliance headed by Judge Jesus Barrera. Both Judge Barrera and Taruc were present when we discussed and adopted the social amelioration program which embraces all the measures necessary to relieve the suffering peasants. We are in the midst of executing this social amelioration program.

"But we have been obstructed by those who pretend to champion the cause of the peasants. The officials I have appointed to constitute the action committee to supervise in the field the carrying out of the 6-point social amelioration program are in constant fear of depredations and raids by dissident elements. We have

been able to induce the peasant to come down from the hills in order that they may be able to cultivate again the land they had left idle for the last two or three years. Many have returned to their homes and, I presume, lived as peaceful citizens for a period of 50 days. And yet, simply because of the menace of impending war some people, perhaps among them dissident elements, saw it timely to defy and wrest the government from us so that they can rule together with others, imposing upon us a foreign loyalty.

"Thus, the dissidents have gone back to the hills and defied the government. So what can I do? I cannot change the laws. I cannot promise dissidents firearms when the laws do not allow them to possess arms without license. Our civilian population is not entitled by law to possess firearms without license and I cannot, without legislation, extend a higher privilege to dissident elements so that they will call themselves the privileged class, demanding from us the disarming of civilian guards and the redeployment of the Constabulary and the Army.

"So what I did, my friends, is to give instructions to the Constabulary and all the armed forces of the Philippines to check this movement which is retarding not only the execution of our program of social amelioration but also that of our economic development, especially in Central Luzon, our granary. We need more rice for it is the staple food of the Filipinos.

"Now, my friends, I want to report to you that the question of peace and order has been altered. But it was altered, I think, at last, at long last, for our good. I offered the dissidents my left hand in which I placed the food, the medicine, the clothing, money and charity . . . everything that can be given them in order to alleviate their sufferings. I told them frankly on that very day when I went to visit

Greetings!

The publication of the Local Government Review should be welcomed by everyone, especially by those who need information regarding the administration of our municipal, city and provincial governments.

I wish The Local Government Review success in its chosen field of endeavor.

ENRIQUE B. MAGALONA
Senator

them in central Luzon two or three months ago that, if necessary, I would use my right hand . . . and God forbid that I use it at any time, because in my right hand I have the bullets. I told them frankly and I was sincere in telling them and I meant it. But they defied the government. The government must be respected. Our laws must be obeyed. This is the only way by which we can establish here a government strong and enduring, one that will live for ages. We are following this policy. (Applause).

“So, my friends, peace and order is the most important matter that we should have in mind during our conference. We are proud to have been referred to in international councils and conferences as a peaceful country. We have even been pointed out as a successful experiment in democracy. This being the only democratic, independent country on this side of the globe, we are proud to have enjoyed the fame of being one of the countries in the world that know how to maintain peace and order. We want to live up to that reputation by upholding the dignity of this government.

Social Amelioration

“The social amelioration program has been spread in the minutes of the cabinet as well as of the council of state. It is a program by which I think we can obliquely approach our social and economic problems. It is my great hope that if we can implement this program, carry it out, and execute even its smallest details, it will mean prosperity and happiness to our people. I therefore ask you, each and everyone of you, to be wide awake and clear the deck for the execution of this program by guarding your respective jurisdictions against the untoward conduct, attitude and aggressiveness of the dissident elements.

Economic Development

“My friends, economic development, as I said, is the key to a permanent, stable peace and prosperity. The whole world is watching the Philip-

pinos, specially those who are fighting and struggling and constituting themselves into an asset under the United Nations. The Philippines is considered as the depository of many varied and numerous treasures. We have the greatest mines not only in number but in quality. Our rivers and seas abound in rich wealth. Our lands, I need not remind you, are so fertile we need not exert too much effort when we sow to be sure of a good harvest. Our air is adaptable to international communication and is an obligatory point in international air travel. All the airlines are converging in the Philippines or Manila as an international airport, from the north to the south, and from the east to the west, or vice versa. International commerce is converging also in our country. Strategically located, the Philippines also has social-economic, commercial, as well as intellectual prestige.

“Economic development, my friends, is not alone in our hands. It is also in the hands of those who have been invited to help us develop our land. Many of them would bring in capital. Some of them would come with technical knowledge. Some would come with technical experience. Many of those who otherwise would be eager, and ready to come and help us with inspiration and perspiration to develop this country are now apprehensive that, because of temporary conditions in the Philippines, they may expose themselves to the hazards of unprofitable investment. So it is necessary that we maintain peace and order and tell the whole world that we are ready to cooperate with those well-meaning friends of ours from abroad.

“We cannot by ourselves and with our own resources, carry out the task of developing this country. We have to count upon sympathetic friends who will cooperate with us. It is nice to talk of defending our own liberties, of protecting our own rights, of not allowing foreigners to dictate what we should do in this country, yet this is nothing but mere talk. In the actual practice, in the practice of the world

today, there is not a single nation that can call itself sufficient and alone.

Need of Practical Internationalism

"We are not alone in the world. We are traveling along the high road of international life. We have our own friends and those friends who welcome us in their territory would also expect us to welcome them in our own territory. International cooperation is necessary not only here but everywhere. We are sending representatives abroad. We are paying salaries to ambassadors, ministers, and consuls to develop our international relations and along with those international relations is fundamentally our economic relations. So it is incongruous on our part to say that we do not need foreign cooperation in our national life. Sane internationalism, practical internationalism from the point of view of our protection . . . that is what we need today.

Capital and Industrialization

"We invite capital. Every Filipino citizen who goes abroad either to the United States or to Europe, or to any other part of the world, always speaks of cooperation, always invites foreign capital, asks foreign elements to come and cooperate with us in the development of this country. Let us make that good, but reserving those things which we need so that we may not lose control of our life.

"Economic development will be the main activity of this nation for generations. We are now only rebuilding what were destroyed during the last war. We need to develop this country further. Expansion and development need foreign capital. I invite everyone of you to be broad-minded at the same time that you are indisputably patriotic and zealous of our independence.

"The moment we secure the loan for which we have applied from the World Bank to finance our project of harnessing hydroelectric power both in Luzon and Mindanao, we shall inaugurate our program of industrialization. To think of a vast program of industrialization today may not be timely, but after the initial establishment of

hydroelectric power, we may expand in Central Luzon and in Mindanao. At the start we shall supply cheap electric power not only to populated districts but also to the mines, factories, and even small industries. Having done this, we shall be able to determine our next step. In Mindanao we also expect to establish a plant to manufacture fertilizers with which to modernize and intensify our agricultural activities. I am quite sure that once the Maria Cristina falls is harnessed, we shall be able to supply the need for fertilizers of sugar lands in Negros as well as ricelands anywhere, in Central Luzon, the Cagayan Valley and, perhaps, Mindanao as well.

"My friends, these are the three major projects of industrialization which we have in mind. We are no longer planning, we are ready to execute a well-defined program.

The World Situation

"But the world situation today is increasingly menacing. While people talk of war, while people talk of ne-

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gotiations and while people philosophize on what the United Nations may do—while present and imminent world conflict occupy world powers in general—one thing is certain: There are two powers who are restless, one represented by the White Bear and the other represented by the democracies which have united themselves in self-defense and against totalitarian doctrines. The situation has passed beyond the stage of cold war.

Unity and Integration

"I am not sure that, if war comes, the Philippines will be directly affected. There may be some advantages, some blessings in disguise, if war breaks out and we are dragged into its vortex. But it is always imperative that we unite and be prepared for any eventuality. We must unify this nation. There must be unity, there must be national solidarity and integration.

"My friends, the whole world has its eyes on us. The Philippines must be a successful experiment in democracy, not only to gratify outside observations but also to achieve our dream of centuries. To insure this result we must have a solid, integrated and united nation. The peculiar position of our country, divided into several thousand islands, makes imperative greater efforts toward unity. From the north, therefore, to the far south, from Batanes to Jolo, Cagayan, Ilocos and Pampanga, I appeal to every one. Forget our regional nomenclature and live only as one people.

"Of course, we cannot avoid speaking in our homes the language that our mother has thought us but we have already adopted the Tagalog as our national language. Eventually, we will solidify our nation perhaps by a mutual surrender of some of our regional loyalties in order to build it into a single and solid unit. I appeal to you to help eradicate as much as possible the traditional custom to recognize as closer to our hearts those who have lived with us together in the same region. Let us accustom ourselves to living as one united, integrated nation.

Winning Confidence of the People

"My friends, there is nothing that I wish to emphasize more as head of this government than the necessity of winning and strengthening the confidence of the people, not necessarily in the Liberal party nor in the Nacionalista party, but in the administration, in the Republic of the Philippines. We have been wont to consider the administration as merely that of the Liberal party. This is not the case. There are at least eight provincial executives who belong to the Nacionalista party. But once you are governors, my friends, you belong to this administration. You don't belong to the Nacionalista nor to the Liberal party. You belong (Applause) to the administration. Your success will be our success and your failure will be the failure of this administration of this Republic.

Official Integrity

"One of the things uppermost in your minds should be official integrity. Official integrity is the key to the confidence and trust of the people. Place yourselves in closer contact with the people. Watch your subordinates. Even a messenger in the mayor's office sometimes speaks for the municipal administration. The same thing applies to provincial government as it would apply to the national government. The humblest employee, the meanest laborer in the public service carries the flag of the government and when he besmirches that flag he besmirches its prestige. So I want you to guard against this possibility. Watch your subordinates, both provincial and municipal officials, so that none of them will go wrong. And I would like you to have closer, more frequent contact with the people.

Making People at Home with the Government

"In the past we constituted a group visiting far-flung communities in an effort to bring the people closer to the government. We must do so not only during election time because we want to show that we have the interest of the people in the barrios but also now because we want to know their reaction to our administration and the

program we have adopted. Our objective is to make the people be at home with the government. We do not only adjust ourselves to them. Let us see that the people adjust themselves also to the government which is after their own welfare, benefit and happiness. Frequent visits and contact end in intimate relationship, which is the essence of the program of winning the confidence of the people.

"I therefore request each and everyone of you to inspect your provinces, your municipalities, your barrios as frequently as possible. Take the people into your confidence, talk to them about your plans. Give them a chance to tell you not only of their wishes but of their grievances because once they get out of their system their pent up feeling against the administration, they will feel relieved. Give them a chance to lambast you under your very nose but, of course, be ready to defend yourselves and come out triumphant.

Time to Act and Serve the People

"Now, my friends, let us devote our full time to the question of administering the affairs of our people. We have been elected for four years. All of us will cease office in December, 1949. We only have one full year now to show our wares to the people. If in the past you have been quite indifferent to the interest of your constituency, we still have one more year to show our deep interest in their welfare. We are paid to administer the affairs of the government.

"We will make available to you all the help, all the available appropriations, all the available power and all the available privileges for you to accomplish your commitments to your constituencies. Never in the history of the Philippine Congress has there been appropriated more money for public works than in this last session. Never in the past have we appropriated more money for various activities than in the last two or three regular sessions of Congress. Verily, this administration has already prepared, almost completed, the basis of a stable and independent government. All we

have to do is to follow up the activities we have planned and started and with earnestness and aggressiveness, accomplish those which are in our power to undertake in order to make our program a real success. We have made all available appropriations for public works expendable immediately, specially in typhoon-stricken areas. We have given facilities to every agency of the government so that it can serve the people to the utmost.

"We have one good example. When the Camiguin volcano erupted we showed how quickly we are able to respond to the needs of suffering people. All available ships were sent there, and representatives of the government, bringing relief goods, rushed there. It was a miracle that without much fanfare we were able to handle that calamity in such a way that speaks well of this administration. I am proud of the intervention of all the agencies of the government in coping with the situation.

"I am quite hopeful also that a time is nigh approaching when the question of peace and order will be solved in the same cooperative manner, for it has got to be solved by all means. I hope the dissident elements will stop crying to the skies for benefits that cannot come except from the skies; that they will realize that this government is their government; and that no other government will dominate this country now or in the future. (Applause).

"My friends, I ask everyone of you to contribute your earnest effort in the deliberations to achieve the coordination of the programs and activities of this administration. You have one year, I repeat, not to talk, not to discuss, but to act. Immediate action, effective action, national action—that is what is expected of us. Thank you for coming. (Applause)

Compliments of

Hon. ROQUE ISLA

City Councilor

San Pablo City

ON THE BACK PAY LAW

(Speech delivered by Mr. Jose Eres-tain, Chief Law Officer, at the Conference of the Provincial and City Auditors held at Manila on October 21, 1948.)

