

## [ Act No. 421, June 23, 1902 ]

### **AN ACT REPEALING ACT NUMBERED ONE HUNDRED AND SEVENTY-THREE AND SO MUCH OF SECTION ONE OF ACT NUMBERED TWO HUNDRED AND SEVENTY-TWO AS FORBIDS THE ISSUANCE OF THE WRIT OF HABEAS CORPUS AGAINST A MILITARY OFFICER OR SOLDIER WHO IS DETAINING A PRISONER IN THE PROVINCES OF BATANGAS, LA LAGUNA, TAYABAS, SAMAR, CEBU, AND BOHOL, OR OTHER ORGANIZED PROVINCES.**

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

Whereas armed insurrection no longer exists in the Province of Batangas, and by separate Acts heretofore enacted by the Commission Act Numbered One hundred and seventy-three, entitled "An Act restoring the Provinces of Batangas, Cebu, and Bohol to the executive control of the Military Governor," has been repealed in so far as it applied to the Provinces of Cebu and Bohol, leaving it operative alone in said Province of Batangas:

SECTION 1. On and after July fourth, nineteen hundred and two, the provincial and municipal officers of the Province of Batangas shall no longer report to the Military Governor, nor shall he have power to remove them and appoint others in their places, as is provided in Act Numbered One hundred and seventy-three; and said provincial and municipal officers, from and after said date, shall be under the exclusive executive direction and control of the Civil Governor.

SEC. 2. From and after the date aforesaid the Military Governor shall not have the power to suspend the operation of any part of the laws of the Commission for the government of the Province of Batangas and substitute therefor temporary general orders of his own having the effect of law. The full jurisdiction of the Court of First instance for the Province of Batangas, as provided by Act Numbered One hundred and thirty-six and amendments thereto, is reestablished in said province, including the right to issue the writ of habeas corpus in all cases as provided by law, and military commissions and provost courts shall no longer have jurisdiction and authority to try crimes and misdemeanors, as provided in Act Numbered One hundred and seventy-three, but the same shall only be triable in the civil courts.

SEC. 3. Said Act Numbered One hundred and seventy-three, and all other Acts in conflict herewith, are hereby repealed.

SEC. 4. So much of section one of Act Numbered Two hundred and seventy-two, entitled "An Act amending Chapter Twenty-six, relating to proceedings in habeas corpus, of Act Numbered One hundred and ninety, providing for a code of procedure in civil actions and special proceedings," as forbids the issuing of any writ of habeas corpus against a military officer or soldier who is detaining a prisoner in the Provinces of Batangas, La Laguna, Tayabas, Samar, Cebu, and Bohol, or in any other province which has been organized under the Provincial Government Act, or by a special Act, or which may be hereafter so organized, is hereby expressly repealed.