

[Acts No. 4203, July 23, 1935]

AN ACT TO REGULATE THE HOLDING OF THE FIRST ELECTION FOR PRESIDENT AND VICE-PRESIDENT OF THE PHILIPPINES AND MEMBERS OF THE NATIONAL ASSEMBLY, TO APPROPRIATE FUNDS THEREFOR, AND FOR OTHER PURPOSES.

WHEREAS, in accordance with section four of Act Numbered One hundred twenty-seven of the Seventy-third Congress of the United States, commonly known as Tydings-McDuffie Law, the Governor-General has issued a proclamation to the People of the Philippine Islands calling an election to be held on Tuesday, September seventeen, nineteen hundred and thirty-five, for the purpose of electing the President and Vice-President of the Philippines and the Members of the National Assembly, provided for in the Philippine Constitution;

WHEREAS the existing Election Law does not contain any provisions for the election of said officers;

WHEREAS the national political parties which contended during the last general election and which subsequently consolidated into two parties, to wit, the *Nacionalista Democratico Party* and the *Nacionalista Democrata Independencia Party*, agreed on June sixteen, nineteen hundred and thirty-five, to present joint candidates for the offices of President and Vice-President of the Philippines, with only one platform, and although said parties continue as separate and independent organizations, it is the sense of the Philippine Legislature that the holding of a free and orderly; election will be best guaranteed and public confidence in; the result thereof will be more firmly grounded, if any party or parties that may during the coming election contend against said coalition is given an opportunity to examine everything in connection with the holding of said election, without detriment to the principle of party government; Now, therefore,

Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:

GENERAL PROVISIONS

SECTION 1. *Effective date and application of this Act.*—This Act shall take effect on its approval and shall govern only with reference to the first election for President and Vice-President of the Philippines and Members of the National Assembly.

SEC. 2. *Date of election and legal provisions applicable to same.*—The first election for President and Vice-President of the Philippines and Members of the National Assembly shall be held on September seventeenth, nineteen hundred and thirty-five, in accordance with the provisions of the Philippine Constitution, of this Act, and of the existing Election Law relative to the holding of general elections, in so far as they may be applicable and not in conflict with the provisions hereof. All acts and omissions penalized by the Election Law which shall be committed during the holding of this election or in connection therewith, shall be punished by the penalties prescribed by said Law.

CANDIDACIES

SEC. 3. *Candidacies of public officers or candidacies for more than one office.*—Any person holding a public office or employment in the executive or judicial branch, shall automatically cease in his office at the time of filing his certificate of candidacy. No person shall present himself as a candidate for or be eligible to more than one office at the election provided for in this Act, and any person filing certificates of candidacy for two or more different offices shall not be understood to be a candidate for any of such offices.

SEC. 4. *Certificates of candidacy.*—Certificates of candidacy shall be signed and sworn to by the candidates themselves and shall be filed with the Department of the Interior at least forty days before the election. Said certificates shall not contain any nicknames or *aliases* of the candidates.

SPECIAL PROVISIONS FOR CERTAIN LOCALITIES

SEC. 5. *Electoral organization in the special provinces.*—On August first, nineteen hundred and thirty-five, the provincial boards of the special provinces, under the supervision of the Secretary of the Interior, shall, whenever necessary, perform the duties of the municipal councils as regards the formation of election precincts, designation of polling places and appointments of election inspectors and poll clerks and substitutes therefor in their respective municipal districts, giving in the latter case due consideration to the recommendations of the accredited representatives of the national political parties.

In the municipalities of said provinces, action on such matters shall be taken by the municipal councils the same as in the case of regular municipalities.

SEC. 6. *Municipal districts of certain province.*—The voters of Allacapan and Langganan, in the Province of Cagayan, shall vote in the second legislative district of said province; those of Alilem, Angaki, Cervantes, Conception, San Emilio, Sigay, Sugpon, Suyo and Tagudin, in the Province of Ilocos Sur, shall vote in the second legislative district of said province; the voters of Sudipen, Santol and San Gabriel, in the Province of La Union, shall vote in the first legislative district of said province, and the voters of Bagulin, Burgos and Pugo, also in the Province of La Union, shall vote in the second legislative district thereof.