Hon. Auditor General Agregado,
Hon. Deputy Auditor General Joven
Fellow co-workers and friends:

Before I dwell upon the subject assigned to me, I would like to take the opportunity to pay tribute to a man who, by his courage and patriotism, has stood firm in upholding the Constitutional powers and prerogatives of his office and made possible the realization of the desire of the framers of the Constitution that we shall have an independent General Auditing Office. I refer, gentlemen, to our beloved Chief, Auditor General Manuel Agregado. (Applause) Mr. Agregado is a man of broad human understanding, and yet he is not easily swayed in the exercise of his judgment. As Chief of our Office, he is like a father to us, but at the same time he is a strict disciplinarian. To the claimants and the general public, he is fair, reasonable and amicable, but at the same time he is firm in his decisions and courageous in maintaining his convictions. Thus we find in him all the qualities of a real watchdog of the treasury: FAIRNESS, FIRMNESS, and COURAGE. The other day, I was talking to an authority on the Constitution. Dr. Jose M. Aruego, the author of "Know Your Constitution" and "The Framing of the Constitution". Dr. Aruego told me that in order that the provisions of the Constitution regarding the independence of the General Auditing Office may be fully complied with, it is required that the Auditor General should be courageous to assert his Constitutional powers and prerogatives against possible incursions from other departments of the Government. He said that a "yes-man" Auditor will spell doom to this Constitutional ideal. He believes that Mr. Agregado is the

right man to maintain that ideal because of his firmness and courage in upholding his constitutional powers and observing faithfully his duties. Ever since he assumed office about two years ago, his service record is replete with examples that he has tried his best to maintain the Constitutional ideal. But eternal vigilance is the price of liberty; and so he continues to fight for that ideal. Added to this task is the task left to him by the late President Roxas that he should work for the restoration of the high prestige of the General Auditing Office. In this two-fold task, in this herculean task of fighting for the independence and high prestige of our Office, our beloved Chief certainly deserves our unswerving loyalty and wholehearted cooperation. I appeal to you, gentlemen, I appeal to each and every one of you, to unite as one man in restoring and maintaining the high prestige of our Office. (Applause) I may be the youngest officer among you, I was only your messenger about twenty-five years ago, but let me at least voice this plea for unity, for official and personal harmony among us so that we can all measure up to the expectations of the framers of the Constitution in connection with our duties and at the same time we shall be contributing fully to President Quirino's program of restoring the confidence of the people in the Government. Gentlemen, let us show to our Chief not only in words but in deeds that we are solidly behind him in this two-fold task of maintaining the independence and high prestige of our Office. And let us not forget his advice to us that we cannot be really loyal to him unless we are first loyal to the principles for which our Office stands. (Prolonged applause)

Permit me now to greet you all, especially the provincial and city auditors. In the name of the staff in the Central Office, I wish to extend to you our most cordial welcome in your com-

ing to visit us and in this short conference where we will have a sort of family reunion and talk things over.

The subject "On The Back Pay Law" has been allotted to me, and although I don't profess to be an expert on the subject, I would, however, endeavor to point out the distinctive features of the law and try to clear some of the doubts on the interpretation to be given to its provisions.

It must be remembered that the Back Pay Law was passed by Congress only during its last *sine die* session; some of its provisions were adopted only after the conference committees of both chambers of Congress had met to thresh out certain divergent views and decided to adopt a certain compromise. As a matter of fact, some of the discussions on the bill lasted until the late morning hours of the *sine die* session and the impression gathered is that the bill was adopted with the understanding that any defect which may have been overlooked during the rush discussions will be remedied by subsequent legislations.

I understand that even Senator Magalona who is the author of the Back Pay Law considers some of the provisions thereof as unjust and defective and he has publicly announced that he will introduce the necessary amendments in the forthcoming session of Congress. But, however defective the law may be, until the same is amended, we have to interpret its provisions not in a way as to substitute our judgment on what should have been the law but to give force to the law as it presently stands. In other words, we cannot and we have no power to introduce administrative legislations to correct the defects of the law; until the law is amended and such amendment shall have become effective, the law however unreasonable or unjust it may be, must be applied and enforced under the principle of *dura lex sed lex*.

I shall now proceed to give some pointers on the provisions of the Back Pay Law (Republic Act No. 304), in the light of the decisions rendered by this Office and the opinions handed

down by the Secretary of Justice:

I. *Who are entitled to back pay?*
Under Section 1 of Republic Act No. 304, only the following persons are entitled to back pay:

a. Officers, employees and persons under contract with the Government of the Commonwealth of the Philippines, who were serving in the classified or unclassified service of the national, provincial, city or municipal governments on December 8, 1941;

b. Officers, employees and persons under contract with the University of the Philippines who were in the service thereof on December 8, 1941;

c. Officers, employees and persons under contract with corporations owned or controlled by the Government who were in the service thereof on December 8, 1941;

d. Officers and employees of the free local civil governments, provincial and municipal, duly organized for purposes of resistance against the enemy;

TAN GIAO

Copra Dealer

and

General Merchant

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Yawe, Padre Burgos, Quezon

provided, they do not come under any of the following groups who are not entitled to back pay:

a. Officers and enlisted men of the U. S. Army and commissioned officers of the U. S. Coast & Geodetic Survey and the U.S.P.H. and Quarantine Service on detail with the Commonwealth Government;

b. Officers and employees found guilty after due trial of treason, espionage, or any act constituting disloyalty to the Government of the Philippines or of the U. S. at any time during the enemy occupation of the Philippines, unless pardoned or granted amnesty;

c. Officers and employees who received salaries from the Refugee Government of the Commonwealth of the Philippines in the U.S.A. or elsewhere.

Important points to be remembered:

1. That the applicant—officer or employee must be in the service of the National, provincial, city or municipal governments or the University of the Philippines or of government-owned or controlled corporations on December 8, 1941. Those who were appointed subsequent thereto, altho they were actually serving on December 31, 1941, or on the date of enemy occupation of the province or city concerned, are not entitled to back pay.

2. The term "elsewhere" used in the phrase "officers and employees who received salaries from the Refugee Government of the Commonwealth of the Philippines in the U.S.A. or elsewhere" refers to Australia or to a place outside the Philippines which was made a temporary seat of the Refugee Government; it does not include Corregidor nor the Visayas nor Mindanao where the Commonwealth Government continued to function for sometime after the fall of Manila. Hence, officers and employees of the National, provincial, city or municipal governments, who received salaries from the Commonwealth Government in Corregidor where the seat of the Commonwealth Government was locat-

ed for sometime are not excluded from receiving back pay (Martinez case).

II. *Who are the unclassified employees entitled to back pay?* Section 671 of the Administrative Code enumerates the officials and employees embraced within the unclassified civil service, among whom are: (1) elective officials, (2) secretaries of provincial boards, (3) laborers. Municipal secretaries are also considered as embraced in the unclassified civil service. (Opinion of the Commissioner of Civil Service)

Elective provincial and municipal officials are entitled to back pay only up to the date of the expiration of their term (December 31, 1943) as they were not entitled to hold over as already decided by our Supreme Court. Secretaries of provincial boards are entitled to back pay for the whole period of enemy occupation as they were entitled to hold office until their successors shall have been appointed (Sec. 2098, Adm. Code). Municipal secretaries are also entitled

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to back pay for the whole period of enemy occupation because under Section 2178 of the Administrative Code, they were entitled to continue in office until their successors shall have been appointed.

With respect to laborers, the following points should be remembered:

1. Laborers occupying positions in the appropriation act, budget or included in the plantilla of personnel who were in the service on December 8, 1941, are entitled to back pay, regardless of the period of service rendered prior thereto.

2. Laborers in specific projects the appropriations for which were to last only up to a certain period who were in the service on December 8, 1941, are entitled to back pay up to the date such projects were supposed to have been terminated, regardless of the period of service rendered prior to that date.

In both classes of laborers, the six-months period of service prior to December 8, 1941, prescribed in our previous memorandum circulars as a requisite to entitle them to the three months' advance pay and the two months' gratuity under Administrative Order No. 27 and Executive Order No. 83, is not a requisite for the back pay; as long as they were appointed on or before December 8, 1941, and were in the service on said date, they are entitled to back pay (Opinion of the Secretary of Justice, dated August 12, 1948).

3. Laborers who would have been laid off before the liberation of the city or province concerned by virtue of the completion of their work, are entitled to back pay only up to the time they would have been laid off, minus the deductible amounts mentioned in Section 7 of the Back Pay Law, viz.: three months' advance pay, two months' gratuity and any back pay received or to be received from the U. S. Government. This is also true with employes whose functions were supposed to terminate on a specified time. Thus, in an actual case in Pampanga, the

back pay of deputy assessors who were employed in 1941 in connection with the general revision of assessment in said province which project was supposed to last until June 30, 1942, only, was allowed to be computed up to said date only. (Tuazon case)

4. A laborer, permanent or temporary, who was in the service on December 8, 1941, but who resigned between December 9, 1941 and December 31, 1941 (in the case of laborers in Manila) or the date of occupation of the city or province by the enemy, is not entitled to back pay (Opinion of the Sec. of Justice, dated Aug. 12, 1948). This is also true with officials and employees similarly situated.

III. *What period should the back pay cover?* The law explicitly states that in the case of offices situated in the provinces, the back pay shall be computed from the day of the occupation of each province or city by the Japanese up to the date of the liberation thereof, the date of occupation or liberation of the capital to be deemed as the date of the occupation or liberation of the province, respectively. Please note that the law says up to the date of the liberation. In computing the back pay, the date of the liberation of the city or province should, therefore, be included. Under our Memorandum Circular No. 61, the dates of occupation and liberation of the various cities and provinces as certified by the Secretary of the Interior shall be considered as the official dates of occupation or liberation to be followed in computing the back pay.

IV. *Are retired officials, employees or laborers entitled to back pay?* It depends. If the official, employee or laborer concerned was retired effective a date prior to the date of the enemy occupation of the city or province concerned, he is no longer entitled to back pay, because in such case he was no longer in the service during the period covered by the enemy occupation and, therefore, could not have received salary even if the war did not break out. Thus, in the case of a laborer of the City of Manila who was retired

under Act 4183 effective January 1, 1942, this Office ruled that said laborer is not entitled to back pay (Montalbo case, City of Manila). If the official, employee or laborer was retired, say under Act 2589, or Act 4183, as of a date subsequent to that of the occupation of the city or province concerned, he will be entitled to back pay only up to the day immediately preceding the effective date of his retirement.

V. *Are amounts received by pre-war officials or employees from the local civil governments organized for purposes of resistance against the enemy for services rendered thereto deductible from his back pay in his capacity as such pre-war official or employee?* In an opinion rendered by the Secretary of Justice, dated August 3, 1948 (Opinion No. 216) it was ruled that such amounts are not proper deductible items from the back pay. This opinion has been applied and followed by this Office in the cases submitted to us for decision.

VI. In connection with the back pay of teachers, the following points have already been clarified:

a. Substitute teachers are entitled to back pay but only up to the expiration of their substitutionary appointments if fixed, or up to the date the regular incumbents were expected to return to duty. (2nd Ind. Aug. 20, 1948)

b. In computing the back pay of temporary and emergency teachers, vacation periods falling within the period for which back pay is claimed should be deducted. (Idem; par. 9, Mem. Cir. No. 61, dated Aug. 9, 1948)

VII. *Are allowances (for quarters, subsistence, laundry, uniform) to be included in the back pay?* Paragraph 7 of our Memorandum Circular No. 61, provides that allowances for quarters, subsistence and laundry shall not be considered in the back pay claim. This rule is not, however, absolute and a distinction should be made between allowances which are by specific provision of law allowed to be commuted and those where there is no authority for the commutation of the same. In

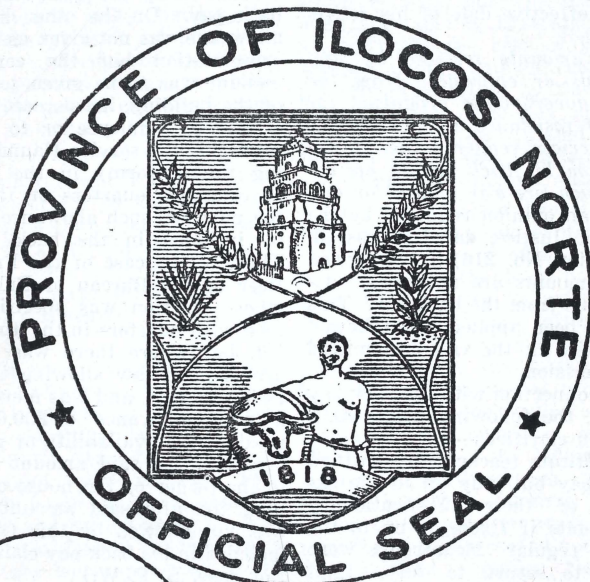
the first case, if the officers and employees whose positions are specifically provided with allowances were on January 1, 1942, or on the date of the enemy occupation of the city or province concerned as the case may be, actually receiving amounts as *outright commutation* of the allowance pursuant to an existing law, such amount will be considered in the computation of the back pay. On the other hand, if the allowance was not given as an outright commutation but the corresponding amount was to be given to the owner of the building, house, occupied by the officer or employee or to the person rendering the service (laundry or making the uniform) in the absence of government quarters or facilities for the purpose, such allowance should not be included in the back pay claim. Thus, in the case of the Property Officer of the Bureau of Public Works, whose position was specifically provided with quarters in the appropriation act, but where there was no specific provision of law allowing the commutation thereof, and was merely granted a "house allowance" of P50.00 a month, pending the availability of government quarters, the said amount to be paid to the owner of the house occupied by him, the aforesaid amount of P50.00 was not allowed by this Office to be included in his back pay claim. (Villaflor case, B. P. W.)

VIII. *It is the policy of our Office not to render opinion on hypothetical cases.* It is, therefore, requested that Provincial and City Auditors avoid sending queries to the Central Office which are not based on actual facts. We further request you to apprise government officials and private persons of this policy of our Office and advise them to refrain from sending queries to us for decision which are based on merely hypothetical cases. As it is now, our Law Department is flooded with such hypothetical cases, thus resulting in considerable delay in the dispatch of more important matters.

IX. *Provincial and City Auditors are requested to see to it that before sending papers to the Central Office*
(Continued on page 112)

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Gilbert S. Perez
GILBERT S. PEREZ

TECHNICAL CONSULTANT
AND ACTING SECRETARY

THE MUNICIPAL POLICE LAW ANNOTATED

by

JUAN F. RIVERA

*Member of the Philippine Bar and
Chief, Provincial Division, Department
of the Interior*

(Continued from first issue)

POWERS AND DUTIES IN GENERAL

Powers of peace officers generally.

