

[ Act No. 1740, October 03, 1907 ]

**AN ACT PROVIDING' FOR THE PUNISHMENT OF PUBLIC OFFICERS AND EMPLOYEES WHO FAIL OR REFUSE TO ACCOUNT FOR PUBLIC FUNDS OR PROPERTY OR WHO MAKE PERSONAL USE OF SUCH FUNDS OR PROPERTY, OR ANY PART THEREOF, OR WHO MISAPPROPRIATE THE SAME, OR ANY PART THEREOF, OR WHO ARE GUILTY OF ANY MALVERSATION WITH REFERENCE TO SUCH FUNDS OR PROPERTY, OR WHO THROUGH ABANDONMENT, FAULT, OR NEGLIGENCE PERMIT ANY OTHER PERSON TO ABSTRACT, MISAPPROPRIATE, OR MAKE PERSONAL USE OF THE SAME.**

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

SECTION 1. Any bonded officer or employee of the Insular Government, of any provincial or municipal government, or of the others, liability, city of Manila, and any other person who, having charge, by reason of his office or employment, of Insular, provincial, or municipal funds or property, or of funds or property of the city of Manila, or of trust or other funds by law required to be kept or deposited by or with such officer, employee, or other person, or by or with any public office, treasury, or other depository, fails or refuses to account for the same, or makes personal use of such funds or property, or of any part thereof, or abstracts or misappropriates the same or any part thereof, or is guilty of any malversation with reference to such funds or property, or through his abandonment, fault, or negligence permits any other person to abstract, misappropriate, or make personal use of the same, shall, upon conviction, be punished by imprisonment for not less than two months nor more than ten years and, in the discretion of the court, by a fine of not more than the amount of such funds and the value of such property.

SEC. 2. In all prosecutions for violations of the preceding section, the absence of any of the public: funds or property of which any person described in said section has charge, and any failure or inability of such person to produce all the funds and property properly in his charge on the demand of any officer authorized to examine or inspect such person, office, treasury, or depository shall be deemed to be prima facie evidence that such missing funds or property have been put to personal uses or used for personal ends by such person within the meaning of the preceding section.

SEC. 3. Every person convicted of a violation of this Act shall *ipso facto* be forever disqualified from holding any public office or employment of any nature whatever within the Philippine Islands.

SEC. 4. Articles three hundred and ninety, three hundred and ninety-one, and three hundred and ninety-two of the Penal Code of the Philippine Islands, in so far as the same may be in conflict with this Act, are hereby to that extent only repealed.

SEC. 5. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section two of "An Act prescribing the order of procedure by the Commission in the enactment of laws," passed September twenty-sixth, nineteen hundred.