

[Act No. 3210, December 06, 1924]

AN ACT TO AMEND CERTAIN PROVISIONS OF CHAPTER EIGHTEEN, KNOWN AS THE ELECTION LAW, AND CHAPTER SIXTY-FIVE, ON PENALTIES, OF ACT NUMBERED TWENTY-SEVEN HUNDRED AND ELEVEN, AS AMENDED BY ACT NUMBERED THREE THOUSAND AND THIRTY, ESTABLISHING A PERMANENT REGISTRATION LIST, AND FOR OTHER PURPOSES

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 five of Act Numbered Twenty-seven hundred and eleven, as amended by Act Numbered Three thousand and thirty, is hereby amended to read as follows:

"SEC. 405. *When and with whom certificates of candidacy to be filed.*— The certificates of candidacy for the office of senator and representative shall be filed not less than twenty days before the day set for the election with the Chief of the Executive Bureau, who shall immediately send certified copies thereof to the secretaries of the Houses of the Legislature and to the provincial boards where the elections are to be held, which latter shall forward certified copies to all polling places: *Provided*, That without prejudice to the foregoing provisions, the Executive Bureau shall communicate the names of the candidates who have sent their certificates of candidacy to it, to the provincial boards by telegraph, if there be any.

"Certificates of candidacy for the provincial offices shall be filed not less than twenty days before the day of the election with the secretary of the provincial board of the province concerned, who shall immediately send certified copies to all the polling places of the province and to the Executive Bureau.

"Certificates of candidacy for municipal offices shall be filed not less than ten days before the day of the election with the municipal secretary, who shall send certified copies thereof to the polling places of the municipality concerned and to the Executive Bureau.

"It shall be the duty of the Chief of the Executive Bureau, the secretary of the provincial board, and the municipal secretary, upon receiving any certificate of candidacy, to acknowledge receipt thereof: *Provided*, That in case of the death or disqualification of a candidate for any Insular, provincial, or municipal office whose certificate of candidacy has been duly filed, after expiration of the time limits above established, any legally qualified elector may file either with the secretary of the provincial board or with the municipal secretary, without distinction, not later than the noon hour on the day of the election, his own certificate of candidacy for the office for which the dead or disqualified person was a candidate: *Provided, however*, That in the event of the death or disqualification occurring on the day before the election or

before the noon hour on the day of the election, said certificates shall be filed with any board of inspectors of the municipality where he resides."

SEC. 2. Section four hundred and fourteen of Act Numbered Twenty-seven hundred and eleven, as amended by Act Numbered Three thousand and thirty, is hereby amended to read as follows:

"SEC. 414. *Designation and arrangement of ballot boxes and other election paraphernalia—Duties of Chief of Executive Bureau.*—At least eighty days before each general election the municipal council in each municipality in which such election is to be held shall designate in each election precinct a place, as centrally located with respect to the residences of the voters as is practicable, where the elections and the meetings of the board of inspectors for registration shall be held during the year. Each place so designated shall, if practicable, be a room upon the lower floor, of reasonable size, sufficient to admit and comfortably accommodate twenty electors at one time outside the guard rails. No liquors shall be sold, served, or drunk or cockfights held in any building so designated from the time of designation until the day after election. If for any cause a place so designated shall thereafter and before election be destroyed or for any cause cannot be used, the municipal council shall forthwith meet and designate some other suitable place for holding such registry and election. Not more than one polling place shall be in the same room, and not more than two polling places shall be in the same building. Whenever the municipal council shall be unable to procure suitable places, or whenever it shall be more economical so to do, such council may provide temporary or portable structures adequate to the purpose, and shall take such measures as are proper and necessary for the storing thereof and recreation of the same at the following election. Such structures may be erected in any public street or plaza, but not so as to block traffic thereon. No building owned or inhabited by any person who is a candidate for any office for which votes are to be cast in any precinct shall be used as a polling place for that precinct, nor shall any polling place be located or established at places under the control of any private society or corporation, unless in such places there is no properly constructed and established road and they are over six kilometers distant from the poblacion or nearest barrio.