—The powers of peace officers in the Philippines, generally stated, are the same as those conferred upon constables under the Anglo-American Common Law. The extent of their authority to make arrests without warrant and the limitations thereon, as held by the Supreme Court, are as stated in the language of the Legislature in the Charter of the City of Manila,¹ which provides that such peace officers are authorized, within the jurisdictional limits of the city or within the police limits defined by law, "to pursue and arrest, without warrant, any person found in suspicious places or under suspicious circumstances reasonably tending to show that such person has committed, or is about to commit, any crime or breach of the peace; to arrest or cause to be arrested, without warrant, any offender when the offense is committed in the presence of a peace officer or within his view; in such pursuit or arrest, to enter any building, ship, boat, or vessel, or take into custody any person therein suspected of being concerned in such crime or breach of the peace, and any property suspected of having been stolen".² The Administrative Code (Sec. 2204, edition of 1916; sec. 2258, edition of 1917) enjoins municipal policemen to "exercise vigilance in the prevention of public offenses."³

One should however not expect too much of an ordinary policeman. He is not presumed to exercise the subtle reasoning of a judicial officer. Often he has no opportunity to make proper investigation but must act in haste on

his own belief to prevent the escape of the criminal. To err is human. Even the most conscientious officers must at times be misled. If, therefore, under trying circumstances and in a zealous effort to obey the orders of his superior officer and to enforce the law, a peace officer makes a mere mistake in good faith, he should be exculpated. Otherwise, the courts will put a premium on crime and will terrorize peace officers through a fear of themselves violating the law. (See generally Voorhes on Arrest; 5 Corpus Juris, pp. 399, 416; 2 R. C. L., 450)³

The applicable principles of the American and English Common Law as to the powers of peace officers are not essentially different from those of the Spanish law.⁴ Both rest upon the same foundation of reason and common sense.⁵

*Duties in General.*⁶—All members of the police force should be guided by a strict sense of justice in the performance of their duties. Their value to the people will be demonstrated by constant vigilance, strict decorum, and force of character. They should bear in mind that although certain hours are set apart as tours of duty for certain members, yet it is their duty at all times within their respective municipalities to preserve peace, prevent crime, arrest offenders, and to protect the rights of all persons and property.

Whenever directing a person or answering inquiries in the performance of their duties, they shall do so in a polite and respectful manner, endeavoring to gain the good will and respect of the public. All members of the police force must be especially careful not to use their position for further-

Police Law . . .

ing any personal ends or for the avenging of any personal wrong.

Whenever required to act, a peace officer shall do so with judgment, firmness, and decision; but shall always be gentle in the handling of women whatever may be their behavior or the charge made against them. They shall use persuasion and mild methods in the execution of their orders, never using more force than is absolutely necessary.

1. U. S. v. Fortaleza, 12 Phil. 472.
2. Sec. 2463, Adm. Code (1917).
3. U. S. v. Santos, 36 Phil. 854.
4. U. S. v. Sanchez, 27 Phil. 442.
5. U. S. v. Santos, 36 Phil. 854.

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6. Paragraphs 58-61 & 48-49, Manual For The Municipal Police and 44-45, State Police Regulations.

(To be continued)

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- Winchester, Model 37, Single Shot, 16 ga.
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- L. C. Smith, Double Barrel, 12 gauge
- Browning, Automatic, Caliber 12 & 16, 30 inches long barrel
- Browning, Automatic, Caliber 12 & top Rib-De, 32 inches long barrel
- Remington, Automatic, 12 Shots, Model 431
- Remington, Repeater, Speedmaster, Model 121-A
- Remington, Bolt Action, Model 512
- Remington, Bolt Action, Model 511
- Winchester, Automatic, Model 63
- Winchester, Repeater, Model 61
- Mossberg, Automatic
- Mossberg, Repeater
- Smith & Wesson, Caliber 38 & 4 inches barrel
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- Super 38, Model 38, Automatic, 5 inches barrel
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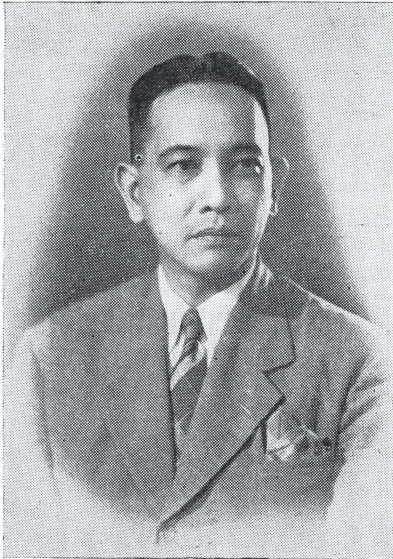
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Hon. DOMINADOR E. CHIPECO

*Provincial Governor of Laguna
Personal Circumstances:*

Born in Calamba, Laguna, on April 21, 1906.

Married Angelita A. Fuentecilla,

Schools attended:

High School, Far Eastern College, 1925.

Philippine Law School, National University, 1931.

Profession: Attorney-at-law (not in active practice).

Experiences and Activities:

Clerk, Bureau of Justice, 1925-1936.
Provincial Sheriff, Laguna.

Hobbies: Playing chess and billiards.
Motto: Be courteous.

Governor Chipeco was elected with a majority of 5,149 votes over his closest rival in the elections of November 11, 1947.

(Continued on page 113)

Footnotes . . .

- (16) Incorporated into the city of Iloilo by C. A. 604.
- (17) Created by R. A. 197 and classification published by D. O. 17, Jan. 16, 1948, Sec. Int.
- (18) Created by R. A. 50 and classification published by D. O. 7, Jan. 16, 1947.
- (19) Classified under Dept. Order 8, Oct. 6, 1941, Sec. Int.
- (20) Created by E. O. 139, s. 1948, and classification published by D. O. 23, July 7, 1948, Sec. Int.
- (21) Created by E. O. 136, s. 1948 and classification published by D. O. 23, July 7, 1948, Sec. Int.
- (22) Created by E. O. 97, s. 1946, and classification published by D. O. 7, Apr. 3, 1946, Sec. Int.
- (23) Created by E. O. 199, s. 1949; not yet classified.
- (24) Converted into a city by C. A. 520.
- (25) Created by E. O. 72, s. 1947 and classification published by D. O. 11, Sept. 8, 1947, Sec. Int.
- (26) Created by R. A. 191 and classified by D. O. 18, Feb. 12, 1948, Sec. Int.
- (27) Converted into a city by R. A. 179.
- (28) Created by R. A. 292; not yet classified.
- (29) Created by E. O. 181, s. 1948, classification published by D. O. 35, Nov. 22, 1948, Sec. Int.
- (30) Created by E. O. 85, s. 1947 (See also E. O. 116, s. 1948) and classification published by D. O. 18, Feb. 12, 1948, Sec. Int.
- (31) Converted into the city of Ozamiz by R. A. 321.
- (32) Created by R. A. 268; not yet classified.
- (33) Created by E. O. 165, s. 1948 and classification published under D. O. 30, Oct. 9, 1948, Sec. Int.
- (34) Created by E. O. 128, s. 1948 and classification published by D. O. 34, Nov. 17, 1948, Sec. Int.
- (35) Created by E. O. 122, s. 1948 and classification published by D. O. 22, April 21, 1948.
- (36) Created by E. O. 129, s. 1948 and classification published by D. O. 34, Nov. 17, 1948, Sec. Int.

(Continued on page 118)

Back Pay . . .

for designation of next of kin, all the necessary supporting papers required under the *Manual of Instructions to Treasurers* are submitted. Our Law Department now and then has to return requests for designation of next of kin because some of the essential papers or evidence are lacking. For example, in cases where the deceased official or employee died single this Office often finds the evidence of survivorship or non-survivorship of the following persons in the order of succession provided in the Civil Code, is either entirely wanting or incomplete:

1. Duly acknowledged natural or legally adopted children;
2. Ascendants;
3. Brothers and sisters (of whole full blood or half blood) and nephews and nieces;
4. Relatives (collaterals) within the sixth civil degree.

Since the presence of duly acknowledged natural and legally adopted children will entirely alter the order of succession or affect the shares of the legitimate children in the back pay of the deceased officer or employee, requests for designation of next of kin should invariably be supported by evidence establishing the presence or absence of such duly acknowledged natural or legally adopted children. In case there are such legally adopted or acknowledged natural children, proof or evidence of such acknowledgment by any of the forms recognized by the Civil Code and the adoption papers should be submitted.

In cases where natural children are claiming for designation of next of kin, proof of acknowledgment of said children should be supported by any of the following documents:

1. Record of birth of said children as shown by the signed reports of birth by the alleged deceased parents.
2. By will.
3. By a public document, e.g. income tax return on file with the Bureau of Internal Revenue, statement designating beneficiaries of the Insur-

ance (G.S.I.S.) policy.

In conclusion, I wish to express my heartfelt thanks to all of you for your forbearance and consideration in listening to me and I hope I have made clearer to you at least some obscure provisions of the Back Pay Law. The Law Department welcomes any request for further clarification on this matter, or on any other matter which you may want to take up with us. I thank you.

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ANDRES AGCAOLI
Provincial Treasurer of Quezon

Personal Circumstances:

Born on October 10, 1874, in Sarrat, Ilocos Norte.

Married Consuelo Vallejos, with 9 children.

Schools attended:

Primary School, Sarrat, Ilocos Norte.
San Juan de Letran College, Manila.
Escuela de Derecho, Manila.

Experiences and Activities:

School teacher, Narvacan, Ilocos Sur (1897).

School teacher, Rosales, Pangasinan (1898-1899).

Member, guerrilla forces under Major D. Juan Villamor until the organization of Civil Government in Abra when he entered the government service where he has remained until now.

Clerk to Governor, Secretary and Fiscal in Abra.

Chief Deputy Treasurer, Abra.

FEBRUARY, 1949

Deputy Provincial Treasurer and Deputy Auditor in Pangasinan, Tarlac, La Union and Baguio.

Assistant Provincial Treasurer, Rizal and Albay.

Acting Provincial Treasurer in Cagayan.

Provincial Treasurer of Isabela, Tarlac, Tayabas, Leyte and Quezon, his present station.

President of the Provincial Treasurers' Association for one year.

Member, Committee on Compilation of the Manual of Instructions to Provincial and Municipal Treasurers.

Member, Investigating Committee, Bureau of Posts.

Hobbies: Reading books and newspapers.

Motto: Efficiency, honesty, integrity and charity.

(Continued on page 121)

PRONUNCIAMENTOS

APOLINARIO MABINI — What we need are not banquets, but the free expression of opinion, uncolored by fear or convenience.

—»«—

IGNACIO VILLAMOR — The foundation on which the greatness of a nation rests is formed by morality, industry, and order, none of which can exist without respect and obedience to the law.

—»«—

MARCELO H. DEL PILAR — The value of one's life can be measured only in terms of human service . . . Defend the right, happen what may, never fearing whether you win or lose, and your integrity will be upheld and maintained . . . There is a defeat that is victory . . . Let us do what we can. God will take care of the rest.

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SPELLING

IN GENERAL:

In the dictionaries you will find only three words ending in *-ceed*: *proceed*, *exceed*, *succeed*. The others meaning go end in *-cede* (*recede*, *intercede*, etc.). *Supersede* has a different meaning and spelling.

Only three basal words, with their derivatives, begin with *apo-*: *appoint*, *apportion*, *oppose* (with *apposition*, etc.). Learn these three, and the two hundred beginning with *apo-* will probably take care of themselves.

No word begins with *recc-*: *re commend*, *re collect*.

Think of the prefixes *dis-* and *mis-* (one s) as usually preceding whole words already known to you: *dis appoint*, *mis spell*.

Have you noticed that words like *frolic*, *picnic*, and *panic* insert a *k* to keep the *c* hard before *i* or *e* or *y* in the suffix—as *frolicking*, *picnicked*, *panicky*?

Do not drop a letter before adding *-ly* to a word: *formal ly*, *former ly*. *Truly*, *duly*, and *wholly* are three noted exceptions.

ADDING SUFFIXES:

Remember to hold on to *y*, or else to change it to an *i*; but do not grudge dropping the *e*, unless this would throw an *a* or *o* immediately after a *c* or *g*: *noticing*, but *noticeable*; *raging*, but *outrageous*.

The rule for doubling the final consonant does not apply in adding the suffixes *-ic* and *-ity*: *organ'ic*, *magnet'ic*, *human'ity*, *equal'ity*, *valid'ity*.

The exception, *tranquillity*, has long been a notorious trap in spelling. This word and *metallic* retain their foreign double *l*.

DOUBLING FINAL CONSONANTS

Words ending in a single consonant preceded by a single vowel double that consonant before a suffix beginning with a vowel, provided the accent in the finished word falls on the last syllable of the original word; as *rub*, *rubbing*; *refer*, *referring*. But notice that the accent falls elsewhere in such words as *reference*, *conference*, *benefited*, *equipage*. In general, if one watches the accent, the lesser matters will take care of themselves.

In words ending in *l*, with *kidnap* and *worship*, it used to be permissible to double the final consonant, even when the accent did not fall on that syllable; as *travelling* or *traveling*, *cancellation* or *cancelation*. But now in such words the single consonant is much better.

The exceptions *crystallize*, *excellen*t, and *metallize* retain their foreign double *l*. In *transfer'able* it is perhaps the pronunciation, rather than the spelling, that is odd.

THE DIGRAPHS *ie* and *ei*:

There is no longer any excuse for misspelling the combinations *ie* and *ei* when sounded as *ee*. Follow the rhyme:

I comes before *e*
Except after *c*,
But *leisure* and *seize*
Will do as they please.

This takes it for granted that we have already learned to spell *either* and *neither* and that we are not concerned with the Arabic *sheik*. When in doubt, look straight at the preceding consonant and say, "Are you a *c*?" If it is any other letter than a *c*, write down *ie*, unless the word is some form

of *leisure* or *seize*. It is permissible to spell *weird* either way.

DROPPING E:

Silent *e* at the end of a word is dropped before adding a suffix beginning with a vowel, such as *-ing*: *dine*, *dining*.

