

[ Act No. 1741, October 03, 1907 ]

**AN ACT TO AMEND ACT NUMBERED ONE HUNDRED AND THIRTY-SIX, AS AMENDED BY PROVIDING A SALARY OF TWO THOUSAND FOUR HUNDRED PESOS PER ANNUM FOR THE JUSTICES OF THE PEACE OF CEBU AND ILOILO, AND BY ALLOWING EACH OF SAID JUSTICES TWO CLERKS TO BE PAID BY THE RESPECTIVE MUNICIPALITIES.**

*By authority of the United States, be it enacted by the Philippine Commission, that :*

SECTION 1. Section seventy-one of Act Numbered One and thirty-six, entitled "An Act providing for the organization of courts in the Philippine Islands," as amended by Act .Numbered Fourteen hundred and fifty and Act Numbered Sixteen hundred and twenty-seven, is hereby amended to read as follows:

"SEC. 71. *Audit and settlement.*—All fines and costs imp by a justice of the peace in criminal prosecutions and all fees charged in civil suits or for any other service, and collected during any month, shall be paid, of the first day of the month succeeding their collection, to the municipal treasurer (in the city of Manila, to the Collector of Internal Revenue), to whom, at the same time, the justice shall present a detailed statement of the amounts thus collected by him since his last previous report and of the amounts accruing to him from the municipal treasury during the same period. His account shall forthwith be audited by the municipal treasurer and president (in Manila, by the Insular Auditor) and he shall thereupon receive from the treasury the amount of his emoluments as allowed by such audit not exceeding for any month the monthly salary allowed by law to the president of the municipality: *Provided*, That in the city of Manila the justice of the peace shall receive, in lieu of all fees, the salary now fixed by law: *And provided further*, That in the municipality of Cebu, Province of Cebu, and in the municipality of Iloilo, Province of Iloilo, the justice of the peace shall receive, in lieu of all fees, a salary of two thousand four hundred pesos per annum. The auditors above Audit, mentioned shall examine the records of the justice of the peace and any spoiled papers or persons deemed necessary, and all mutilated or spoiled receipts must be accounted for and turned in by said justice. But it shall not be necessary for the justice to prove the insolvency of parties who have failed to pay costs taxed against them. If said auditors are of the opinion that needless prosecutions have been instituted for the purpose of enhancing fees, they shall report the facts to the judge of the Court of First Instance."

SEC. 2. Section seventy-five of said Act Numbered One hundred and thirty-six, as amended by Act Numbered Sixteen hundred and twenty-seven is hereby amended to read as follows:

SEC. 75. *Service of process; officers.*—The president of the Service of process. municipality shall serve, or cause to be served, through the municipal police force, any process issued by the justice of the peace thereof and delivered to said president. Process of the justice may also be served through the same channels as process from the Court of First