

[Commonwealth Act No. 361, August 22, 1938]

AN ACT TO AMEND SECTIONS TWENTY-FOUR HUNDRED AND SIXTY-SIX AND TWENTY-FOUR HUNDRED AND SIXTY-EIGHT OF THE ADMINISTRATIVE CODE.

Be it enacted by the National Assembly of the Philippines:

SECTION 1. Sections twenty-four hundred and sixty-six and twenty-four hundred and sixty-eight of the Administrative Code are amended so as to read as follows:

"SEC. 2466. *Regular and acting judges of municipal courts.*—There shall be a municipal court for the City of Manila, for which four judges shall be appointed, to be known, respectively, as judge of the first, second, third and fourth branch. Whenever the public interest so requires, the Secretary of Justice may designate any of the judges to hold session at night.

"The municipal court shall have the same jurisdiction in civil and criminal cases and the same incidental powers as at present conferred by law upon the municipal court and justice of the peace court of the City of Manila, and such additional jurisdiction and powers as may hereafter be conferred upon them by law. The cases pertaining to the municipal court shall be distributed in accordance with rules to be prescribed by the Secretary of Justice.

"In case of absence, sickness or incapacity of any of the judges of the municipal court and in case of any vacancy in said offices, the Secretary of Justice may designate any assistant attorney of the Solicitor General's office or provincial fiscal to act as judge of the municipal court of the City of Manila, with all the powers of a regular judge of said court; but such acting judge shall not receive any additional compensation during the time he is acting as judge."

"SEC. 2468. *Jurisdiction of Municipal Court.*—The Municipal Court shall have territorial jurisdiction embracing ' the entire police jurisdiction of the city, and shall hold a daily session, Sundays and legal holidays alone excepted: *Provided, however,* That when a legal holiday occurs in . two or more successive days or when a Sunday is immediately preceded and/or followed by a holiday, the Municipal Court may hold night sessions during said holidays. Said court shall have jurisdiction exclusive of the other courts sitting in the city over all criminal cases arising under the ordinances of the city, and over all criminal cases arising under the penal laws of the Philippines, where the offense is committed within the police jurisdiction of the city and the maximum punishment is by imprisonment. for not more than six months, or a fine of not more than two hundred pesos, or both. It shall also have concurrent. jurisdiction with the Courts of First Instance over all criminal cases arising under the laws relating to gambling and management of lotteries, to assaults where the intent to kill is not charged or evident upon the trial, to larceny, embezzlement and estafa where the amount of money or property stolen, embezzled or