Exceptions: *Mileage*, *hoeing*, *toeing*. *Singeing* and *dyeing* also retain the *e* in order to avoid confusion with the participles of *sing* and *die*. Note that the *e* is not really silent in *acreage* or in such words as *shoeing*.

CHANGING Y:

If it is necessary to learn to drop an *e* often, it is just as necessary to learn not to drop a *y*. This letter (when there is a consonant before it) changes into an *i* before any suffix except one beginning with *i*; as *reply*, *replies*, *replying*. So be in readiness to change a *y*, never to throw it away.

SOME PLURALS:

Most words ending in *o* form their plural in the usual manner, by adding *s* only. Others, like *tornado* and *mosquito*, may have either *s* or *es*. But only eight *must* have *es*: *yingo*, *negro*, *hero*, *volcano*, *tomato*, *potato*, *no* and *echo*.

Remember that the letter *y* (when there is a consonant immediately before it) changes into an *i* before any suffix except one beginning with *i* itself; so in forming the plural we have *lady*, *ladies*, but *boy*, *boys*.

Proper nouns ending in *y* do not change this; otherwise there would be no difference between two *Marys* and two *Maries*.

Philippine History and Government & Current Events

1. The Economic Commission for Asia and the Far East (ECAFE) Conference was held in the City of Baguio from November 24 to December 6, 1947.
2. The rice terraces in Ifugao, Mt. Province are claimed to be the eighth wonder of the modern world.
3. The Philippines, named after King Philip II of Spain, is an archipelago of 7,083 islands extending roughly 1,152 statute miles from south of Formosa to within hailing distance of the northern shores of Borneo. From east to west the islands measure about 688 statute miles.
4. The principal products of the country are copra, hemp, tobacco, sugar, gold, silver, manganese, corn, fish, lumber, guano, rubber, livestock, pearls, handicrafts, piña cloth.
5. The outstanding exports are: copra, sugar, shredded coconut, abaca, tobacco, gold and silver, rattan furniture, crude rubber, hides and skins, and hand embroidered goods.
6. The Philippines imports mainly from the United States the following products: cotton and manufactures, rayon and other synthetic textiles, paper, automobiles, dairy products, chemicals, drugs, dyes, medicines, iron and steel manufactures, fish and fish products, tobacco and manufactures.
7. Mayon volcano erupted in 1946. It is in Albay.
8. The Government of the Philippine Republic is republican in form, of the presidential type, based on the principle of separation of powers.
9. The executive departments are those of Foreign Affairs, the Interior, Finance, Justice, Agriculture and Natural Resources, Public Works and Communications, Education, Labor, National Defense, Health, and Commerce and Industry.
10. The Congress of the Philippines is composed of two chambers—the Senate with 24 members elected at large by the direct vote of the qualified voters and the House of Representatives with 98 members (not to exceed 120) elected from the 98 Congressional Districts into which the Philippines is presently divided. The Senators are elected for a term of

(Continued on page 117)

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Mr. Santiago Genuino Cayanan of the Pampanga River Control who took Mechanical Engineering with the International Correspondence Schools, obtained second place in the recent board examination for mechanical plant engineers.

His rating was 76.38%.

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Name Age

Address

Occupation

- six years, while the Representatives hold office for four years.
11. The judicial power is lodged in the Supreme Court, the Court of Appeals, Courts of First Instance, justices of the peace courts and judges of municipal courts of chartered cities.
 12. Controversies between labor and capital are handled by the Court of Industrial Relations.
 13. Philippine economy rests on five extractive industries; namely, agriculture, livestock raising, mining, lumbering, and fishing, and on derivative industries and enterprises.
 14. The six major farm crops of the Philippines are rice, corn, abaca, coconut, sugar cane, and tobacco.
 15. The waters of the Philippines teem with the richest varieties of fish—some 2,000 varieties—that can be found in any single fishing ground of the world of the same area.
 16. Fishing ranks next to farming and livestock raising in point of usefulness and value and in the number of people dependent on it.
 17. The most important gold districts are the Baguio district, the Mambulao-Paracale district, the Aroyo (Masbate) district, and the Surigao district; chromite and copper deposits, in Zambales; and manganese in Ilocos Norte, Zambales, Palawan, Siquijor, and elsewhere.
 18. The Food and Agriculture Organization (FAO) Conference was held in Baguio from February 23 to March 17, 1948. FAO is a specialized agency of the United Nations, with which it is associated by functional relationships with the Economic and Social Council.
 19. Francisco Baltazar, better known as Balagtas, is the prince of Tagalog poets. He wrote "Florante and Laura".
 20. Melchora Aquino, affectionately called Tandang Sora, spent her entire savings in supporting the Filipino insurgents against Spain.
 21. Marcelo del Pilar edited "La Solidaridad", which was founded by Graciano Lopez Jaena.
 22. The most revered name in Philippine history is that of Dr. Jose Protacio Rizal y Mercado, savant, author, doctor of medicine, artist and martyr for the cause of freedom.
 23. Andres Bonifacio is referred to as the Great Plebeian.
 24. Apolinario Mabini is known in history as the "Sublime Paralytic," the brain of the Revolution of 1898, and the Secretary of State of the first Philippine Republic under General Emilio Aguinaldo.
 25. Emilio Jacinto wrote the "Cartilla" of Bonifacio's Katipunan and was named the "Brain of the Katipunan."
 26. Gregorio del Pilar was but 24 years old when he defended Tirad Pass against the Americans pursuing Aguinaldo.
 27. Manuel L. Quezon was the first and last president of the Philippine senate and became the first president of the Philippine Commonwealth.
 28. Like Mayon, Apo is a semiactive volcano located in Davao province. It is the highest mountain in the Philippines.
 29. Dipolog is the present capital of Zamboanga.
 30. Turtle Island is a municipal district of the province of Sulu. Its capital is Taganak.
 31. Hibokhibok is a volcano that recently erupted in the island of Camiguin, Misamis Oriental.
 32. There are now 21 organized chartered cities in the Philippines, namely, Manila, Bacolod, Baguio, Basilan, Calbayog, Cavite, Cebu, Dagupan, Davao, Dumaguete, Iloilo, Legaspi, Lipa, Naga,

Osmoc, Ozamis, Quezon, Rizal, San Pablo, Tagaytay, and Zamboanga.

33. The eleven special provinces are: Agusan, Batanes, Davao, Nueva Vizcaya, Palawan, Zamboanga, Bukidnon, Cotabato, Lanao, Mountain Province and Sulu. The provincial governors of the last five named provinces are still appointive.
34. Siquijor is the only remaining sub-province. It belongs to Negros Oriental.
35. The four essential human freedoms set forth by President Franklin D. Roosevelt, January 6, 1941: freedom of speech and expression, freedom of worship, freedom from want, and freedom from fear.
36. Shangri-La means a nonexistent idyllic land depicted as a utopia in James Hilton's novel *Lost Horizon*; hence, a starting place, as for the raid over Tokyo and other Japanese cities on April 18, 1942 led by Major (later Major General) James H. Doolittle.
37. Scorched earth. A principle or policy adopted by retreating

armies of demolishing cities, utility plants, railways, food stores, crops, fuel, and all other property of possible use to the enemy.

38. Abbreviations:
ARP or A.R.P.—airraid precautions.
CIO or C.I.O.—Congress of Industrial Organizations.
GI or G.I. *Army slang*, One of the rank and file.
PX—post exchange (canteen)
39. Atlantic Charter. A declaration made August 14, 1941, at a meeting in the North Atlantic, by President Roosevelt and Prime Minister Churchill of eight principles in the national policies of the U.S. and Great Britain, including disavowal of territorial aggrandizement, restoration of sovereign rights and self-government, access on equal terms to raw materials, freedom of the seas, disarmament of aggressor nations.
40. Miguel Lopez de Legaspi was the first Governor General of the Philippine Islands.
41. Gomez Perez Dasmariñas fortified

FOOTNOTES . . .

- (37) Created by E. O. 186, s. 1948 and classification published by D. O. 42, Dec. 27, 1948, Sec. Int.
- (38) Created by E. O. 185, s. 1948 and classification published by D. O. 42, Dec. 27, 1948, Sec. Int.
- (39) Created by E. O. 141, s. 1948 and classification published by D. O. 23, July 7, 1948, Sec. Int.
- (40) Created by E. O. 19, s. 1946 and classification published by D. O. 4, Oct. 15, 1946, Sec. Int.
- (41) Converted into a city by R. A. 327.
- (42) Name changed to Valencia by R. A. 252.
- (43) Created by E. O. 111, s. 1947; not yet classified.
- (44) Created by E. O. 113, s. 1947; not yet classified.
- (45) Converted into a city by R. A. 170.
- (46) Raised to 1st class; published by D. O. 38, Dec. 17, 1948, Sec. Int.
- (47) Converted into the City of Rizal by R. A. 183.
- (48) Classification published by D. O. 10, Aug. 22, 1947; see R. A. 50-2, re Santa Fe.
- (49) Converted into a city by R. A. 328.
- (50) Created by R. A. 264 and classification published by D. O. 34, Nov. 17, 1948, Sec. Int.
- (51) Created by R. A. 90 and classification published by D. O. 16, Dec. 17, 1947, Sec. Int.
- (52) Created by R. A. 193 and classification published by D. O. 24, Aug. 5, 1948, Sec. Int.
- (53) Created by R. A. 263 and classification published by D. O. 34, Nov. 17, 1948, Sec. Int.
- (54) Created by R. A. 269 and classification published by D. O. 34, Nov. 17, 1948, Sec. Int.

Manila and constructed the now famous Walled City.

42. The American Civil Governors General of the Philippine Islands were William Howard Taft, Luke E. Wright, Henry C. Ide, William Cameron Forbes, Francis Burton Harrison, Leonard Wood, Henry L. Stimson, Dwight F. Davis, Theodore Roosevelt, Jr. and Frank Murphy.
43. Miguel Lino de Espeleta was the only Filipino Governor General during the Spanish regime.
44. Cayetano Arellano was the first Filipino Chief Justice of the Supreme Court of the Philippines.
45. The income of the National Government is derived from three main sources: customs dues, internal revenue taxes, and earnings of governmental enterprises and activities and interest from special funds.
46. The City of Baguio has an advisory council composed of five Igorot members.
47. The pact of Biak-na-bato was an agreement entered into by the

Spanish Governor General and General Aguinaldo to end the revolution. It was negotiated by Pedro A. Paterno.

48. The Code of Calantiao is a brief penal code, believed to have been promulgated by Calantiao, third chief of Panay in 1433.
49. Felipe A. Calderon was the author of the Malolos Constitution.
50. The Philippines is a member of the United Nations, and is represented in the United Nations Educational, Scientific, and Cultural Organization (UNESCO).

GENERAL CLERICAL TEST

1. Consult a standard dictionary for a "rough draft". To understand the symbols used, see the same dictionary for "SIGNS AND SYMBOLS", especially those pertaining to punctuation and mathematics.
2. Practice how to write an official letter, an indorsement, and a telegram.
3. Abbreviations are not generally used in written or printed matter

Footnotes . . .

- (55) Created by R. A. 262 and classification published by D. O. 34, Nov. 17, 1948, Sec. Int.
- (56) Created by R. A. 290 and classification published by D. O. 34, Nov. 17, 1948, Sec. Int.
- (57) Now part of City of Calbayog (R. A. 328).
- (58) Created by E. O. 2, s. 1946 and classification published by D. O. 2, July 11, 1946, Sec. Int.
- (59) Created by R. A. 61 and classification published by D. O. 12, Sept. 15, 1947, Sec. Int.
- (60) Created by R. A. 281 and classification published by D. O. 34, Nov. 17, 1948, Sec. Int.
- (61) Created by R. A. 192 and classification published by D. O. 19, Feb. 19, 1948, Sec. Int.
- (62) Created by R. A. 194 and classification published by D. O. 13, Oct. 17, 1947, Sec. Int.
- (63) Name changed to Quezon by R. A. 14.
- (64) Created by R. A. 250 and classification pending consideration.
- (65) Created by E. O. 330, s. 1941 and classification published by D. O. 7, Sept. 23, 1941.
- (c) Created by E. O. 204, Feb. 9, 1949; not yet classified.
- (d) Created by E. O. 203, Feb. 7, 1949; not yet classified.
- (x) Classification as of its organization, based on its estimated annual income, is continued.
- (y) Municipalities organized effective January 1, 1941; class fixed on basis of estimated annual income.
- (z) Raised from 2nd to 1st class (D. O. 49, Jan. 27, 1949).

NOTE: *Classification of the municipalities in the special provinces will be published in the next issue.*

Hints . . .

that consists of formal sentences or connected discourse. Exceptions are: Mr., Mrs., Messrs., Jr., Sr., when used with proper names, and forms like A.B., LL.D., P.M., A.M., B.C., A.D., and a few others of exceptional character, which are rarely if ever spelled out. Rev., Hon., Dr., Prof., Gov., Gen., while spelled out before surnames, as Governor Robinson, are sometimes used before full names, as Gen. U. S. Grant, though even here the full spelling is preferred in the most formal matter.

4. An abbreviation with the period at the end, as Dept., Sec., etc., is generally to be used in preference to a contraction using the apostrophe, Dep't, Sec'y, etc.
5. The forms 1st, 2d (or, less properly, 2nd), 3d (less properly 3rd), 4th, etc., used for *first, second, third, fourth, etc.*, as in designating the days of the month, are not, properly speaking, abbreviations, and take no period.
6. In official communications, "Respectfully," is always right as complementary close unless great respect is due the addressee, in which case "very respectfully," may be used.
7. *Office Procedure and Practices*:—Bear in mind the following:
 - a. Order and method.
 - b. Cutting of red tape.
 - c. Desirable attitude towards the public.
 - d. Harmony between superior and subordinate.
 - e. Discreetness in official matters.
8. *Precepts and other concepts for the public servant*
 - a. Discipline is the keynote of efficiency.
 - b. The conscientious discharge of one's responsibility is the measure of an employee's value to the service.
 - c. A high sense of honor is the guarantee of an employee's conduct in office.