"The Chief of the Executive Bureau shall prepare and furnish all office supplies and other materials necessary for the registration and holding the election, boxes for the ballots and other papers used in the election, which shall be uniform throughout the Islands and shall be solidly constructed in such manner that they cannot be opened except by means of three different keys, and one of said keys shall during the voting and the counting of the votes be in the hands of each inspector and all shall be surrendered to the municipal treasurer immediately upon the completion of the count in a separate envelope, sealed, and signed by the watchers present and by each inspector, and said treasurer shall deliver one to the provincial treasurer, the other to the clerk of the court of first instance, and the third to the district

commander of the Philippine Constabulary, which officers shall demand said keys if they do not receive them within a reasonable time, and shall keep them for a period of six months, unless sooner demanded by the proper courts, and shall at the expiration of such period return them to the provincial treasurer, who shall keep them until the next election. The box for valid ballots shall be white and shall bear the following inscription in large, legible letters: *Box for valid ballots*; and the box for spoiled ballots, which shall be much smaller than the other, shall be red and shall bear the following inscription in large, legible letters: *Box for spoiled ballots*.

"The place set aside for a polling place shall have in front a sign showing the precinct to which it belongs, and on days of meetings of the board of inspectors the official flags of the Government shall be hoisted at the same time at the proper height.

"The Chief of the Executive Bureau shall see particularly that the local authorities perform faithfully and impartially the ministerial duties assigned to them by this Act, and may for this purpose apply for the aid of the services of the Office of the Attorney-General, designate as its deputies the provincial fiscals and other officers or agents of the law that may be necessary to secure an orderly, free, and honest election."

SEC. 3. The third paragraph of section four hundred and fifteen of Act Numbered Twenty-seven hundred and eleven, as amended by Act Numbered Three thousand and thirty, is hereby amended to read as follows:

"Behind the space occupied by the table of the board of inspectors there shall also be another guard rail, one meter high, which shall separate said board of inspectors from the watchers; the table of the board shall be placed fifty centimeters from said guard rail in order that the watchers may be able to clearly read the contents of the ballots and see and count the votes recorded by the inspector on the tally sheet."

SEC. 4. Section four hundred and sixteen of Act Numbered Twenty-seven hundred and eleven, as amended by Act Numbered Three thousand and thirty, is hereby amended to read as follows:

"SEC. 416. *Liquors, cock fighting, arms, etc.*—The drinking, sale, dispensing, or offering of intoxicating liquors shall be absolutely prohibited on the days of the registration of electors, on the two days immediately preceding the day of the voting, on the day of the voting, and during the entire-time of the counting of the votes.

"No temporary booths, tents, or shelters of any kind for the sale, dispensing or display of any wares, merchandise, or refreshments, solid or liquid, or for any other purpose whatsoever, shall be erected or maintained within thirty meters of any polling place on the days and hours of the registration, voting, and counting; nor shall any cockfight or horse races be held in any municipality upon any election day.

"Except in case of an affray, riot or disorder, it shall be unlawful for any person other than a policeman or peace officer to carry firearms or any

other kind of arms within a distance of fifty meters from any polling place, during the days of the registration, voting, and counting."

SEC. 5. Section four hundred and seventeen of Act Numbered Twenty-seven hundred and eleven, as amended by Act Numbered Three thousand and thirty, is hereby amended to read as follows:

"SEC. 417. *Appointment of inspectors and poll clerk.*— It shall be the duty of the municipal council in each municipality wherein a general election is to be held to appoint, ninety days immediately prior to the date of such general election, three inspectors of election and one poll clerk, with their respective substitutes, for each election precinct therein, who shall hold office for three years or until their successors shall have taken charge of the same. The date of the meeting of the municipal council for the appointment of inspectors shall be published at least fifteen days in advance of such meeting, by the town crier and other means of publication. Should there be in such municipality one or more political parties or branches or fractions thereof, or political groups, then two of said inspectors and two substitutes for the same shall belong to the party which polled the largest number of votes in said municipality at the next preceding election and the other inspector and his substitute shall belong to the party, branch or fraction thereof, or political group which polled the next largest number of votes at said election; and the inspectors so appointed shall be persons proposed by the legitimate representative or representatives of such political parties, branches, or fractions thereof, or political group: Provided, however, That if on or before the date of the designation of the election inspectors as prescribed herein, any party, branch, or fraction thereof or political group entitled to representation has not proposed eligibles for the office of inspector, the designation made by the council shall be final for such party or political group.

"A 'political party' is an organized group of persons who pursue the same political ideals in a government.

"A 'political group' is a number of persons who unite for election purposes.

"In case of a vacancy in the office of election inspector or poll clerk, the same shall be covered for the remainder of the term by the municipal council, as above provided. "With the exception of the notaries public, no person who holds any public office, or is a candidate for any elective public office shall be eligible to appointment as inspector or poll clerk."

SEC. 6. Section four hundred and twenty-four of Act Numbered Twenty-seven hundred and eleven, as amended by Act Numbered Three thousand and thirty, is hereby amended to read as follows:

"SEC. 424. *Pay of inspectors and clerks.*—Each inspector of election and poll clerk shall receive pay for each day of actual service at meetings of the board except the meeting on the Saturday before election and shall receive two days' pay for election day. The municipal treasurer shall be entitled to compensation for the services rendered by him in accordance

with this Law, equivalent to the per diem of an election inspector for election day. The rate of pay shall be fixed by the municipal council but shall not be less than five nor more than fifteen pesos per day and shall not be changed during the term of office of the inspectors or of the clerk."

SEC. 7. Section four hundred and twenty-five of Act Numbered Twenty-seven hundred and eleven is hereby amended to read as follows:

"SEC. 425. *Registration as prerequisite of right to vote.*— In each municipality a permanent list of voters shall be kept, and no person shall vote at any general or special election held under the provisions of this chapter unless his name appears upon said list of voters.

"It shall be the duty of the Chief of the Executive Bureau to see that seventy-five days previous to the date of the general election of nineteen hundred and twenty-five, each municipal treasurer shall receive three certified copies, on suitable forms, of all lists of voters used at the last general election and special elections in the municipality concerned."

SEC. 8. Section four hundred and twenty-six of Act Numbered Twenty-seven hundred and eleven, as amended by Act Numbered Three thousand and thirty, is hereby amended to read as follows:

"SEC. 426. *Voter's affidavit—Its contents*—List of deceased and convicted—Treasurer's duties regarding same.— Any applicant for registration in the list of voters shall file with the municipal treasurer, in triplicate, an affidavit duly made before said officer or the municipal secretary, setting forth his name and surname, citizenship, place, and date of birth, age on last birthday, whether married or single, profession, occupation or trade, residence, stating his exact and correct address, time of residence in the Philippine Islands and in the municipality on the date of the affidavit, the qualification or qualifications entitling him to be a voter; that he has none of the legal disqualifications for being a voter; the nature of his physical incapacity for preparing his ballot on election day, if he be illiterate or physically incapacitated; and that he recognizes and accepts the supreme authority of the United States of America in the Philippine Islands and will maintain true faith and allegiance thereto. He shall also state, if, and where he voted at the preceding election, and if he has changed residence, he shall attach a copy of the application for cancellation mentioned in section four hundred and twenty-nine, duly certified by the treasurer of the municipality where he resided previously. On this affidavit shall be placed the number and place and date of issue of the personal cedula of the affiant.

"Electors who have registered by reason of the qualification specified in subsection (b) of section four hundred and thirty-one of this Act and have subsequently lost such qualification, shall report this fact to the municipal treasurer of the municipality where they reside and request the cancellation of their registration in the list of voters.

"A copy of this affidavit shall be filed in the office of the municipal treasurer, another in the office of the municipal secretary, and another