SEC. 7. *Legislative districts of the Mountain Province.*—For the purposes of the election of Members of the National Assembly, the Mountain Province shall be divided into three districts, as follows: First District, composed of the municipal districts of Bayag, Conner, Kabugao, Luna, Namaltugan and Tautit, Subprovince of Apayao, of the municipal districts of Balbalan, Lubuagan, Pinukpuk, Tabuk and Tanudan, Subprovince of Kalinga, and of the municipal districts of Bontoc (the capital of the province), Barilig, Sa-bangan, Sadangan, Sagada, Natunin and Tinglayan, Subprovince of Bontoc; Second District, composed of the City of Baguio and the municipal districts of Ampasungan, Atok, Bokod, Bakun, Buguias, Itogon, Kabayan, Kapangan, Kibungan, La Trinidad, Mankayan, Sablan, Tuba and Tublay, Subprovince of Benguet; Third District, composed of the municipal districts of Banaue, Burney, Hungduan, Kiangan, and Mayoyao, Subprovince of Ifugao, and of the municipal districts of Banaao, Bauco, Besao and Kayan, Subprovince of Lepanto.

SEC. 8. *Election of Members of the National Assembly for Cotabato, Lanao and Sulu.*

—The Members of the National Assembly for the Provinces of Cotabato, Lanao and Sulu shall in each case be elected by the presidents, vice-presidents and present municipal councilors of the municipalities and districts making up the province, by the persons who occupied similar positions in said municipalities and municipal districts in the past, and by the present senators, representatives, delegates to the Constitutional Convention, provincial governors and members of provincial boards, and by any persons who occupied any of said offices in the past and reside in the province concerned. For said purpose, a board of election inspectors of each of the municipalities and municipal districts of said provinces, and in case there is more than one board of election inspectors in any municipality or municipal district, the one designated by the provincial board concerned, shall make a special list of said officers and ex-officers, including in said list those of them who may apply therefor on the days set aside by this Act for the registration of voters. On the day of the election, the officers and ex-officers registered as above mentioned shall be entitled to vote, filling out the proper official ballot and depositing the same in a separate ballot box furnished to the board of inspectors by the provincial board, and upon the termination of the balloting, the board of election inspectors shall count the votes so deposited and shall prepare a separate return of the result, in accordance with section four hundred and sixty-five of the Election Law.

ELECTION REGULATIONS OF GENERAL APPLICATION

SEC. 9. *Election precincts and polling places.*—The election precincts shall remain the same as now established and the polling places shall be the same, unless the municipal council or board concerned shall, for good reason, designate a different place on or before August first, nineteen hundred and thirty-five.

SEC. 10. *Appointment of election inspectors and poll clerks.*—On August first, nineteen hundred and thirty-five, the municipal council shall appoint three election inspectors and one poll clerk, with their respective substitutes, for such election precinct.

Two of said election inspectors and the poll clerk, and their respective substitutes, shall belong to the political party, branch or fraction thereof, or political group, which polled the largest number of votes in said municipality at the general election of nineteen hundred and thirty-four, and the other inspector and his substitute shall belong to the political party, branch or fraction thereof, or political group, which polled the next largest number of votes at said election.

No inspector or representation of any kind on the board of inspectors shall be granted to any branch, fraction or political group which has since the general election of nineteen hundred and thirty-four separated, or which may hereafter separate, from said parties, branches, fractions or political groups, or from the party created by their consolidation.

The election inspectors and poll clerks and their respective substitutes shall be persons nominated by the accredited representatives of said parties, branches, fractions or political groups.

If any party or political group presenting candidates for President and Vice-President of the Philippines shall be formed before August first, nineteen hundred and thirty-five, such party or group shall, upon nomination by the same, be given