- d. Mutual assistance is necessary for the effective operation of any office.
- e. Do not begrudge others their promotion or cherish resentment because your services are not recognized.
- f. Efficiency is a quality of mind, or of body, producing or capable of producing, maximum result with given effort, or a given result with minimum effort. Its principal aims are (a) the elimination of waste of time, money and energy, and (b) the accomplishment of the best and largest results.

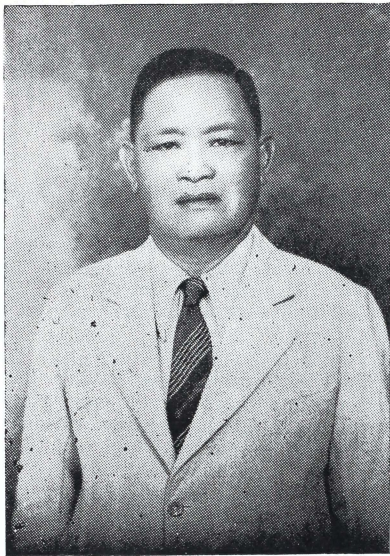
SELECTED ARITHMETIC PROBLEMS

1. A clerk's expenses are ₱900 per year, or $\frac{5}{6}$ of his salary. How many pesos does he save per year? $\frac{5}{6}=\text{₱}900$; $\frac{1}{5}=\text{₱}180$; $\frac{6}{6}=\text{₱}1080$ salary. Therefore, ₱1080 minus ₱900=₱180, the saving.
2. A carpenter alone can build a shop in 18 days, and with the help of his son he can build it in 12 days. In how many days can the son alone build the shop?

$\frac{1}{18}$ =what the carpenter can do in 1 day; $\frac{1}{12}$ =what the son and father can do in one day; $\frac{1}{12}-\frac{1}{18}=\frac{1}{36}$ part of work the son can do in 1 day. Therefore, it will

SIA TANG
General Merchant

Cabuyao, Padre Burgos,
Quezon



DOROTEO E. BELMONTE
Provincial Auditor of Sorsogon

Personal Circumstances:

Born of poor family in Bacon, Sorsogon, on March 28, 1894. Married Leocadia Diaz of same town; with seven children all studying in different universities, colleges and schools.

Educational attainment: First Year High School.

Experiences and activities:

Barrio school teacher, 1911.

Clerk, Municipal Treasurer's Office. Clerk, Office of Provincial Auditor. Auditor, Boy Scout Provincial Council.

Auditor, Sorsogon Employees Solidarity.

Hobbies: Farming and poultry raising.

Motto: Work hard, be honest, and save.

* * *

take the son 36 days to build the shop.

- 3. A merchant sold a quantity of sugar for P1180, and thereby gained 1/4 of the cost. If he had sold it for P1000, would he have gained or lost, and how much?

Let 4/4 the c.p.; 4/4+1/4= 5/4 S.P. or P1180; 1/5 of P1180= P236; 4/4=P944 C.P. Therefore, P1000-P944=P56 gain.

- 4. Seven times John's property, plus P32,200 equals 21 times his property. How much is he worth?

$$\begin{aligned} 7x + 32,200 &= 21x \\ 32,200 &= 21x - 7x \\ 32,200 &= 14x \\ x &= P2300 \text{ Ans.} \end{aligned}$$

- 5. Which is better for a tailor, to sell a suit for P65 cash or for P73.15 on 9 months installment, money being worth 6%?

Interest of P1 in one year is P0.06;

in 9 months, P0.045. Interest plus P1.00 = principal and int. or P1.045. $P73.15 \div P1.045 = 70$ times or P70 in 9 months at 6%. Therefore, P70 minus P65 = P5 better on 9 months time.

- 6. A boat whose rate of sailing in a still water is 14 miles per hour was accelerated 3-1/2 miles per hour in going down the river, retarded the same distance per hour in going up. How long would it take to come up the same distance that would go down in 10 hours? 14 miles + 3-1/2 mi. = 17-1/2 mi. in going down in 1 hr.; 14 miles - 3-1/2 mi.=10-1/2 mi. in going up in 1 hr.; $17-1/2 \times 10 = 175$ mi. distance in going down.; 175 divided by 10-1/2 = 16-2/3 hrs. Ans.

- 7. A cistern which holds 280 gallons of water is empty. It has a supply pipe which will fill it in 10 hrs. and a discharge pipe which

Hints...

will empty it in 7 hours. If the supply pipe has been running into it for 4 hrs. and then both pipes are opened, in what time will the cistern be emptied?

280 gal. divided by 10 = 28 supply pipe in 1 hr.; 280 gal. divided by 7 = 40 gal. discharge; $40 - 28 = 12$ diff. per hr.; $28 \text{ gal} \times 4 = 112$ gal. flowing of the supply pipe while running for 4 hours; 112 divided by $12 = 9\text{-}1/3$ hrs. Ans.

8. I find that I owe A 50% more than I owe C and B $33\text{ }1/3\%$ more than I owe A. Now, if I owe B ₱800 more than I do C, how much is my indebtedness to each?

I owe C 100%; I owe A 100% + 50% or 150%; I owe B $33\text{-}1/3\%$ of 150 = 50% + 150 or 200%;
 $200\% - 100\% = 800$
 $100\% = 800$ C
 $150\% = 1200$ A
 $200\% = 1600$ B

9. A train C starts from N at the rate of 5 km. per hr. faster than D, another train at M. C starts one hour after D, and met D exactly at the mid-point of N, and M after 5 hrs. on D's time. Find the distance between the two points and the rate of each train. Let x = rate of D train.

$x + 5 = \text{rate of C train.}$
 $(x)5 = (x + 5)4$
 $5x - 4x = 20$
 $x = 20$ rate of D
 $x + 5 = 25$ rate of C
 $20 \times 5 = 100$
 $25 \times 4 = 100$
 200 kms. Ans.

10. A man is 6 ft. in height and is 30 ft. from a post of an electric light. The lamp is 20 ft. above the ground. How long is the shadow of the man?

$6 : 20 = ? : 30$; $6 \times 30 = 9 \text{ ft.}$ Ans.
 $\frac{20}{9}$

11. My taxes were ₱315.25. What was the assessed valuation of my property, if the rate of taxation was .015?
 ₱315.25 divided by .015 or ₱21016.67 Ans.

12. How high is a church spire whose shadow is 162 ft. long, where a flag-staff 60 ft. high casts a shadow 72 ft. long?
 $? : 162 = 60 : 72$ or
 $162 \times 60 = 135 \text{ ft.}$ Ans.
 $\frac{72}{135}$

13. Two cog-wheels, one having 26 cogs, and the other 20 cogs, run together. In how many revolutions of the larger wheel will the smaller gain 12 revolutions?
 $26 - 20 = 6$; $12 \div 6 = 2$;
 $2 \times 20 = 40$ Ans.

14. A train which runs $35\text{-}1/4$ miles per hour leaves Manila at 8:25 A.M. How far will it have traveled at 2:30 P.M.?
 From 8:25 to 2:30 = 6 1 hrs. 6 1
 $\frac{12}{12} \quad \frac{12}{12}$
 or
 $\frac{73 \times 35\text{-}1/4 = 73 \times \frac{141}{4} = 10293}{12 \quad 12 \quad 4 \quad 48}$
 or 214-7/16 mi. Ans.

15. A tree, broken off 21 feet from the ground, and resting on the stump, touches the level ground 28 feet from the base of stump. What was the height of the tree?
 $21 \times 21 = 441$; $28 \times 28 = 784$;
 $784 + 441 = 1225$. Extract the square root of 1225 or 35. $35 + 21 = 56$ ft.

16. This problem is the addition of columns of numbers crosswise and lengthwise.

816
 357
 492

17. A man bought a horse and a carriage, paying twice as much for
 (Continued on page 124)

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REASONS FOR ABSENCE OF CONSTITUTIONAL PROVISION REGARDING LOCAL AUTONOMY

[*Excerpts from Speech in the Constitutional Convention of Delegate Manuel A. Roxas, answering criticisms on the Draft of the Constitution.*]

"Ordinarily, Mr. President, the system of Government that is Federal in nature, like that one that they have in the United States, like the one that they have in Poland, like the one that they have in Mexico and in many other federated countries, the system is one of enumerated powers. But in a unitary country, a country that has to deal with small political sovereignty, a country like ours, constituted by a people expressing a whole and one sovereignty with a community of interests, the system generally is a unitary system. One government in a federated small nationalities, but one nation to govern and exercise jointly over all territories. The political sub-divisions are creatures of the constitution and of the government granted under the constitution. Let us not, Mr. President, confuse our provinces in the Philippine Islands with the States in the American Union. Let us not, Mr. President, attempt to accord to our provinces and municipalities the same category that the States of the American Union have. They are not the same politically. The American States exercise sovereignty which belongs to them and of which they can not be deprived. They are members of the federation organized with their consent. True, the National Government of America is more and more growing into the concept of the National Government as distinguished from a federated government. Nevertheless, the fundamental basis of the American Constitutional Law and the political compact of the American States is based on the independent sovereignty of the different States of the American Union. But in the Philippines, Mr.

President, our provinces exercise no independent sovereignty—separate and distinct from that of the nation. They are only the creatures of the Legislature. They can be born or I might say they are born that they live and they die in accordance with the will and behest of the National Government. Why have we not included in this draft provision regarding the autonomy of our provinces and municipalities? The reason is obvious, Mr. President. Local government of this character, being creatures of the National Government to exercise their functions for the general interest of the whole people, they should always be under the control, jurisdiction and powers of the Legislature. For very obvious reasons, I repeat, let me give an example. Suppose, Mr. President, we insert in the constitution that the provincial governor and municipal president shall have more autonomous powers specifying the powers; if you do specify the powers, the provisions of the constitution would just be an exposition of powers, and not constitutional precepts of an obligatory nature.

"We would gain nothing, Mr. President, by inserting in the constitution a provision such as greater and ever greater autonomy shall be given to the provinces and municipalities. It would mean nothing at all. It would be a recommendation to the Legislature which may not be fulfilled, and the question whether a particular measure grants or decreases the autonomy of the provinces and municipalities is simply a matter of opinion and not even the courts intervene or interfere on a question of that kind. But supposing specifically, Mr. President, that the provincial governor shall have the power to appoint provincial treasurers, that municipal presidents shall not be removed from office except to certain procedure fixed by law. Why, Mr.

(Continued on page 125)

Hints . . .

- the horse as for the carriage. He sold them both for P662, receiving 15% more for the horse, and 8% more for the carriage than they cost him. What did they each cost him? Ans.: Horse, P391.72 and carriage, P195.86.
18. A and B are on opposite sides of a circular pond which is 1380 ft. in circumference. They walked around it starting at the same time in the same direction. A goes at the rate of 45 yds. per minute, and B goes at the rate of 50 yds. per minute. In what time will B overtake A, and how many times around the pond will they have traveled? Ans.: B will overtake A in 46 minutes; 5 times.
19. A man bequeathed $\frac{1}{3}$ of his estate to his wife, $\frac{1}{6}$ to each of 3 children, $\frac{1}{12}$ to his brother and the rest, amounting to P1850, to a charitable institution. How much was his estate worth? Answer: P22,200.00.
20. A room is 18 feet long, 15 feet wide, and 9 feet high. What must be the length of a line, extending from one of the lower corners to an opposite upper corner? Answer: 25.09 ft.

COMPOSITION

I. Form of the Manuscript

1. Handwriting at least as legible as 50 in the Ayres Handwriting Scale or 10 in the Thorndike Handwriting Scale.
2. No gaps within words.
3. Generous space between words.
4. One-inch margin at the left.
5. One-half inch margin at the right.
6. Free space at the top of all pages except the first.
7. No period after the title.
8. No quotation marks enclosing the title.

9. First line of every paragraph indented.
10. No crowding of lines at the bottom of the page.
11. The first letter of a title and the important words of the title should be capitalized.
12. Leave a space between the title and the body of the composition.

II. The Four Laws

- A. **UNITY.** The law of unity, or *oneness*, requires that the composition shall be about one thing.
- B. **COHERENCE.** The law of coherence, as the word suggests, requires that the parts of the composition shall *hang together*. They must be made to follow one another naturally and logically, and their relations to each other, and to the whole of which they are the parts, must be made clear.
- C. **EMPHASIS.** The law of emphasis, reminding us that some parts of our subject are more important than others, insists that these shall be made especially memorable to our readers.
- D. **INTEREST.** The law of interest requires that we make the road through our composition as agreeable as possible. Use concrete matter freely.

ONG AN CHO

Copra buyer

Sipa, Padre Burgos, Quezon

Reasons . . .

President, shall we tie up the hands of the Legislature forever in the constitution with respect to the present system of provincial and municipal governments?

