

[Act No. 3834, November 05, 1931]

AN ACT TO AMEND SECTION FOUR HUNDRED AND SEVENTY-NINE OF THE REVISED ADMINISTRATIVE CODE, AS AMENDED BY ACTS NUMBERED THIRTY-THREE HUNDRED AND EIGHTY-SEVEN AND THIRTY-SIX HUNDRED AND NINETY-NINE.

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

SECTION 1. Section four hundred and seventy-nine of the Revised Administrative Code, as amended by Acts Numbered Thirty-three hundred and eighty-seven and Thirty-six hundred and ninety-nine, is hereby further amended to read as follows:

"SEC. 479. *Contested election to office in general.*—Contests in all elections for the determination of which provision has not been made otherwise shall be heard by the Court of First Instance having jurisdiction in the judicial district in which the election was held, upon motion by any candidate voted for at such election and who has duly filed his certificate of candidacy. The contest shall be filed with the court within two weeks after the proclamation and shall refer to specific charges: *Provided, however,* That candidates for vice-president and councilor may file a joint motion as parties to a contest.

"Such court shall have exclusive and final jurisdiction, except as hereinafter provided. Upon petition of an interested party, or of its own accord if the interests of justice require it, said court shall forthwith cause the registration lists, ballot boxes, ballots, and other documents used at such election to be brought before it and examined, and shall appoint the necessary officers therefor and fix their compensation, which shall not exceed five pesos per diem each. All proceedings in an electoral contest shall be terminated within one year.

"The court shall declare who has been elected or that no candidate has been legally elected, as the case may be, and the candidate who has been declared elected shall be entitled to assume office without any other canvass by the board of canvassers as soon as the clerk of the court has notified the board of canvassers of the decision of the court and the person concerned has received a copy thereof, unless by virtue of the section next following an appeal shall lie and shall have been filed in accordance with the provisions of said section. The clerk of court shall immediately send certified copies of the decision to the board of canvassers and the candidates affected by the same."

SEC. 2. This Act shall take effect on its approval.

Approved, November 5, 1931.
