

[PRESIDENTIAL DECREE NO. 235, July 06, 1973]

AMENDING SECTION SEVENTY-FIVE OF REPUBLIC ACT NUMBERED ONE HUNDRED AND SEVENTY, OTHERWISE KNOWN AS THE CHARTER OF THE CITY OF DAGUPAN.

WHEREAS, there is presently only one branch in the City Court of Dagupan although there are four branches of the CFI and one Circuit Criminal Court holding sessions thereat; and

WHEREAS, there are over 3,500 cases now pending in the sole branch of the Dagupan City and this congestion will worsen unless additional branches are created;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution as Commander-in-Chief of all the Armed Forces of the Philippines, and pursuant to Proclamation No. 1081, dated September 21, 1972, do hereby amend Section 75 of Republic Act No. 170, otherwise known as the Charter of the City of Dagupan, to read as follows:

"SEC. 75. *Regular, auxiliary and acting judges of the City Court.* — There shall be a city court for the City of Dagupan which shall have three branches for which the regular judges thereof shall be known, respectively, as judge of the first, second, and third branch. There shall likewise be an auxiliary judge.

"The city judge may, upon proper application be allowed a vacation of not more than thirty days every year with salary. The auxiliary city judge shall discharge the duties in case of absence, incapacity or inability of any of the regular judges until he assumes his post, or until a new judge shall have been appointed. During his incumbency the auxiliary city judge shall enjoy the powers, emoluments and privileges of the city judge who shall not receive any remuneration therefor except the salary to which he is entitled by reason of his vacation *provided* for in this Act.

"In case of absence, incapacity or inability, of the regular city judges and the auxiliary city judge, or if for the same reason two or more regular judges could not perform their duties, the Supreme Court shall designate the judge of any of the adjoining municipalities to preside over the branch of the city court of the absent or incapacitated judge, and he shall hold the office temporarily until the regular incumbent or the auxiliary judge shall have resumed office or until another judge shall have been appointed in accordance with the provisions of this Act.

"The municipal judge so designated shall receive his salary as municipal judge plus seventy percent of the salary of the city judge whose Office he has temporarily assumed.

"The regular city judges shall each receive a compensation as fixed under existing law for city judges."

This Decree is hereby made part of the law of the land and shall take effect upon its approval.