"Are we despairing our growth and the advances of our people and their capacity to adapt a system of provincial and municipal governments to the changing circumstances and conditions of an everchanging world? In the United States there is a great number doing away with the elective heads of local governments in place of commission and the work of government by experts, the best constituencies of the world, as admitted by every one, are the local counties of France. Why? The French people have discovered through their experience that in order to be sure of efficient administration in small municipalities and counties have trained administrators for the affairs of forty thousand or fifty thousand people any more than you can improvise an administrator of a corporation with fifty thousand pesos of capital. That is why the French have attained the practice of training administrator and make selection of men who have been trained for the particular functions of government to which they shall be appointed. There is in the Saturday Evening Post, Mr. President, a very able article by Will Durant, one of the greatest philosophers of America that live today, where he says: 'Democracy is now on the crossroad; on the one hand, you have the dictatorship of Europe commanding a great machine of propaganda that reaches every nook and corner of the world, announcing and publishing the successes of the dictators of Europe, trying to establish dictatorship as the best form of government.' On the other side, you have Communism and Fascism, the crime, the success of democracies, and urging the establishment of the power and control of government by the proletariats and as Will Durant says: 'If democracy wants to save itself from being absorbed by the absolute powers of dictators,

on the one hand, or be swamped by the growing tide of Communism and Fascism, democracy must defend itself, not by theories, but by the application of sound common sense.' Let me, Mr. President, in the discussion of this Constitution, merely repeat the now old fashioned formulas of liberty and democracy, nor should we accept these terms as infallible under all circumstances. Principles may be true, principles may be wise, but when you apply principles and have to deal with human nature, principles suffer in that process. Human nature is not adapted to the principles so that to change human nature in accordance with the mandates or the exigencies of the principles, you apply the principles to human nature and you change and you modify principles so that in its contact with human nature you may be able to obtain the closest approach, the perfection that you can possibly imagine. So I say, Mr. President, when this draft made reference to provincial and municipal governments, our purpose was not to curtail the local autonomy but simply to recognize that our present system of provincial and municipal governments has not as yet attained perfection and the hope and the faith that as our experience grows by the great system of trial and error, we may be able to evolve a system of municipal and provincial governments in the Philippines, that while giving to the inhabitants of each province the greatest amount of participation in their local affairs, may yet safeguard the efficiency that should characterize all those systems."

TIO SING

General Merchant

Walay, Padre Burgos, Quezon

POWER OF MUNICIPAL COUNCIL

The People of the Philippines, plaintiff-appellant, vs. Timoteo Esguerra, Simplicio Sabandal, Teofilo Decatoria, Vicente Uy, Uy Lausing, Francisco Tan, Jose Chan, Victoria Macariola, Miguel Galit, Eufracio Gaspay, Rosalia Estolano, Felix Labordo, Pilar E. Pascual, Melecio Aguilos, and Victoriano Terriapel, defendants-appellees, G. R. Nos. L-501, L-502, L-503, L-504, L-505, L-507; L-508; L-509, L-510, L-511, L-512, May 21, 1948; FERIA, J.:

1. MUNICIPAL CORPORATION; INTOXICATING LIQUORS; SALE; MUNICIPAL ORDINANCE PROHIBITING SELLING OF INTOXICATING LIQUORS NULL AND VOID.—The municipal ordinance prohibiting the selling, giving away and dispensing of liquor is repugnant to the provision of Sec. 2243 (g) of the Revised Administrative Code, and the Municipal Council of Tacloban had no power under Sec. 2238 of the same code to enact such ordinance. The prohibition is contrary to the power granted by Sec. 2243 (g) "to regulate the selling, giving away and dispensing of intoxicating malt, vinous, mixed or fermented liquors at retail"; and can not be construed as synonymous with "suppress" or "prohibit". Since the municipality of Tacloban is empowered only to regulate, it cannot prohibit the selling, giving away and dispensing of intoxicating liquors, for that which is prohibited or does not legally exist can not be regulated.
2. ID.; ID.; POWERS CONFERRED UPON MUNICIPAL CORPORATION BY GENERAL WELFARE CLAUSE NOT APPLIED TO INTOXICATING LIQUORS.—The powers conferred upon a Municipal Council in the general welfare clause, or Sec. 2238 of the Revised Administrative Code, refers to matters not covered by the other provisions of the same Code, and therefore it can not be applied to intoxicating liquors, for the power to regulate the selling, giving away and dispensing thereof is granted specifically by Sec. 2243 (g) to Municipal Councils.
3. ID.; ID.; SALE; MUNICIPAL COUNCIL HAS NO AUTHORITY TO PROHIBIT SALE OF INTOXICATING LIQUORS.—The legislative authority to license or regulate the sale of intoxicating liquors does not authorize a municipality to prohibit it, either in express terms or by imposing prohibitive license fees. The general power granted in the general welfare clause does not authorize a Municipal Council to prohibit the sale of intoxicants, because as a general rule

when a municipal corporation is specifically given authority or power to regulate or to license and regulate the liquor traffic, power to prohibit is impliedly withheld.

The Solicitor-General for the plaintiff-appellant.

Olegario Lastrilla, Antonio Montilla, Lino Añover and Emilio Benitez for the defendants-appellees.

D E C I S I O N

FERIA, J.:

The defendants in these twelve cases were each charged with violation of municipal Ordinance No. 4, Series 1944, enacted by the Municipal Council of Tacloban, Leyte, which provides the following:

"SECTION 1. It shall be unlawful for any person, association, or firm, to manufacture, distill, produce, cure, sell; barter, offer or give or dispose of in favor of another, possess or to have under control any intoxicating liquor, drink, or beverage, locally manufactured, distilled, produced or cured wine, whiskey, gin, brandy and other drink containing liquor including tuba.

"SEC. 2. All permits and licenses issued for the manufacture, production or establishment or distilleries and sale of tuba, wine, whiskey, and other alcoholic beverage, are hereby revoked and cancelled.

"SEC. 3. Any person, association or firm, who violates the provisions of this Ordinance, shall be punished, upon conviction by competent court, by a fine of not less than one hundred pesos nor more than two hundred pesos and imprisonment of not less than three months nor more than six months. In case of a reincidence or second offense committed, the violator shall suffer the maximum penalty prescribed, and in the event of insolvency, the violator shall suffer imprisonment of one day for each one peso fine imposed in addition to the imprisonment already imposed thereof by the court.

"SEC. 4. Any provisions of Municipal Ordinance, rules and regulations, which are inconsistent hereof, are hereby repealed, void and null.

"SEC. 5. This Ordinance shall take effect immediately upon its approval.

"Approved, December 2, 1944."

The informations filed against Timoteo Esguerra, Criminal Case No. 2 of the Court of First Instance of Leyte, G. R. No. L-501, and against Teofilo Decatoria, Criminal Case No. 4 of the same court, G. R. No. L-502, charged that each of said defendants did

then and there, willfully, unlawfully and feloniously sell, barter, convey, offer, give, or dispose of whiskey or intoxicating liquor to or in favor of soldiers of the United States Army, which wine or intoxicating liquor the accused had then in their possession and under their custody and control without any legal authority to do so.

The informations against Jose Chan, Criminal Case No. 7 of the Court of First Instance of Leyte, G. R. No. 505, Felix Labordo, Criminal Case No. 15, G. R. No. L-510, and Pilar E. Pascual, Criminal Case No. 16, G. R. No. L-511, and against the defendants in other seven (7) separate cases charged the defendants with having, willfully, unlawfully, and feloniously, had in their possession and under their control and custody "tuba" or intoxicating liquor without any legal authority to do so.

The cases against Timoteo Esguerra, Jose Chan, Felix Labordo, and Pilar E. Pascual were jointly heard and the defendants moved for the dismissal of the charge on the ground that the Ordinance No. 4, Series 1944, which, according to the informations, was by them violated is null and void, because the Municipal Council of Tacloban, Leyte, had no power to enact it. The lower court, after hearing the arguments of the prosecution and the defense, declared the ordinance in question null and void, and dismissed the cases against the said defendants; and also dismissed the cases against the defendants in all other cases, presumably because the ordinance which penalizes as an offense the selling, bartering, offering, giving away or dispensing of liquors, having been declared null and void, the part of the same ordinance which penalizes the possession, custody and control of liquors had to be declared null and void also, since the latter can not be separated from the former.

The prosecuting attorney, in behalf of the plaintiff, The People of the Philippines, appealed from the decision of the lower court in the twelve (12) cases, and all of them are now before us on appeal.

The appellant contends that the ordinance at bar was enacted by virtue of the police power of the Municipality of Tacloban conferred by the general welfare clause, section 2238 of the Revised Administrative Code, and is therefore valid. Said section reads as follows:

"SEC. 2238. *General power of council to enact ordinances and make regulations.*—The municipal council shall enact such ordinances and make such regulations, not repugnant to law, as may be necessary to carry into effect and discharge the powers and duties conferred upon it by law and such as shall seem necessary and proper to provide for the health and safety, promote the prosperity, improve the morals, peace, good order, comfort, and convenience

of the municipality and the inhabitants thereof, and for the protection of property therein."

We are of the opinion, and so hold, that the lower court has not erred in declaring the ordinance No. 44, Series 1944, *ultra vires* and therefore null and void. Under the general welfare clause, Sec. 2238 of the Revised Administrative Code, a municipal council may enact such ordinances, *not repugnant to law*, as shall seem necessary and proper to provide for the health and safety, etc., of the inhabitants of the municipality. But as the ordinance in question prohibiting the selling, giving away and dispensing of liquor is repugnant to the provision of Section 2242 (g) of the same Revised Administrative Code, the Municipal Council of Tacloban had no power under said Sec. 2238 to enact the ordinance under consideration. The prohibition is contrary to the power granted by Sec. 2242 (g) "to regulate the selling, giving away and dispensing of intoxicating malt, vinous, mixed or fermented liquors at retail;" because the word "regulate" means and includes the power to control, to govern and to restrain; and can not be construed as synonymous with "suppress" or "prohibit;" (Kwong Sing vs. City of Manila, 41 Phil. Rep., 103). Since the municipality of Tacloban is empowered only to regulate, it cannot prohibit the selling, giving away and dispensing of intoxicating liquors, for that which is prohibited or does not legally exist can not be regulated.

The powers conferred upon a municipal council in the general welfare clause, or Sec. 2238 of the Revised Administrative Code, refers to matters not covered by the other provisions of the same Code, and therefore it can not be applied to intoxicating liquors, for the power to regulate the selling, giving away and dispensing thereof is granted specifically by Sec. 2242 (g) to municipal councils. To hold that, under the general power granted by Sec. 2238, a municipal council may enact the ordinance in question, notwithstanding the provision of Sec. 2242 (g), would be to make the latter superfluous and nugatory because the power to prohibit, includes power to regulate the selling, giving away and dispensing of intoxicating liquors.

Under the charters of municipal corporations in the States of the Union, from which the provisions of the Organic Act of our cities and municipalities were taken, municipal corporations are generally granted, not only the specific power to regulate the sale or traffic of intoxicating liquors, but also the general welfare power similar to that conferred by Sec. 2238 of the Revised Administrative Code. And the Courts of last resort in the said States have uniformly held that the "legislative authority to license or regulate the sale of intoxicating liquors does not authorize a municipality to prohibit it, either in express terms or by imposing prohibitive license fees."

(Continued on page 128)

Activities Of The Local Gov

A RESOLUTION REQUESTING HIS EXCELLENCY, THE PRESIDENT OF THE PHILIPPINES, TO ISSUE AND PROMULGATE AN EXECUTIVE ORDER ALLOWING MUNICIPAL GOVERNMENTS TO INCREASE THE SALARIES OF THE CHIEF MUNICIPAL OFFICIALS.

WHEREAS, the maximum rates of salaries fixed for the chief municipal officials, i.e. the municipal mayor, municipal secretary, and municipal treasurer, under the provisions of Republic Act No. 103 are very inadequate under the present economic conditions due to the elimination of the bonus formerly received by them;

WHEREAS, such a state of affairs is not conducive to the efficiency of the public service considering that these chief municipal officials must maintain adequately the dignity of their office and are, by virtue of their positions, required to spend much for representation purposes;

NOW, THEREFORE, BE IT RESOLVED, as it is hereby resolved, to request His Excellency, the President of the Philippines, by virtue of the powers vested in him by the Constitution and the Emergency Powers Law, to promulgate an executive order allowing the various municipal governments, should their financial condi-

tions permit, to increase the salaries of the chief municipal officials to such amounts as shall not exceed the sum of their basic pay and the bonus formerly received by them, it being understood that no municipality shall incur any overdraft for the purpose of effecting the salary increases therein authorized;

RESOLVED LASTLY, that copies of this resolution be and are hereby furnished His Excellency, the President of the Philippines, for his kind consideration.

Approved unanimously, January 15, 1949.

I hereby certify that the foregoing resolution is a true and correct copy of the resolution unanimously approved in a special meeting of the Rizal Mayors' League held at Pasig, Rizal on January 15, 1949.

(Sgd.) BONIFACIO I. JAVIER
Speaker

Power . . .

(15 R.C.L., p. 262). And the general power granted in the general welfare clause does not authorize a municipal council to prohibit the sale of intoxicants because, as stated in American Jurisprudence, vol. 30, p. 367, "as a general rule when a municipal corporation is specifically given authority or power to regulate or to license and regulate the liquor traffic, power to prohibit is impliedly withheld."

In view of the foregoing, the appealed orders or resolutions of the lower court dismissing the informations in the above entitled cases, are affirmed, without pronouncement as to costs.

So ordered.

Paras, Perfecto, Bengzon and Tuazon JJ., concur.

Congratulations to

The

LOCAL GOVERNMENT REVIEW

Fortunato N. Suarez

Congressman, 1st District, Quezon

rnments And Their Officials

PETITION FOR MORE MUNICIPAL ALLOTMENT FROM THE GASOLINE FUND FOR BARRIO ROADS AND BARRIO SCHOOLS.

EXCERPTS FROM THE MINUTES OF THE JOINT CONVENTION OF THE PROVINCIAL BOARD OF CAMARINES SUR AND THE MUNICIPAL MAYORS HELD AT THE CITY OF NAGA ON JANUARY 8, 1949.

WHEREAS, the passage by the Philippine Congress and the approval by His Excellency, the President, of Republic Act No. 314, providing for the allotment of National funds, equivalent to 10% of the gasoline fund, for the repair, maintenance and construction of municipal roads, is definitely a step towards the improvement of road facilities from the poblacion to the barrios of every town.

WHEREAS, the Provincial Board and the Mayors of Camarines Sur are cognizant of the incalculable benefits that would accrue to the barrio folks and the steeping of the agricultural and commercial activities of our rural districts, but one problem which every barrio is still haunted every year is the repair, maintenance and construction of the barrio schools;

WHEREAS, from the liberation up to the present, the town and barrio inhabitants, in their inflexible desire to send their children to school have resorted to communal work, have supplied materials to construct temporary school houses, to accommodate the increasing school population, and the ever ready Parent-Teacher Associations in every town and barrio, have become patient beasts of burden in assuming the functions that are purely of the government's;

WHEREAS, the Provincial Board and Mayors of this province are aware and thankful of this civic spirit of our

citizens, but fear that the people could not continue to carry this heavy responsibility, and we find in the passage of Republic Act No. 314, if amended, a way to ease up and relieve the Parent-Teacher Associations of this burden;

Now therefore, on motion of Board Member Prila, seconded by Mayor Cansuad of Pili, the Convention resolves as it is hereby resolved, to petition His Excellency, the President, and the Philippine Congress, to amend Republic Act No. 314, by increasing the allotment of 10 percent to 20 percent of the gasoline fund given as National Aid to municipalities and giving the municipal councils the authority to allocate by resolution, one half of said funds for municipal roads and bridges, and the other half for construction and maintenance of barrio schools, or the whole of any of said funds for either roads and bridges or for schools, whichever is the urgent need of every town.

Resolved lastly, to furnish copies of this resolution to His Excellency, the President of the Philippines, the President of the Senate and the Speaker of the House of Representatives, Manila, for their kind consideration and approval.

Unanimously approved.

xx xx xx

I hereby certify to the correctness of the above-quoted resolution.

ANASTASIO M. PRILA
Secretary, Provincial Directorate
Liberal Party
Camarines Sur

Resolutions of the Conference of Provincial Governors and City Mayors held in the City of Manila on January 21-27, 1948

(Continued from first issue.)

No. 11

WHEREAS, there exists the necessity of arranging and compiling all motions, suggestions and resolutions to

Activities . . .

be presented and taken up in this convention;

WHEREAS, in order to facilitate the compilation of all such motions, suggestions and resolutions to be presented and taken up in this Convention there exists also the necessity of creating a committee to take charge of same;

WHEREFORE, this Convention of Provincial Governors and City Mayors, with the foregoing considerations, unanimously

RESOLVED, as it is hereby resolved, to authorize the Chairman to appoint seven members who will form themselves into a Committee charged with receiving all motions, suggestions and resolutions to be arranged and compiled in the form of a memorial for His Excellency, the President of the Philippines.

RESOLVED FURTHER, that the members of this Committee thus authorized created are as follows:

Gov. P. Faypon of Ilocos Sur, Chairman
" F. Leviste of Batangas, Member
" D. Aguila of La Union, "
" A. Abueg of Palawan, "
" F. Azcuña of Zamboanga, "
City Mayor J. Cariño of Baguio, "
" M. Raffiñan of Cebu, "

RESOLVED FINALLY, to furnish copy of this resolution to the Chairman and Members of said Committee for their information and guidance.

Carried unanimously.

No. 12

WHEREAS, this Convention is given but only a few days to study and deliberate on bills and measures that

Tan Tai Chong

Bakery

Yawe, Padre Burgos, Quezon

may be presented and brought up for consideration;

WHEREAS, the study and deliberation on proposed bills by each and every member of this Convention takes quite a long time;

WHEREAS, this lengthy process of deliberating on all proposed bills and measures to be taken up in this convention could very well be avoided if the same be charged to a Committee which will first go over and study all such bills after which it may submit its findings to this Convention for action;

WHEREFORE, this Convention of Governors and City Mayors, unanimously

RESOLVED, as it hereby resolved, to create a Committee to study all proposed bills and to submit its findings on time to this Convention for final deliberation and action.

RESOLVED FURTHER, that the members of this Committee are as follows:

Gov. J. A. Madarang of N. V. Chairman
" M. Peñaflorida of Iloilo, Member
" D. E. Chipeco of Laguna. "
" P. T. Villanueva of N. Or., "
" G. Santayana of Quezon, "
" J. O. Chioco of N. Ecija, "

RESOLVED FINALLY, to furnish a copy of this resolution to each of the Chairman and Members of this Committee for their information and guidance.

Carried unanimously.

No. 13

WHEREAS, the granting of a more local autonomy to provincial and city governments is one of the primary purposes for which this convention has been called;

WHEREAS, there are already proposed bills regarding the change or granting of more local autonomy presented to this Body;

WHEREAS, before acting on such proposed bills, it is important that careful study and deliberation on same should first be made in order to find out the benefits and defects which such measures may afford to local governments;

The Provincial Governors and City

THE LOCAL GOVERNMENT REVIEW

Mayors now in convention in Manila, with the foregoing considerations, unanimously

RESOLVED, as it hereby resolved, that copies of proposed bills regarding the change of local autonomy be furnished to all Governors and City Mayors for their careful study and consideration.

RESOLVED FURTHER, to furnish copies of this resolution to the Chairman, Committee on Local Autonomy of this Convention for his information and appropriate action.

Carried unanimously.

No. 14.

WHEREAS, Provincial Governors and City Mayors are held directly responsible for the success of their administration in their respective provinces and cities;

WHEREAS, a number of National Government Bureaus and offices are represented in the provinces and cities by national officials appointed by the heads of the respective departments which they represent;

WHEREAS, the actuations and the degree of cooperation of these representatives of national government offices extended to provincial governors and city mayors have much to do towards the success of the administration of a province or a city;

WHEREAS, in order to insure the success of the administration of a certain province or city, which if it be a failure, is solely blamed upon the provincial governor or the city mayor, as the case may be;

WHEREFORE, the conference of Governors and City Mayors,

RESOLVED, as it is hereby resolved, to petition and request His Excellency, the President of the Philippines, that before Department Secretaries send government officials, or before assigning government officials to the provinces or cities, proper consultation with provincial governors or city mayors thereat be invariably made to insure close cooperation and mutual understanding in the successful administration and smooth running of provincial and city governments.

RESOLVED FURTHER, to forward this resolution to His Excellency, the President of the Philippines, Manila, for his information and favorable consideration, furnishing copies hereof to all Heads of Executive Departments, Manila, for their information also.

Carried.

No. 15.

WHEREAS, the present method of distributing health fund by the National Government to the different provinces is not equitable and depending upon the income of the respective provinces;

WHEREAS, health fund is maintained by a certain percentage of income which is not more than 10 per cent and depending upon the degree of cooperation and mutual understanding which exist between the Governor and District Health Officer;

WHEREAS, the share of the national government to the health fund depends upon the share of the respective provinces;

WHEREAS, the provinces with bigger income usually get the bigger share and those with less income the less share of the health fund;

WHEREFORE, the Governors and City Mayors now in convention,

RESOLVED, as it hereby resolved, to endorse the bill presented by the Honorable, the Secretary of Public Health and Welfare, to centralize health fund in order to effect the equitable distribution of same to the various provinces.

RESOLVED FURTHER, to forward copies of this resolution thru the respective Secretaries of both Houses of Congress, Manila, for their information and favorable consideration, furnishing copy hereof to the Honorable, the Secretary of Public Health and Welfare, Manila, for his information.

Carried unanimously.

No. 16.

WHEREAS, Commonwealth Act No. 85, as amended by Commonwealth Act No. 649 provides that each municipality or municipal district shall set aside annually a sum of not less than three

(Continued on page 133)

For His Lack Of Sportsmanship Judgment Affirmed!

[G. R. No. 4009—May 25, 1934]
THE PEOPLE OF THE PHILIPPINE ISLANDS, plaintiff-appellee,
versus ANDRES S. NICOLAS, defendant.

DECISION

BUTTE, J.:

The appellant, who is a member of the bar, was convicted in the Justice of the Peace Court of *lesiones menores*. On appeal this conviction was affirmed by the Court of First Instance of Rizal and the appellant fined P5.00. He brings this case to the court of last resort.

The domestic placidity of the conjugal establishment of the appellant and his spouse was turbulently disturbed by their debutante daughter who asseverated her intransigent hostility to certain anachronistic social usages (chaperonage). This originated an acromonious disputation between the appellant and his spouse. Unable to compose their divergent viewpoints by mutual concessions, they resorted to the arbitrament of pugilism, in which the spouse—a husky woman—gave a convincing demonstration of the ultra-feminist postulate of the invincible equality of the sexes. Whereupon the appellant, in craven betrayal of his sex and Stygian blindness to the precepts of his noble profession, accepted the reinforcement of a swagger stick with which he belayed his opponent. He now pleads self-defense. Shame on him! For his lack of sportsmanship the judgment is affirmed with double costs (Rule 40). Santos and Diaz, JJ., concur.

Professional jealousy—

"Say, I hear you lost your job. Why did the foreman fire you?"

"You know what a foreman is—he's the one who stands around and watches his men work."

"What's that got to do with it?"

"Why, he got jealous of me. People thought I was the foreman."—*Varieties*

PERSEVERANCE

TAMERLANE, the great Asiatic ruler, was one of those wise and discerning individuals who draw important lessons from the small incidents of life.

"Once," he related to his friends, "I was forced to hide myself from my enemies in a ruined building, where I sat alone many hours. Seeking to divert my mind from my apparently hopeless condition, I fixed my attention on an ant that was carrying a grain of corn larger than itself up a high wall. I counted the efforts it made to accomplish this feat. The grain fell sixty-nine times to the ground; but the insect persevered, and the seventieth time it reached the top. This incident gave me courage at the moment, and I never forgot the lesson."

Congratulatory . . .

Your magazine is well presented. Congratulations. — Director FELIX MARAMBA of Plant Industry.

I recommend that the Local Government Review be given the necessary support by both local officials and employees in the province of Misamis Oriental.—Hon. PACIENCIO G. YSAILINA, Prov. Gov. of Misamis Oriental.

The members of the police force of this municipality like the Local Government Review very much, especially that portion regarding the Police Law Annotated. Herewith are ten subscriptions for one year each.—Chief of Police Gelacio Roque of Victoria, Tarlac.

The journal is really a very good one. It is educational, informative and instructive. It should be made the official organ of the Government. Congratulations.—Dr. ALFONSO DE LEON, Director, La Union Provincial Hospital.

The Local Government Review is becoming popular in this town. I am sending you several subscriptions. — Policeman Maglanoc of Tarlac, Tarlac.

(To be continued)

Activities . . .

per centum and not more than five per centum of its general fund, at the discretion of the Provincial Board and each provincial board shall set aside from its general fund like sum which, together with the sums set aside by the municipalities and municipal districts under its jurisdictions, shall constitute a special fund to be known as "Agricultural Fund";

WHEREAS, under the present financial status of the provinces under the Republic of the Philippines, this requirement of the law cannot be duly complied with without impairing and paralyzing the essential activities of their general funds in addition to making it very hard, if not impossible, for them to meet all their respective mandatory and statutory obligations, including sinking fund installments, bonded indebtedness and other pre-war obligations, aside from the different transfers of other funds;

WHEREAS, the provincial general funds embrace wider field of activities than those of the municipalities and/or municipal districts, and to require them to contribute equal amounts as those required of the municipalities and districts to contribute to the Provincial Agricultural Fund under their respective jurisdictions would mean not only to limit their activities needing immediate attention, especially those in the fields of health, education and morals, but also curtail the lively and vigorous spirit that may be taken towards the effort of bringing a harmonious coordination of activities aimed at reconstruction and rehabilitation such that peace, tranquility, contentment and happiness may once more prevail in this war-battered land of ours;

WHEREAS, for the provinces to contribute at least three per centum of their general funds to their respective Agricultural Funds without the necessity of equalling the amount contributed by all the municipalities and municipal districts under their respective jurisdictions would be more just and

equitable, considering the present disrupted finances of the provinces due to the incidents of the last global war;

WHEREFORE, on motion by Governor Perfecto Fayon of Ilocos Sur, the Provincial Governors and City Mayors in Convention, unanimously

RESOLVED, as it is hereby resolved, to petition the Congress of the Philippines, thru His Excellency, the President of the Philippines, Manila, to have this law, Commonwealth Act 85, as amended by Commonwealth Act 649, further amended, in the sense that the annual contribution of any province to its agricultural fund shall not be less than three per centum of its general fund, without the necessity of covering the total amount of contributions to the same fund made by the municipalities and districts of the province.

RESOLVED FURTHER, to forward this resolution to the Congress of the Philippines, thru His Excellency, the President of the Philippines, Manila, earnestly recommending favorable consideration.

Carried unanimously.

No. 17

WHEREAS, the organization of this Body of Governors and City Mayors into an Association aimed at working solidly for the improvement and best interests of the provinces and cities;

WHEREAS, the organization of a certain group into an association, the naming of such an association and the electing or appointing of its officers are of paramount importance in its proper functioning and administration;

WHEREAS, up to this time this Body of Provincial Governors and City Mayors now in convention in Manila is still devoid of a name and still without officers, except its temporary chairman;

WHEREFORE, the Governors and City Mayors now in convention, with the foregoing considerations, unanimously

(Continued on page 135)

ON "QUEZON IN ACTION"

(1904-1944)

by JUAN F. RIVERA

FROM THE DESK OF

Mrs. Sofia R. de Veyra

My dear:

We went through the pages of these books and they are all official documents, speeches, etc. of President Quezon from the time he was appointed fiscal of Tayaba till his death. They make interesting reading, specially for those who were closely associated with him in life and will be very valuable reference for those who will ever attempt to write his life history.

Love from

Mammy

Nov 2, 1948 Mrs. Aurora A. Quezon

"There is one thought which I want you always to have in mind, and that is: That you are Filipinos, that the Philippines is your country and the only country God has given you; that you must keep it for yourselves, for your children, and your children's children, until the world is no more; and that you must live for it and die for it, if necessary."—Manuel L. Quezon (1938).

Activities . . .

RESOLVED, as it is hereby resolved, to name this association as the "Conference of Provincial Governors and City Mayors", the officers of which should compose of the President, Vice-President, Secretary, Treasurer, Auditor, and seven Directors. The Directors will be appointed by the President of the Conference one of whom must be a city mayor and the other six to be apportioned as follows: 2 from Luzon; 2 from Visayas and 2 from Mindanao.

RESOLVED FURTHER, that the officers and directors are as follows:

Officers

Gov. Manuel Cuenco of Cebu, President
" J. B. Lingad of Pampanga, Vice-President
" P. Faypon of Ilocos Sur, Secretary
City Mayor P. Bernardo of Quezon, Treasurer
" " Manuel de la Fuente of Manila, Auditor.

Directors

Governor Nicasio Arranz of Cagayan
" G. Santayana of Quezon
" M. Peñaflores of Iloilo
" J. C. Borja of Bohol
" P. Y. Ysalina of Misamis Or.
" F. Azcuña of Zamboanga

City Mayor Jose Cariño of Baguio

RESOLVED FINALLY, to furnish a copy of this resolution to the officers and directors mentioned above for their information and guidance.

Carried.

No. 18

WHEREAS, in the discussion, deliberation, consideration and solution by this Body of Governors and City Mayors of all problems and other matters affecting the provinces and cities in particular and the whole country in general, it is necessary to consult and

ENRIQUE O. CHAN

Attorney-at-Law

315 Ayala Bldg.
Manila

Tel. 2-65-10

seek the opinion of heads of the various executive departments and other national offices, for its information and guidance as well;

WHEREAS, such information, comment or opinion desired or sought for by this Body from the various department and office heads are given sometimes in the forms of speeches, memoranda or question and answer methods;

WHEREAS, in order that every governor and city mayor may be given the chance to deliberate intelligently on such speeches and the like;

The Provincial Governors and City Mayors now in convention in the City of Manila, with the foregoing consideration, unanimously

RESOLVED, as it hereby resolved, that all speeches, delivered or memoranda given in this convention be inserted in the records and that copies thereof be furnished to all Governors and City Mayors for their information and careful deliberation.

Carried unanimously.

(To be continued)

Alfredo R. Balagtas

Proprietor & Businessman

Residence

321 Alvarez

Manila

Office

325 Alvarez

MEMORANDUM for
EVERY CITIZEN

[*Excerpts from Speeches and Messages
of His Excellency*

ELPIDIO QUIRINO
President of the Philippines.]

"As individuals and as a people, we have our own problems. But our attention should not be limited to these problems; it should also seek to discover the relation of these problems to those of other individuals and other peoples. Our personal and community welfare is intimately bound with the welfare of others, not only within but outside our homes and our national frontiers."—*At the 15th anniversary of the foundation of the Far Eastern University, Nov. 5, 1948.*

* * *

"Our natural resources must be completely and efficiently utilized if we are to survive as a nation. * * * Home production of our primary and vital needs must at once be given impetus."—*At the inauguration of the Central Bank, January 3, 1949.*

* * *

"It is the duty of every one to support whoever is at the head of the government."—*At the plaza of the City of Naga on January 9, 1949.*

* * *

"I am sure that the publication of the *Local Government Review* will meet the great need for reference and information often felt by those who administer provincial, city and municipal governments as well as by the residents of these communities.

"It can distill practical knowledge and wisdom out of the experiences of our local administrators and contribute substantially to good government and good citizenship. I commend the initiative of the publishers and editors of this publication and wish them every success."—*Message published at page three of our first issue, January, 1949.*

* * *

**ANCIENT HONESTY AND SUPERMACY
OF THE LAW**

Queen SIMA

(*From Chinese dynastic annals translated in Groeneveldt's Notes on the Malay Archipelago with the date given as A.D. 674 and the place as Kalang, or Dj-Apo, corresponding to the Cotabato region of southern Mindanao.*)

Our country has had an enviable reputation for honesty. It has been our custom not to disturb even things dropped in the road, leaving these for their owner's return, that he whose they rightfully are may recover them however long his delay.

A ruler from faraway, an Arab, doubted our fame and thought to test it by sending a bag of gold to be left in the road as a trap.

For three years it remained in the road. For three years those of our people who saw it passed around it. It was left for you, the expectant future ruler, to be careless.

You thought that your rank privileged you to not turn out, so you stepped over the purse. Yet you should have set the example. You ought to have been the most careful of all.

Because your rank is greater your fault is graver. Death was the penalty at first in my mind but my ministers have dissuaded me. Then, because your fault was in your feet, I would have had them cut off, but even that my ministers advise is too severe a penalty.

I sentence you to have the toes of both feet cut off, to remind you to set a better example, as a warning to others, and to prove that in our land no one is so high in rank as to be above the law.

* From Austin Craig's *Gems of Philippine Oratory* (1924) p. 9.

Congratulatory . . .

publish matters pertaining particularly to the administration of provincial and municipal governments. — Provincial Treasurer ANDRES AGCAOILI of Quezon Province.

RESOLVED, That the Municipal Treasurer be and is hereby authorized to appropriate from any available fund . . . to cover one (1) year subscription of the municipality to the monthly organ "The Local Government Review," it being the opinion of the members of the council that said organ will be useful for reference and information to local government officials and employees.—RES. No. 4, c. s. MUNICIPAL COUNCIL OF BACOLOR, Pampanga.

For years I have been wanting to see the kind of reading matters that will help the poor town executives that are handicapped by the lack of technical advisers due to stringent municipal finances. Only their better resourcefulness and intuition guide them in the past in order to fulfill their duties well. Now with the birth of a needed magazine, such as yours, this long existing gap has at last been bridged to a happy solution. May those in the same position as mine find guidance in the Local Government Review!—Mayor PEDRO V. GUERRERO of Baler, Quezon.

I found the Local Government Review very interesting. Congratulations and I wish you success.—Hon. LEON G. GUINTO, formerly Undersecretary of the Interior and Secretary of Labor.

The Review is well gotten out and ably edited. It is replete with source materials which are of real permanent value.—MAURO GARCIA, Chief, Malacañan Library.

Congratulations for the first number of "The Local Government Review." It is full of vital information. Am recommending its inclusion among magazines in all public school libraries of the schools in the Division.—Div. Supt. of Schools RICARDO CASTRO OF SORSOGON.

FEBRUARY, 1949

Your magazine has received the enthusiastic approval of the public. Congratulations.—Atty. JOSE ERESTAIN, Chief Law Officer, General Auditing Office.

The magazine is really very interesting. It has given us a new light with regard to our government administration of which otherwise we would have been ignorant. Congratulations.—Mrs. MARIA C. LOPEZ, Agoo, La Union.



We have found the review to contain informative articles on municipal and provincial governments which make it valuable reference material. We have placed the magazine in our library for the use and reference of our employees as well as callers who may desire information on provincial and municipal governments.—DIRECTOR OF COMMERCE.

(Continued on page 132)

Republic of the Philippines
Department of Public Works and Communications
BUREAU OF POSTS
Manila

SWORN STATEMENT
(Required by Act No. 2580)

The undersigned, PETRA O. RIVERA managing editor, business manager, owner, publisher, of THE LOCAL GOVERNMENT REVIEW published monthly in English at 83 D. Tuazon Ave. Cor. 50 Laon-Laan, Q.C. after having been duly sworn in accordance with law, hereby submits the following statement of ownership, management, circulation, etc., which is required by Act No. 2580, as amended by Commonwealth Act No. 201:

Name	Post-Office Address
Editor: JUAN F. RIVERA	83 D. Tuazon Cor. 50 Laon-Laan, Q.C.
Managing Editor: PETRA O. RIVERA	83 D. Tuazon Cor. 50 Laon-Laan, Q.C.
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Bondholders, mortgagees, or other security holders owning one per cent or more of total amount of security:

N O N E N O N E

In case of daily publication, average number of copies printed and circulated of each issue during the preceding month of, 19.....:

1. Sent to paid subscribers	N O N E
2. Sent to others than paid subscribers	N O N E
Total	N O N E

In case of publication other than daily, total number of copies printed and circulated of the last issue dated January, 1949.

1. Sent to paid subscribers	150
2. Sent to others than paid subscribers	2,850
Total	3,000

(Sgd.) PETRA O. RIVERA
OWNER AND PUBLISHER

Subscribed and sworn to before me this 31st day of December 31, 1948, at Manila the affiant exhibiting her Residence Certificate No. A-50865 issued at Manila, on Jan. 12, 1948.

(Sgd.) EMILIANO ANONAS
Notary Public

My commission expires on Dec. 31, 1949

Doc. No. 710
Page No. 70
Book No. VIII
Series of 1948

Were You Born in February?

FEBRUARY 1

Others will lean on your bigness of heart and sympathetic nature. Yours is a mind of good ideas and sound judgment. Your great happiness will be in travel and writing. Your personal following will be large.

FEBRUARY 3

You have a fine analytical mind and are capable of sound judgment. Inventive or mechanical work are indicated as your best vocations. You would succeed in the work of librarian or steward.

FEBRUARY 5

The sensitive heart born on this date must learn to resist sentimental attractions. Summon courage to back your determination to rise above a natural weakness and if necessary become hardhearted.

FEBRUARY 7

Do not be too easily contented with your accomplishments and reach for a higher goal. Do not hold your ability or experience too cheaply. Demand more for yourself and work steadfastly to achieve it.

FEBRUARY 9

Born of this date you have a great memory for dates and events. A lover of history you would do well in teaching it. A lover of athletics you should maintain your physical activities with plenty of outdoor work.

FEBRUARY 11

You have an artistic mind and a keen appreciation of beauty and art, but you must be guided by your intuition and not by your sympathies. Philanthropic or welfare work will show return.

FEBRUARY 13

Born this day is a great homelover with highly developed domestic interests that confine themselves too narrowly to the family circle. You have power and courage to surmount many obstacles.

FEBRUARY 15

A strong opinion is a good thing until carried to limits that become overbearing. Listen more to others and consider the viewpoint of your associates. Don't be too positive before being sure of your ground.

FEBRUARY 2

Too many opportunities will come your way and will develop a restless uncertainty unless guarded against. With liberal ability great care should be taken in choosing the life work. Start slowly and stay by it.

FEBRUARY 4

Born this day is a lover of nature with a great fondness for flowers and gardens. You are well fitted for agricultural work or in horticulture. Such patience and understanding should parent a large family.

FEBRUARY 6

You have trusting, confidential nature, but your faith and ability are understood and appreciated. Seek an outlet for your efforts in mechanical engineering, drafting, or designing mechanical toys.

FEBRUARY 8

It will pay you to indulge yourself in travel which will have a commercial value in later life. You are quick to gain the confidence of others and a great friend maker. As a salesman you will succeed.

FEBRUARY 10

Your fondness for reading and study should take you a long way in the field of literature. You are an individualist to an extreme and should spend more of your time mingling with people.

FEBRUARY 12

Pioneering, financial work or inventive application will bring best results from your efforts. Your nature is to find out the right answer for yourself, being not too dependent upon others.

FEBRUARY 14

Engineering and inventive mechanics are indicated as best for one born this date. Your determination to win and your blindness to all failure will make you a success. You will not let others hinder you.

FEBRUARY 16

You have an inspirational energetic nature and a love for travel. Your best efforts will come from work having to do with investigation, or the chronicling of ancient history and charting travel routes.

*From NYAL

FEBRUARY 17

Born of this date your friendships are made too easily to last long. You accept people too readily and take them into your confidence too soon. Your best efforts will be in public service work.

FEBRUARY 19

Health will be your great asset and care should be taken not to treat a rugged physical condition too carelessly. Do not undermine your system with the use of either tobacco or strong drink.

FEBRUARY 21

You are apt to dwell at too much length on your own shortcomings and were better off if you thought less about yourself. Don't take yourself or the world too seriously. Make it a business to mix with people.

FEBRUARY 23

Your interest in matters of health, hygiene and physical welfare should qualify you for medicine or nursing. Your deep sympathetic nature should make you many lasting friends. Be careful in all investments.

FEBRUARY 25

A quick wit and a ready tongue can easily turn to sarcasm that loses many friendships. Care should be taken before venturing an opinion. You can be readily misunderstood. Learn to be charitable.

FEBRUARY 27

You have a dualistic nature with a tendency toward the materialistic on one side and the idealistic on the other. You should have a hobby which takes you out-of-doors, or brings you into competition with the opposite sex.

FEBRUARY 18

You learn so quickly you have difficulty in retaining the worth of your studies. Read less and digest more. Yours is the problem of concentrating your thoughts. Your work is liable to get ahead of your thoughts.

FEBRUARY 20

You have an analytical mind and are apt to give offense to those who can not comprehend your advanced ideas. You must maintain a rational mental balance or in the end you will suffer much.

FEBRUARY 22

Though ideas may not come to you easily, you have the faculty to take another's ideas and make them register. Your work should be more of management and supervision and less of creation.

FEBRUARY 24

Born of this date you are an extremist by nature with an inclination to think broadly and work vigorously. You will not be satisfied with any result of easy accomplishments.

FEBRUARY 26

Your excess energy should be devoted to your mental development. You will accomplish more if you plan your work and work your plan. Impulsiveness should be guarded against. Retail storekeeping is suggested.

FEBRUARY 28

Born of this date it is hard for you to accept either the orders or ideas of others. In your opinions you are very positive. Your judgment is inclined to be too snappy. Fraternal association will prove beneficial.

"Happiness itself is sufficient excuse. Beautiful things are right and true; so beautiful actions are those pleasing to the gods. Wise men have an inward sense of what is beautiful, and the highest wisdom is to trust this intuition and be guided by it. The answer to the last appeal of what is right lies within a man's own breast. Trust thyself."

—ARISTOTLE.